

## Agenda – Y Pwyllgor Deisebau

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Lleoliad:	I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 1 – Y Senedd	Graeme Francis – Clerc y Pwyllgor
Dyddiad: Dydd Mawrth, 11 Mehefin 2019	Kath Thomas – Dipwrwy Glerc 0300 200 6565
Amser: 09.00	<a href="mailto:SeneddDeisebau@cynulliad.cymru">SeneddDeisebau@cynulliad.cymru</a>

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### 1 Cyflwyniad, ymddiheuriadau, dirprwyon a datganiadau o fuddiant (Tudalennau 1 – 39)

### 2 Deisebau newydd

2.1 P-05-880 Mae Cymru yn prysur golli ei henw da o ran cerddoriaeth, a'i threftadaeth  
(Tudalennau 40 – 48)

2.2 P-05-881 Trwsio ein system gynllunio  
(Tudalennau 49 – 62)

2.3 P-05-883 Wythnos Genedlaethol Hanes Cymru  
(Tudalennau 63 – 70)

### 3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol

### Addysg

3.1 P-04-522 Asbestos mewn Ysgolion  
(Tudalennau 71 – 73)

3.2 P-05-788 Cael gwared ar agwedd orfodol Bagloriaeth Cymru  
(Tudalennau 74 – 76)

3.3 P-05-834 Dylai Pob Ysgol Fod yn Ysgol Cyfrwng Cymraeg ac Addysgu Hanes Cymru  
(Tudalennau 77 – 78)



3.4 P-05-862 Mynd i'r afael â bwlio mewn ysgolion

(Tudalennau 79 – 81)

## **Iechyd a Gwasanaethau Cymdeithasol**

3.5 P-05-797 Sicrhau mynediad i'r feddyginiaeth ffibrosis systig, Orkambi, fel mater o frys

(Tudalennau 82 – 85)

3.6 P-05-804 Mae angen cyllid Llywodraeth Cymru ar gyfer chwarae!!

(Tudalennau 86 – 89)

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

(Tudalennau 90 – 103)

3.8 P-05-831 Rhowch ddiwedd ar yr annhegwch a'r gwahaniaethu yn y cymorth ariannol a roddir i ddioddefwyr sgandal gwaed wedi'i heintio yng Nghymru

(Tudalennau 104 – 107)

3.9 P-05-870 Gadewch i ni Sicrhau y Caiff Calon Pob Person Ifanc (10-35 oed) ei Sgrinio

(Tudalennau 108 – 115)

## **Amgylchedd, Ynni a Materion Gwledig**

3.10 P-05-852 Cyflwyno trwydded i reoli tir ar gyfer saethu adar hela mewn ymgais i roi terfyn ar erlid adar ysglyfaethus

(Tudalennau 116 – 118)

## **Gwleidyddiaeth**

3.11 P-05-818 Cyflwyno Cofrestr o Lobiwyr yng Nghymru

(Tudalennau 119 – 121)

## **Cydraddoldeb**

3.12 P-05-836 Adroddiadau ar y Bwlch Cyflog rhwng y Rhyweddau

(Tudalennau 122 - 124)

## **Economi a Thrafnidiaeth**

### **Bydd y ddwy eitem a ganlyn yn cael eu trafod ar y cyd**

3.13 P-05-838 Cefnogwch y Llwybr Du o ran Ffordd Liniaru'r M4

(Tudalennau 125 - 126)

3.14 P-05-850 Amddiffyn Gwastatir Gwent ac atal traffordd arfaethedig yr M4

(Tudalennau 127 - 135)

## **Tai a Llywodraeth Leol**

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

(Tudalennau 136 - 145)

3.16 P-05-858 Taenellwyr Dŵr i arbed bywydau nid i wneud arian!

(Tudalennau 146 - 149)

## **4 Cynnig o dan Reol Sefydlog 17.42 i benderfynu gwahardd y cyhoedd o'r cyfarfod ar gyfer y busnes a ganlyn:**

Item 5

## **5 Ystyried papur opsiynau: P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig**

(Tudalennau 150 - 155)

Mae cyfyngiadau ar y ddogfen hon

# Eitem 2.1

**P-05-880 Mae Cymru yn prysur golli ei henw da o ran cerddoriaeth, a'i threftadaeth**

Cyflwynwyd y ddeiseb hon gan Active Music Services, ar ôl casglu 1,745 o lofnodion ar-lein a 481 ar bapur, sef cyfanswm o 2,226 o lofnodion.

## **Geiriad y ddeiseb:**

\* Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i lunio Cynllun Cenedlaethol brys ar gyfer Addysg Cerddoriaeth gydag arian canolog penodol, yn unol â gweddill y DU. Bydd hyn yn sicrhau bod gwersi offerynnau cerdd a hyfforddiant llais fforddiadwy ar gael fel hawl i bob plentyn yng Nghymru.

\* Mae'r Gwasanaethau Cerddoriaeth yng Nghymru yn rhan annatod o ddatblygiad Addysg Cerddoriaeth fel rhan o'r cwricwlwm creadigol ar draws pob maes.

\* Mae'r cyfraniad a wneir gan y diwydiant a'r gwasanaethau cerddoriaeth i economi a llesiant pobl Cymru yn rhy bwysig i'w anwybyddu.

\* Mae nifer y bobl ifanc sy'n astudio cerddoriaeth ar lefel Uwch yng Nghymru wedi haneru mewn deng mlynedd ac mae nifer y cofrestriadau ar gyfer arholiadau TGAU wedi lleihau 40 y cant.

\* Nid yw cyni yn esgus i Lywodraeth Cymru ganiatáu dirywiad ein Gwasanaethau Cerddoriaeth. Dylai cyni fod yn rheswm dros fuddsoddi yn yr hawl cyfartal i bawb gael gwasanaethau, a chynaliadwyedd ein cymunedau.

Arwyddwch y ddeiseb hon i gefnogi'r ymgyrch i atal dirywiad Addysg Cerddoriaeth yng Nghymru.

## **Etholaeth a Rhanbarth y Cynulliad**

- Cwm Cynon
- Canol De Cymru

# Mae Cymru yn prysur golli ei henw da o ran cerddoriaeth, a'i threftadaeth

Y Pwyllgor Deisebau | 11 Mehefin 2019

Petitions Committee | 11 June 2019

## Papur briffio gan Ymchwil y Senedd:

Rhif y ddeiseb: P-05-880

Teitl y ddeiseb: Mae Cymru yn prysur golli ei henw da o ran cerddoriaeth, a'i threftadaeth

**Cynnwys y ddeiseb:** Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i lunio Cynllun Cenedlaethol brys ar gyfer addysg cerddoriaeth gydag arian canolog penodol, yn unol â gweddill y DU. Bydd hyn yn sicrhau bod gwersi offerynnau cerdd a hyfforddiant llais fforddiadwy ar gael fel hawl i bob plentyn yng Nghymru.

- Mae'r Gwasanaethau Cerddoriaeth yng Nghymru yn rhan annatod o ddatblygiad addysg cerddoriaeth fel rhan o'r cwricwlwm creadigol ar draws pob maes.
- Mae'r cyfraniad a wneir gan y diwydiant a'r gwasanaethau cerddoriaeth i economi a llesiant pobl Cymru yn rhy bwysig i'w anwybyddu.
- Mae nifer y bobl ifanc sy'n astudio cerddoriaeth ar lefel Uwch yng Nghymru wedi haneru mewn deng mlynedd ac mae nifer y cofrestriadau ar gyfer arholiadau TGAU wedi lleihau 40 y cant.
- Nid yw cyni yn esgus i Lywodraeth Cymru ganiatáu dirywiad ein Gwasanaethau Cerddoriaeth. Dylai cyni fod yn rheswm dros fuddsoddi yn yr hawl cyfartal i bawb gael gwasanaethau, a chynaliadwyedd ein cymunedau.

### 1. Cefndir

Er bod cerddoriaeth yn bwnc yn y cwricwlwm cenedlaethol ar hyn o bryd, bwriedir i wasanaethau cerddoriaeth gefnogi a gwella'r modd y caiff cerddoriaeth ei haddysgu mewn ysgolion trwy ddarparu cyfleoedd i blant a phobl ifanc ddysgu ystod eang o offerynnau, datblygu canu a pherfformio mewn ensemblau, corau, a grwpiau eraill, yn yr ysgol, yn y gymuned ehangach, ac ar lefel ranbarthol a chenedlaethol. Mae gwersi canu ac offerynol allgyrsiol yn cael eu darparu gan staff teithiol, y tu allan i wersi, ond yn ystod oriau ysgol.

Cyfrifoldeb awdurdodau lleol yw darparu ac ariannu gwasanaethau cerddoriaeth anstatudol. Caiff cyllid Llywodraeth Cymru ei ddarparu drwy'r Grant Cynnal Refeniw, ac mae awdurdodau'n gwneud penderfyniadau yn seiliedig ar eu blaenoriaethau lleol.

## 2. Camau Gweithredu Llywodraeth Cymru

O ganlyniad i'r pwysau sydd ar gyllidebau gwasanaethau cerddoriaeth yr awdurdodau lleol, sefydlwyd Grŵp Gorchwyl a Gorffen y Gwasanaethau Cerddoriaeth gan Huw Lewis, y cyn-Weinidog Addysg a Sgiliau, ym mis Mawrth 2015. Cyhoeddwyd [Adroddiad y grŵp gorchwyl a gorffen ar wasanaethau cerddoriaeth yng Nghymru](#) [PDF 539KB] ym mis Gorffennaf 2015. Roedd yr adroddiad yn rhoi braslun o'r gwasanaethau cerddoriaeth a ddarperir ar draws Cymru ar y pryd ac yn tynnu sylw at yr heriau sy'n bodoli o ran parhau i ddarparu gwasanaethau cerddoriaeth o ansawdd uchel. Roedd hyn yn cynnwys cynnal a datblygu darpariaeth gwasanaethau cerddoriaeth o ansawdd uchel yng nghyd-destun gostyngiad yng nghyllidebau ysgolion ac awdurdodau lleol ac yng nghyd-destun blaenoriaethau gwahanol. Cyhoeddwyd dau adroddiad cynnydd, [Grŵp gorchwyl a gorffen gwasanaethau cerddoriaeth: blwyddyn yn ddiweddarach](#) [PDF 362KB] (Ebrill 2017) a [Grŵp gorchwyl a gorffen gwasanaethau cerddoriaeth: adroddiad cynnydd terfynol](#) [PDF 541KB]

Fel y nodwyd yn llythyr y Gweinidog Addysg at y Pwyllgor, mae Llywodraeth Cymru wedi darparu £3 miliwn ychwanegol ar gyfer y blynyddoedd rhwng 2018 a 2020 i gefnogi'r gwasanaethau cerddoriaeth a ddarperir.

## 3. Gweithgareddau'r Cynulliad

### Deisebau blaenorol

Ym mis Mehefin 2015, bu'r Pwyllgor Deisebau yn trafod deiseb ([P-04-637 Diogelu Dyfodol Cerddoriaeth Ieuenctid yng Nghymru](#)) gan Friends of Bridgend Youth Music a oedd yn gofyn i'r Cynulliad Cenedlaethol annog Llywodraeth Cymru i ddiogelu hyfforddiant cerddorol mewn ysgolion, ac yn arbennig i:

- ailgyflwyno'r broses o glustnodi cyllidebau'n ganolog ar gyfer hyfforddiant offerynnol proffesiynol mewn ysgolion;
- gweithredu strategaeth genedlaethol i wrthdroi'r dirywiad yng Ngherddoriaeth Ieuenctid yng Nghymru;
- cynnig i blant a phobl ifanc yng Nghymru eu hawl i gael addysg sy'n datblygu eu personoliaethau, eu talentau a'u galluedd unigryw i'r eithaf.

Ar ôl gohebu â'r Gweinidog Addysg, CLILC a CBAC, daeth y Pwyllgor i'r casgliad nad oedd dim arall y gallai ei wneud i fynd â'r mater yn ei flaen. Caewyd y ddeiseb yn 2016.

## Ymchwiliad Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu

Yn dilyn pleidlais gyhoeddus, cynhaliodd Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu ymchwiliad i ariannu addysg cerddoriaeth a gwella mynediad ati. Cyhoeddwyd ei adroddiad, [Taro'r Tant](#) [PDF 1MB] ym mis Mehefin 2018. Argymhelliad cyffredinol y Pwyllgor oedd y dylai Llywodraeth Cymru drosglwyddo'r cyfrifoldeb dros ddarparu gwasanaethau cerddorol i gorff cenedlaethol hyd braich, a dylai Llywodraeth Cymru ddarparu'r arian craidd ar ei gyfer. [Derbyniodd Llywodraeth Cymru yr argymhelliad hwn mewn egwyddor](#), yn amodol ar ganlyniad astudiaeth ddichonoldeb i nodi ac asesu'r opsiynau ar gyfer darparu gwasanaethau cerddoriaeth.

Argymhellodd y Pwyllgor hefyd y dylai Llywodraeth Cymru baratoi Cynllun Gweithredu Cenedlaethol ar gyfer Cerddoriaeth. Er bod Llywodraeth Cymru wedi gwrthod yr argymhelliad, cytunodd y Gweinidog Addysg y byddai'n estyn yr astudiaeth ddichonoldeb i archwilio creu cynllun ar gyfer addysg cerddoriaeth (yn hytrach na cherddoriaeth yn gyffredinol).

Yn ei llythyr at y Pwyllgor, mae'r Gweinidog yn cadarnhau bod contract wedi cael ei ddyfarnu i gynnal yr astudiaeth ddichonoldeb, a fydd hefyd yn gofyn a ddylid fod Cynllun Cenedlaethol ar gyfer addysg cerddoriaeth.

## 4. Darpariaeth yn Lloegr a'r Alban

### Lloegr

Ym mis Tachwedd 2011, cyhoeddodd yr Adran Addysg ac Adran Diwylliant, y Cyfryngau a Chwaraeon, [The Importance of Music, A National Plan for Music](#). Dywedodd y Llywodraeth mai nodau'r cynllun cenedlaethol oedd galluogi plant o bob cefndir a phob rhan o Loegr i gael y cyfle i ddysgu offeryn cerddorol; creu cerddoriaeth gydag eraill; dysgu canu; a chael y cyfle i wneud cynnydd wrth ddatblygu eu galluoedd cerddorol.

Mae'r cynllun cenedlaethol ar gyfer cerddoriaeth yn berthnasol i bob ysgol, gan gynnwys academiâu ac ysgolion rhydd, ac mae'n parhau i fod yn rhan o bolisi addysg cerddoriaeth y Llywodraeth bresennol. Bydd y cynllun cenedlaethol yn rhedeg tan 2020.

Yn dilyn proses ymgeisio a gynhaliwyd gan Gyngor Celfyddydau Lloegr, sefydlwyd 123 o ganolfannau addysg cerddoriaeth, a ddechreuodd ar eu gwaith ym mis Medi 2012. Mae'r canolfannau yn ffederasiynau o sefydliadau lleol sydd â diddordeb mewn addysg cerddoriaeth. Gallant gynnwys ysgolion a sefydliadau addysgol eraill, yn ogystal â sefydliadau celfyddydol a cherddorol. Dywedodd yr Adran Addysg mai pwrpas y canolfannau addysg cerddoriaeth oedd gwella ansawdd a chysondeb addysg cerddoriaeth ar draws Lloegr yn yr ysgol a'r tu allan iddi.

Mae canolfannau addysg cerddoriaeth yn cael cyllid gan sawl ffynhonnell wahanol. Maent yn cael cyllid gan y Llywodraeth ganolog a ddyrennir yn ôl fformiwla sy'n cyfateb i gyfanswm nifer y disgyblion a nifer y disgyblion ym mhob ardal sy'n gymwys i gael prydau ysgol am ddim. Mae Cyngor Celfyddydau Lloegr yn gweithredu fel deiliad y gronfa ar ran yr Adran Addysg ar



gyfer y cyllid canolog hwn. Yn y flwyddyn ariannol 2018/19, rhoddodd yr Adran Addysg £75 miliwn o gyllid i ganolfannau addysg cerddoriaeth.

Ysgolion wnaeth y cyfraniad ail fwyaf at gyllidebau canolfannau addysg cerddoriaeth. A rhieni wnaeth y cyfraniad trydydd mwyaf at gyllidebau canolfannau addysg cerddoriaeth yn 2018/19. Roedd grantiau a chyfraniadau awdurdodau lleol yn cynrychioli cyfran llawer llai o gyllid ar gyfer canolfannau addysg cerddoriaeth.

## Yr Alban

Yn yr Alban, mae awdurdodau lleol yn ystyried bod hyfforddiant cerddoriaeth offerynnol yn wasanaeth dewisol ac ar wahân sy'n ategu'r cwricwlwm cerddoriaeth, sef sefyllfa debyg i'r hyn a geir yng Nghymru. Mae pob awdurdod lleol yn rheoli ei Wasanaeth Cerddoriaeth Offerynnol ei hun ac mae pob un yn gallu gosod ei ffioedd ei hun (os o gwbl), y taliadau llogi ar gyfer offerynnau a, lle mae ffioedd yn berthnasol, unrhyw eithriadau neu gyfraddau consesiynol. Cyhoeddodd Senedd yr Alban adroddiad, [A note of concern: The future of instrumental music tuition in schools](#) ym mis Ionawr 2019. Nodwyd yn yr adroddiad:

The Committee respects the democratic right of local authorities to take decisions about local expenditure and acknowledge the financial choices they face. However, the Committee believes in principle that music tuition should be provided free of charge in every local authority.

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



Eich cyf/Your ref P-05-880  
Ein cyf/Our ref KW/06020/19

Janet Finch-Saunders AC  
Aelod Cynulliad dros Aberconwy  
Cadeirydd y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Caerdydd  
CF99 1NA  
[Government.Committee.Business@llyw.cymru](mailto:Government.Committee.Business@llyw.cymru)

7 Mai 2019

Annwyl Janet,

Diolch am eich llythyr dyddiedig 30 Ebrill ynghylch deiseb *Active Music Services*.

Rwy'n nodi bod y ddeiseb yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gynhyrchu Cynllun Cenedlaethol ar gyfer Addysg Cerddoriaeth sydd â chyllid canolog penodol sy'n unol â gweddill y DU – ac mae'r ddeiseb yn darparu nifer o enghreifftiau i gefnogi Cynllun o'r fath.

Rydym wedi ymrwmo i sicrhau bod addysg cerddoriaeth o ansawdd uchel ar gael i blant a phobl ifanc ar hyd a lled Cymru.

Nid Llywodraeth Cymru sy'n gyfrifol yn uniongyrchol am ddarparu gwasanaethau ym maes cerddoriaeth, cyfrifoldeb awdurdodau lleol ydynt - ac maent yn derbyn cyllid drwy'r Grant Cynnal Refeniw. Fodd bynnag, rwy'n cydnabod y pwysau cyfredol y mae gwasanaethau cerddoriaeth yn eu hwynebu, a'r angen i gymryd camau cyn gynted ag y bo modd.

Dyna pam rwy wedi darparu cyllid ychwanegol o £3 miliwn i gefnogi darpariaeth gwasanaethau cerddoriaeth ar hyd a lled Cymru yn 2018-19 ac yn 2019-20. Yn 2018-19, darparwyd £1.5 miliwn yn uniongyrchol i awdurdodau lleol flaenoriaethu fel y gwelant orau yn ôl anghenion lleol, yn erbyn amrywiol feini prawf a awgrymwyd mewn perthynas â sicrhau bod addysg cerddoriaeth o ansawdd uchel ar gael yn gyffredinol i bob dysgwr. Mae'r meini prawf a awgrymwyd yn cynnwys amrywiaeth o feysydd y gellir gwario'r cyllid arnynt, gan gynnwys:

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

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[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

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

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

- Sicrhau mynediad i ddisgyblion sy'n cael prydau ysgol am ddim.
- Prynu offerynnau cerdd newydd a rhai sydd 'mewn perygl'.
- Sicrhau bod mynediad gan ddisgyblion at wersi, arholiadau a chyrsgiau.
- Talu costau bod yn rhan o gerddorfeydd, corau a bandiau.
- Cychwyn ensemble 'roc a phop'.

Yn 2019-2020, bydd £1.5 miliwn yn cael ei ddyrannu i addysg cerddoriaeth yn dilyn ystyried canlyniadau astudiaeth ar ddarparu gwasanaethau cerddoriaeth yn y dyfodol. Roeddwn i hefyd wedi sicrhau bod £100,000 ar gael yn 2018-19 ar gyfer Celfyddydau Cenedlaethol Ieuenctid Cymru i gefnogi'r gwaith pwysig y maent yn ei wneud ac i wella cyfleoedd ein cerddorion ifanc.

Mae ymchwiliad y Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu i ariannu addysg cerddoriaeth a gwella mynediad ati, sef *Taro'r Tant*, yn nodi 16 o argymhellion sy'n rhoi sylw i wella'r ddarpariaeth ar gyfer gwasanaethau cerddoriaeth ledled Cymru.

Mae fy swyddogion yn bwrw ymlaen â gwaith ar hyn o bryd i gyflawni'r argymhellion yn yr adroddiad. Mae hynny'n cynnwys cynnal ymgynghoriad â rhanddeiliaid allweddol yn y sector cerddoriaeth ledled Cymru i drafod y cynnig i gynnal astudiaeth ddichonoldeb. Yn dilyn y gwaith hwnnw, mae fy swyddogion wedi caffael contractiwr annibynnol i gynnal astudiaeth ddichonoldeb er mwyn pennu ac asesu opsiynau ar gyfer darparu gwasanaethau cerddoriaeth yng Nghymru yn y dyfodol.

Mae rhai o'r argymhellion yn adroddiad *Taro'r Tant* yn cyfeirio at Gynllun Cenedlaethol ar gyfer Cerddoriaeth. Roedd y Pwyllgor wedi cadarnhau yn ddiweddarach mai'r Cynllun Cenedlaethol ar gyfer Addysg Cerddoriaeth oedd hwnnw. Yn sgil hynny, rwy wedi cytuno i'r astudiaeth ddichonoldeb edrych ar y ffordd orau o greu cynllun cenedlaethol ar gyfer addysg cerddoriaeth.

Amcanion yr astudiaeth ddichonoldeb yw:

1. Adolygu'r dystiolaeth bresennol a chynhyrchu tystiolaeth newydd i bennu'r dulliau sydd eisoes yn bodoli ar gyfer darparu gwasanaethau addysg cerddoriaeth ar hyd a lled Cymru.
2. Nodi arferion gorau'r dulliau sydd eisoes yn bodoli ar gyfer darparu gwasanaethau addysg cerddoriaeth ar hyd a lled Cymru.
3. Ystyried modelau gwahanol o wasanaethau cerddoriaeth a phennu'r angen a'r galw am wasanaethau o'r fath ac argymhell y cymorth sydd ei angen i gefnogi gwasanaethau eraill.
4. Adolygu'r dystiolaeth bresennol a chynhyrchu tystiolaeth newydd i ystyried dichonoldeb yr opsiynau sydd ar gael i ddarparu gwasanaethau addysg cerddoriaeth ar hyd a lled Cymru. Bydd angen i hynny:
  - a. Ystyried a ddylid trosglwyddo'r cyfrifoldeb am ddarparu gwasanaethau i un corff 'hyd braich' cenedlaethol a chyflwyno opsiynau am y math o gorff y dylai fod a'r opsiynau ariannu ar gyfer unrhyw gynnydd.
  - b. Nodi ac ystyried pa opsiynau eraill a allai fod yn ymarferol i'w cyflawni o ran darparu gwasanaethau cerddoriaeth ar hyd a lled Cymru.
5. Ystyried a ddylid paratoi Cynllun Cenedlaethol ar gyfer Addysg Cerddoriaeth, ac

os felly, nodi ac argymell cynnwys y Cynllun Cenedlaethol ar gyfer Addysg Cerddoriaeth.

Mae *Consultancy Coop* wedi cael y contract i gynnal yr astudiaeth hon. Rydym yn disgwyl y bydd y gwaith wedi'i gwblhau ym mis Awst ac y bydd adroddiad ar gael rywbryd ym mis Awst.

Yn gywir

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

**Kirsty Williams AC/AM**

Y Gweinidog Addysg  
Minister for Education



## ACTIVE MUSIC SERVICES

# Music Consultancy & Choral Music Centre

**Senior Consultant: Dinah Pye AGSM, Dip. Ed, CFPS**  
**Welsh Woman of the Year Winner**

3.6.19

Dear Petitions Committee

Petition:P-05-880

The following documents are relevant to the above petition.

- 1 Task & Finish Report - published in 2015 and response from the Welsh Government in 2019.
- 2 Hitting the Right Note - WG Cultural report published in July 2018.
- 3 All correspondence from Active Music Services (AMS), Music Education Council (MEC), CAGAC, WLGA, ADEW as well as organisations and individuals to the Cabinet Minister for Education Kirsty Williams, the Chair of the Cultural Committee Bethan Sayed and Lord Elis Thomas.
- 4 All minutes since 2015 of meetings held between civil servants, AMS, MEC, CAGAC, ADEW, WLGA relevant organisations and individuals.
- 5 Terms & Reference for the Feasibility Study currently in progress.

On page 6 of the Welsh Government education policy document there are two pyramids (Diagram 1 & 2) setting out the progressive structure for delivering music education in Wales to 3-19 year olds.

*Quote 1: Music making in schools and individual/group tuition provided by music services - potentially reaching every child.*

*Quote 2: Skills development through music services pyramid and opportunities with external organisations.*

With a continuing call for music services to be delivered by local government it is increasingly disappointing that the Welsh Government continues to allow the creeping privatisation of services, closure of services, continuing redundancies and the disruption of the delivery and access for too many young people across Wales.

The need to establish a National Plan with secure funding in line with the rest of the UK with a suitable model for all children is now urgent if the Welsh Government is to maintain its legal obligations.

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## ACTIVE MUSIC SERVICES

### CLOSURE STATEMENT FOR PETITION COMMITTEE

The 2,224 signatories to this petition are calling on the Welsh Government to act swiftly in providing a National Plan with a ring fenced budget for all pupils across the whole of Wales that will continue to provide the entitlement to free music tuition as a core subject to the age of 14 and beyond in order to underpin the important heritage, access and financial support so that ALL pupils continue to have the equal opportunity of reaching the standard required to participate in the National Youth Orchestra and Choir and beyond.

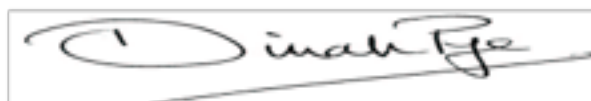
A Senydd debate involving all AMs is required urgently to obtain a clear picture of the current unacceptable situation.

The National Youth Orchestra of Wales was set up in 1945 and was the first in the world. It has since then, along with the National Youth Choir, provided equal opportunities and a first-class training experience for Wales' young musicians. Today due to numerous factors there is a serious decline in young musicians reaching the level required to participate musically or financially in these organisations.

For the last five years stakeholders and specialists have been providing the Welsh Government with information regarding the lack of a National Plan for Music and sustainable funding. The outcome being that several music services are being reduced, closed, teachers made redundant or forced to be self employed. England, Scotland and Northern Ireland all have a plan or strategy with funding as Wales continues to rely on goodwill to sustain its heritage.

Last July, following the launch of HITTING THE RIGHT NOTE by the WG Cultural Committee the Secretary for Education Kirsty Williams announced that a Feasibility Study would be produced within six months. By February 2019 this had not materialised and a Co-operative Consultancy has only just been appointed to produce a report sometime in the future.

After much pressure on the Government to release funding put aside for music the decline has been temporarily stemmed with a limited short term budget but with further redundancies announced on 17.5.19 the future situation remains bleak and unresolved.



### **P-05-881 Trwsio ein system gynllunio**

Cyflwynwyd y ddeiseb hon gan Ruth Parker, ar ôl casglu cyfanswm o 250 lofnodion.

#### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i drwsio ein system gynllunio; mae angen i ddatblygiadau newydd fod yn gynaliadwy.

Mae paragraff 4.2.15 o ddogfen Polisi Cynllunio Cymru yn datgan bod yn rhaid i awdurdodau cynllunio sicrhau bod digon o dir ar gael, neu y bydd digon o dir ar gael, ar gyfer cyflenwad pum mlynedd o dir ar gyfer tai. I allu ystyried bod tir ar gael yng ngwir ystyr y term, mae'n rhaid i'r safle dan sylw fod yn safle sydd wedi'i gynnwys mewn Cyd-astudiaeth Argaeledd Tir ar gyfer Tai.

Mae'r cyflenwad pum mlynedd o dai yn rhoi gormod o bwysau ar awdurdodau lleol, sy'n golygu bod datblygiadau anaddas yn cael eu hadeiladu. Mae'r Cyd-astudiaeth Argaeledd Tir ar gyfer Tai yn ddiffygiol: nid yw'n ystyried tai gwag na nifer yr ail gartrefi yn yr ardal. O ganlyniad i'r prinder tir, mae cynghorau'n teimlo bod angen rhoi caniatâd cynllunio hyd yn oed os ydynt yn ymwybodol o broblemau yn ymwneud â'r isadeiledd. Os yw cynghorau'n gwrthod rhoi caniatâd cynllunio, mae Arolygiaeth Gynllunio Cymru yn gwyrddroi eu penderfyniadau yn ystod y broses apêl.

Mae datblygwyr yn ymwybodol o'r bylchau yn y system, ac maent yn gallu manteisio ar fregusrwydd cymunedau drwy ymgymryd â datblygiadau hapfasnachol mawr y tu allan i'r Cynllun Datblygu Lleol. Gan fod y datblygiadau hyn y tu allan i'r Cynllun Datblygu Lleol, nid yw cynaliadwyedd yr ardal o ran llesiant yr economi, iechyd, trafndiaeth a'r amgylchedd yn destun gwaith craffu manwl. Hyd yn oed os yw trigolion yn tynnu sylw at astudiaethau/ystadegau lleol a chenedlaethol yn ymwneud â'r ardal dan sylw, nid yw eu lleisiau'n cael eu clywed mewn apeliadau. Mae angen i Lywodraeth Cymru ddiffinio'r hyn a olygir gan dystiolaeth 'gadarn'.

Cyflwynwyd Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 er mwyn atal datblygiadau anghynaliadwy ac er mwyn sicrhau bod cenedlaethau'r

dyfodol yn cael cyfle i fwynhau dyfodol rhesymol. Mae cymunedau'n teimlo nad yw polisi nac arfer yn adlewyrchu hyn.

### **Etholaeth a Rhanbarth y Cynulliad**

- Aberconwy
- Gogledd Cymru



## Deiseb: P-05-881 Trwsio ein system gynllunio

Y Pwyllgor Deisebau | 11 Mehefin 2019  
Petitions Committee | 11 June 2019

### Papur briffio gan Ymchwil y Senedd:

Rhif y ddeiseb: P-05-881

Teitl y ddeiseb: **Trwsio ein system gynllunio**

Testun y ddeiseb:

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Cyflwynwyd Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 er mwyn atal datblygiadau anghynaliadwy ac er mwyn sicrhau bod cenedlaethau'r dyfodol yn cael cyfle i fwynhau dyfodol rhesymol. Mae cymunedau'n teimlo nad yw polisi nac arfer yn adlewyrchu hyn.

## Y cefndir

Mae polisi cynllunio cenedlaethol Llywodraeth Cymru wedi'i nodi ym [Mholisi Cynllunio Cymru](#), a chyhoeddwyd y rhifyn diweddaraf o hwn, Rhifyn 10, ym mis Rhagfyr 2018. Y prif sbardun ar gyfer adolygu Polisi Cynllunio Cymru oedd i'w wneud yn gydnaws â *Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015* ac mae 'creu lle' yn nodwedd newydd ganolog ohono. Mae Polisi Cynllunio Cymru yn disgrifio creu lle fel:

Ffordd holistig o fynd ati i gynllunio a dylunio datblygiadau a lleoedd yw "creu lle", sy'n canolbwyntio ar ganlyniadau positif. Mae'n tynnu ar botensial ardal i greu datblygiadau a mannau cyhoeddus o ansawdd uchel sy'n hyrwyddo ffyniant, iechyd, hapusrwydd a llesiant pobl yn eu hystyr ehangaf.

Mae "creu lle" yn ystyried y cyd-destun, y swyddogaeth a'r berthynas rhwng safle'r datblygiad a'i gyffiniau, hynny yn achos datblygiadau mawr sy'n creu lleoedd newydd yn ogystal â datblygiadau bach sy'n cael eu creu mewn lle ehangach.

Ni ddylai "creu lle" ychwanegu at gostau datblygiad ond rhaid wrth feddwl clyfar, amlddimensiwn ac arloesol a'i ystyried cyn cynhared yn y broses â phosib. Mae "creu lle" yn ychwanegu gwerth cymdeithasol, economaidd, amgylcheddol a diwylliannol at y datblygiad gan arwain at fuddiannau sy'n fwy na'r ffisegol a chryfhau penderfyniadau cynllunio.

Mae llawer o [Nodiadau Cyngor Technegol](#) sy'n cefnogi Polisi Cynllunio Cymru, ac mae'r rhain yn rhoi arweiniad manylach ar agweddau penodol ar y polisi cynllunio. Mae'r ddeiseb hon yn ymwneud â [Nodyn Cyngor Technegol \(TAN\) 1: Cyd-astudiaethau argaeledd tir ar gyfer tai](#).

Mae Polisi Cynllunio Cymru yn nodi, fel rhan o'r broses o gynllunio datblygiad, bod angen i awdurdodau cynllunio ddeall eu marchnadoedd tai lleol a'r ffactorau sy'n dylanwadu ar ofynion o ran tai yn eu hardal dros gyfnod y cynllun (paragraff 4.2.3), a:

4.2.6 Bydd yr Amcanestyniadau Aelwydydd Iefel awdurdod lleol diweddaraf i Gymru gan Lywodraeth Cymru, ochr yn ochr â'r Asesiad o'r Farchnad Dai Leol (AFDLI) diweddaraf, a'r cynllun Llesiant ar gyfer ardal y cynllun, yn rhan sylfaenol o'r sylfaen tystiolaeth ar gyfer y cynlluniau datblygu. Dylid ystyried y rhain ynghyd â thystiolaeth allweddol arall mewn perthynas â materion fel beth mae'r cynllun yn ceisio ei gyflawni, cysylltiadau rhwng tai a swyddi, yr angen am dai fforddiadwy, ystyriaethau'r Gymraeg, ac ymarferoldeb y cynllun er mwyn nodi strategaeth briodol ar gyfer darparu tai yn ardal y cynllun. Rhaid rhoi ystyriaeth briodol hefyd i'r ffactorau cymdeithasol, economaidd, amgylcheddol a diwylliannol ehangach mewn cynllun datblygu er mwyn sicrhau y caiff lleoedd cynaliadwy a chymunedau cydlynus eu creu.

### Hefyd

4.2.15 Rhaid i awdurdodau cynllunio lleol sicrhau bod digon o dir ar gael mewn gwirionedd, neu y bydd digon ar gael yn y dyfodol, i ddarparu cyflenwad pum mlynedd o dir ar gyfer tai, wedi ei farnu yn ôl yr amcanion cyffredinol, sef graddfa a lleoliad y datblygu y gofynnir amdano yn y cynllun datblygu. Mae hyn yn golygu bod rhaid i safleoedd fod yn rhydd, neu'n hawdd i'w rhyddhau, oddi wrth gyfyngiadau ar gynllunio, cyfyngiadau ffisegol a chyfyngiadau perchenogaeth, a'i bod yn ymarferol yn economaidd eu datblygu er mwyn cefnogi creu cymunedau cynaliadwy. Er mwyn ystyried tir fel tir sydd

ar gael yn wirioneddol, rhaid iddo fod yn safle sydd wedi'i nodi mewn **Cydstudiaeth Argaeledd Tir ar gyfer Tai31** neu, nes bod Cydstudiaeth yn ofynnol i lywio'r Adroddiad Monitro Blynyddol (AMR) cyntaf, yn y trywydd tai y cytunwyd arno fel rhan o gynllun datblygu mabwysiedig. Mae'r trywydd tai yn dangos sut y bydd yr awdurdod cynllunio yn cadw cyflenwad pum mlynedd o dir ar gyfer tai dros gyfnod y cynllun. [Pwyslais Ymchwil y Senedd]

Mae TAN 1 yn nodi:

6.2 Dylai ffigur y cyflenwad o dir sydd ar gael ar gyfer tai hefyd gael ei drin fel ystyriaeth berthnasol wrth benderfynu ar geisiadau cynllunio ar gyfer tai. Pan fo'r astudiaeth gyfredol yn dangos bod y cyflenwad tir yn llai na'r cyflenwad 5 mlynedd gofynnol, neu lle nad oedd modd i'r awdurdod cynllunio lleol gynnal astudiaeth (gweler 8.2 isod), dylid rhoi pwyslais sylweddol ar yr angen i gynyddu'r cyflenwad wrth ddelio â cheisiadau cynllunio os yw'r datblygiad fel arall yn cydymffurfio â'r cynllun datblygu a pholisïau cynllunio cenedlaethol.

Mae'r paragraff hwn, yn ei hanfod, yn nodi, os na all Awdurdod Cynllunio Lleol ddangos ei fod â chyflenwad tir am bum mlynedd o leiaf ar gyfer tai, yna dylid rhoi cryn bwys ar yr angen i gynyddu'r cyflenwad wrth ymdrin â cheisiadau cynllunio. Byddai hyn yn ei gwneud yn anos i awdurdodau cynllunio lleol nad ydynt â chyflenwad tir am bum mlynedd wrthod ceisiadau am ganiatâd cynllunio ar gyfer datblygu ar dir nad yw wedi'i glustnodi yn y Cynllun Datblygu Lleol (CDLI) ar gyfer tai, pe bai'r datblygiad arfaethedig yn cydymffurfio â pholisi cynllunio fel arall.

**Fodd bynnag, mae paragraff 6.2 TAN 1 wedi'i ddatgymhwyso dros dro.**

Ym mis Mai 2018, cyhoeddodd Lesley Griffiths AC, Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig ar y pryd, a oedd yn gyfrifol am gynllunio, [adolygiad o ddarpariaeth tai drwy'r system gynllunio](#). Dechreuodd yr adolygiad ym mis Gorffennaf 2018 gyda 'galwad am dystiolaeth'.

Cyhoeddodd Ysgrifennydd y Cabinet [ddatganiad ysgrifenedig](#) ar yr alwad am dystiolaeth a nododd:

Oherwydd y sefyllfa bresennol o safbwynt y cyflenwad o dir sydd ar gael ar gyfer tai ar draws Cymru, mae rhai Awdurdodau Cynllunio Lleol yn cael ceisiadau 'tybiannol' i adeiladu tai ar safleoedd nad ydynt wedi'u dyrannu ar gyfer datblygiad mewn Cynlluniau Datblygu Lleol. Mae hyn yn creu ansicrwydd mewn cymunedau ac yn cael effaith andwyol ar y system ar sail cynlluniau.

Felly, meddai:

... paragraff 6.2 o Nodyn Cyngor Technegol 1 (TAN 1): Cyd-astudiaethau Argaeledd Tir ar gyfer Tai [wedi'i ddatgymhwyso]. Mae hyn yn dileu'r paragraff sy'n cyfeirio at roi pwysoliad "sylweddol" i'r diffyg cyflenwad pum mlynedd o dir ar gyfer tai fel ystyriaeth o bwys wrth benderfynu ar geisiadau cynllunio ar gyfer tai.

O ganlyniad i ddatgymhwyso paragraff 6.2 o TAN 1, mater i'r rheini sy'n gwneud penderfyniadau fydd penderfynu ar faint o ystyriaeth y dylid ei rhoi i'r angen i gynyddu'r cyflenwad o dir ar gyfer tai pan nad oes gan Awdurdod Cynllunio Lleol ddigon o dir ar gyfer tai.

Mae datgymhwyso paragraff 6.2 o TAN 1 yn cael effaith o 18 Gorffennaf 2018.

Ar 4 Hydref 2018, [gofynnwyd i Ysgrifennydd y Cabinet ar y pryd, gan y Pwyllgor Newid Hinsawdd, Amgylchedd a Materion Gwledig y Cynulliad](#), pa mor hir fydd y datgymhwyso hwn yn parhau. Dywedodd Ysgrifennydd y Cabinet fod y datgymhwysiad yn dal i gael ei ystyried fel un dros dro, ond ni roddwyd amserlen bendant. Dywedodd un o swyddogion Llywodraeth Cymru wrth Ymchwil y Senedd yn ddiweddarach fod ‘cyfnod o flwyddyn yn rhesymol’.

Mae'r llythyr at y Pwyllgor hwn gan Julie James AC, y Gweinidog Tai a Llywodraeth Leol presennol, yn nodi bod y cam galw am dystiolaeth bellach wedi dod i ben ac mae ystyriaeth yn cael ei rhoi i'r cam nesaf, gan gynnwys amserlen ddangosol ar gyfer cwblhau'r adolygiad. Mae'n datgan bod y cam nesaf yn debygol o gynnwys adolygu agweddau ar bolisi cynllunio cenedlaethol ar gyfer tai a chanllawiau cysylltiedig, sydd yn y [Llawlyfr ar Gynlluniau Datblygu](#).

### **Cyd–Astudiaeth Argaeledd Tir ar gyfer Tai**

Y Cyd–astudiaeth Argaeledd Tir ar gyfer Tai (JHLAS) yw'r dull i awdurdodau cynllunio lleol ei ddefnyddio i ddangos bod ganddynt gyflenwad tir pum mlynedd ar gyfer tai drwy ddarparu datganiad cytunedig o argaeledd tir at ddibenion cynllunio. Darperir canllawiau ar sut i baratoi Cyd–Astudiaeth Argaeledd Tir ar gyfer Tai yn TAN 1.

Rhaid cynhyrchu Cyd–Astudiaeth yn flynyddol, gyda dyddiad sylfaenol o 1 Ebrill. Rhaid i awdurdodau cynllunio lleol sefydlu Grwpiau Astudio sy'n cynnwys rhanddeiliaid allweddol (yn ddefnyddol, adrannau perthnasol mewn awdurdodau lleol (e.e. tai), cynrychiolwyr adeiladwyr tai, perchnogion tir, landlordiaid cymdeithasol cofrestredig, ymgymerydd statudol, darparwyr seilwaith a phartïon priodol eraill) i sicrhau bod pob Cyd–Astudiaeth Argaeledd Tir ar gyfer Tai yn seiliedig ar dystiolaeth realistig a phriodol.

[Mae TAN 1 yn darparu rhagor o wybodaeth](#) am y broses Cyd–Astudiaeth Argaeledd Tir ar gyfer Tai, gan gynnwys categorïddio safleoedd, a'r fformiwla ar gyfer cyfrifo'r cyflenwad tir ar gyfer tai.

Fel y nodwyd yn llythyr y Gweinidog, mae'r Cyd–Astudiaeth Argaeledd Tir ar gyfer Tai yn offeryn monitro ar gyfer cadw digon o dir y gellir ei ddefnyddio i ddarparu ar gyfer yr angen am dai. Felly nid yw'n ystyried materion fel cartrefi gwag neu ail gartrefi. Mae llythyr y Gweinidog yn nodi y dylai awdurdodau cynllunio lleol ystyried materion ehangach fel y rhain wrth asesu eu marchnad dai leol ac wrth ystyried y gofyn o ran tai, i'w nodi yn eu Cynlluniau Datblygu Lleol.

### **Apeliadau cynllunio**

Mae llythyr y Gweinidog yn rhoi disgrifiad cryno o'r broses apeliadau cynllunio yng nghyfeirnod hon:

... bydd arolygwyr cynllunio'n penderfynu ynghylch unrhyw apeliadau ar sail y polisiâu lleol a chenedlaethol perthnasol. Mae gan bobl sy'n â diddordeb mewn canlyniad cais cynllunio rôl bwysig i'w chwarae yn y broses gynllunio. Rhaid i awdurdodau cynllunio lleol ac arolygwyr cynllunio ystyried

unrhyw sylwadau perthnasol ar faterion cynllunio a fynegir gan breswylwyr lleol ac unrhyw drydydd parti arall. Fodd bynnag, nid yw gwrthwynebiad lleol ynddo ei hun yn rheswm dros wrthod caniatâd cynllunio.

## Camau gweithredu Llywodraeth Cymru

Mae Llywodraeth Cymru wedi datgymhwyso paragraff 6.2 o TAN 1 dros dro, fel rhan o'i hadolygiad o ddarpariaeth tai drwy'r system gynllunio, fel y trafodwyd uchod.

Mae'r Gweinidog wedi ysgrifennu at y Pwyllgor mewn perthynas â'r ddeiseb hon, y cyfeirir at gynnwys y llythyr uchod.

## Camau gweithredu Cynulliad Cenedlaethol Cymru

### Cwestiynau'r Cynulliad

Bu nifer o gwestiynau ysgrifenedig a chwestiynau llafar yn y Cynulliad ar fater TAN 1 a'r cyflenwad tir 5 mlynedd yn y blynyddoedd diwethaf. Ers datgymhwyso paragraff 6.2, cyflwynodd Andrew RT Davies AC [Gwestiwn Ysgrifenedig y Cynulliad](#) ar 3 Hydref 2018:

Gan nad yw 19 o'r 25 o awdurdodau cynllunio lleol yn gallu bodloni gofyniad Llywodraeth Cymru i gael cyflenwad pum mlynedd o dir ar gyfer tai, pa mor hir fydd cael gwared ar baragraff 6.2 dros dro yn parhau? (WAQ77228)

Ymatebodd Ysgrifennydd y Cabinet ar y pryd ar 9 Hydref 2018:

A decision about whether or not to reinstate paragraph 6.2 of TAN 1 will be made as part of the full review of the delivery of housing through the planning system which I launched on 18 July with a 'call for evidence'.

### Ymchwiliad pwyllgor

Mae'r Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau yn cynnal [ymchwiliad i eiddo gwag](#). Mae'r cylch gorchwyl yn cwmpasu:

- i ba raddau y mae eiddo gwag yn effeithio ar y cyflenwad o dai fforddiadwy yng Nghymru;
- effaith eiddo gwag ar gymunedau yng Nghymru a'r heriau y mae awdurdodau yn eu hwynebu wrth geisio ymdrin â'r broblem hon;
- i ba raddau y mae gan awdurdodau lleol y pwerau deddfwriaethol sydd eu hangen arnynt i ymdrin ag eiddo gwag;
- esiamplau o arfer gorau wrth droi eiddo gwag yn dai fforddiadwy ac effeithlon o ran ynni; ac
- i ba raddau y mae awdurdodau lleol wedi manteisio ar y newidiadau a gyflwynwyd gan Ddeddf Tai (Cymru) 2014, sy'n rhoi disgrisiwn iddynt godi premiwm y dreth gyngor ar dai gwag, ac effeithiolrwydd y polisi hwn.

Mae'r Pwyllgor wedi cyhoeddi ymgyngoriad ac arolwg ar-lein i'w helpu i gasglu tystiolaeth. Daw'r ymgynghoriad i ben ar 31 Mai a daw'r arolwg i ben ar 19 Mehefin. Mae Ymchwil y Senedd wedi cyhoeddi erthygl flog ar fater cartrefi gwag.

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 diweddarau o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.



Eich cyf/Your ref: P-05-881  
Ein cyf/Our ref: JJ/05861/19

Janet Finch-Saunders AC  
Cadeirydd y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
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CF99 1NA

[SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

15 Mai 2019

Annwyl Janet,

Diolch am eich llythyr dyddiedig 30 Ebrill ynglŷn â'r ddeiseb yn gofyn i Lywodraeth Cymru "drwsio ein system gynllunio", yn enwedig mewn perthynas â'r gofynion ynghylch cyflenwi tir ar gyfer tai a sicrhau bod datblygiadau newydd yn gynaliadwy.

Mae datblygu cynaliadwy a chreu cymunedau cydlynus wrth galon polisiau cynllunio Llywodraeth Cymru. Mae'r fersiwn ddiweddaraf o *Bolisi Cynllunio Cymru*, a gafodd ei chyhoeddi ym mis Rhagfyr y llynedd, yn seiliedig ar gyflawni nodau llesiant Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015. Mae *Polisi Cynllunio Cymru* yn canolbwyntio ar greu lleoedd fel elfen allweddol ar gyfer gwireddu dyheadau'r Ddeddf, ac yn ysgogi'r gwaith o lunio cynlluniau a gwneud penderfyniadau ynghylch rheoli datblygiadau.

Rwy'n cydnabod y gallai awdurdodau cynllunio lleol sydd heb gyflenwad tir pum mlynedd ar gyfer tai dderbyn ceisiadau cynllunio tybiannol i adeiladu tai. Dylai awdurdodau lleol benderfynu ynghylch pob cais o'r fath yn unol â'r polisiau perthnasol yn y cynllun datblygu maent wedi'i fabwysiadu, gan gynnwys egwyddorion datblygu cynaliadwy. Mae'n bosibl y bydd diffyg cyflenwad tir pum mlynedd ar gyfer tai yn un o'r materion sy'n cael eu hystyried wrth benderfynu ynghylch cais cynllunio. Fodd bynnag, caniateir i'r Awdurdod wrthod ceisiadau nad ydynt yn ateb gofynion y polisi perthnasol. Yn yr un modd, bydd arolygwyr cynllunio'n benderfynu ynghylch unrhyw apeliadau ar sail y polisiau lleol a chenedlaethol perthnasol. Mae gan bobl sy'n â diddordeb mewn canlyniad cais cynllunio rôl bwysig i'w chwarae yn y broses gynllunio. Rhaid i awdurdodau cynllunio lleol ac arolygwyr cynllunio ystyried unrhyw sylwadau perthnasol ar faterion cynllunio a fynegir gan breswylwyr lleol ac unrhyw drydydd parti arall. Fodd bynnag, nid yw gwrthwynebiad lleol ynddo ei hun yn rheswm dros wrthod caniatâd cynllunio.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

Ni fwriedir i broses y Gyd-astudiaeth Argaeledd Tir ar gyfer Tai (JHLAS) ystyried materion megis adeiladau gwag. Mae'r JHLAS yn offeryn monitro sy'n ceisio sicrhau bod awdurdodau cynllunio lleol yn cadw digon o dir sydd ar gael ac y gellir ei ddefnyddio i ddarparu'r tai maent wedi nodi bod eu hangen ar eu cymunedau. Dylai awdurdodau cynllunio lleol ystyried materion ehangach megis adeiladau gwag pan fyddant yn asesu eu marchnad dai leol, ac yn ystyried yr angen am dai a fydd yn cael ei amlinellu yn eu cynllunio datblygu lleol.

Ar hyn o bryd mae Llywodraeth Cymru yn cynnal adolygiad o'r ffordd mae tai yn cael eu darparu drwy'r system gynllunio, sy'n cynnwys ystyried y polisi cyflenwad tir pum mlynedd a phroses y JHLAS a amlinellir yn Nodyn Cyngor Technegol 1 (TAN 1). Fel rhan o'r adolygiad hwn, mae paragraff 6.2 o TAN 1 wedi cael ei ddiddymu i leihau rhywfaint ar y pwysau uniongyrchol ar awdurdodau cynllunio wrth iddynt ymdrin â cheisiadau cynllunio tybiannol ar gyfer tai. Mae hyn yn dileu'r paragraff sy'n cyfeirio at roi pwyslais sylweddol ar ddiffyg cyflenwad tir pum mlynedd ar gyfer tai wrth benderfynu ynghylch ceisiadau cynllunio ar gyfer tai. O ganlyniad, y penderfynwr (boed hynny yn awdurdod cynllunio lleol neu arolygydd cynllunio) a fydd yn nodi faint o bwyslais y dylid ei roi ar yr angen i gynyddu'r cyflenwad tir ar gyfer tai lle mae gan awdurdod ddiffyg. Daeth cam cyntaf yr adolygiad, 'Galwad am Dystiolaeth', i ben fis Hydref diwethaf, ac ar hyn o bryd mae'r cam nesaf yn cael ei ystyried, gan gynnwys amserlen ddangosol i'w gwblhau. Mae'n debyg y bydd y cam nesaf yn cynnwys adolygu agweddau ar bolisïau cynllunio cenedlaethol ar gyfer tai a'r canllawiau cysylltiedig yn y *Llawlyfr ar Gynlluniau Datblygu*.

Yn gywir,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government



## **Planning Reform**

Planning has always been a contentious issue throughout British history. There is no right to the access of adequate housing enshrined in UK legislation and sadly many face homelessness as a result. There is a demand for housing but there is also a need to build responsibly. The implications of poor developments are more far reaching than one might expect and the consequences to that community can be devastating as a result.

The effects of planning on the environment has been hotly debated over decades. Academics undertook research spanning 10 years and published 'The Resource Management Series' in the 1980s. This series contained three books:

1. Water Planning in Britain by Dennis J.Parker and Edmund C.Penning-Roswell
2. The Countryside: planning and change by Mark Blacksell and Andrew Gilg
3. Countryside conservation by Bryn Green

These studies looked at resource analysis both in the natural and social sciences. They mirrored the public's concerns about declining environmental standards, man's detrimental impact on the ecosystem, spatial and temporal allocation of resources, and the capacity of the Earth to sustain further growth in population and economic activity. As a result the Town and Planning Act 1990 was introduced to improve issues such as flooding due to poor developments.

What is so frightening is that despite the numerous comprehensive studies conducted to influence politicians to make sound policies based on fact, the reality is that we have a planning system still deeply flawed. It appears that the very Act put in place to protect communities is now being deregulated. We all know that Green Belt is no longer safe and despite more houses supposedly being built, many cannot afford to buy or even rent them. Time is running out and unless these issues are addressed our only legacy for our future generations will be that we failed to act and caused their ruination.

As a case study I will be referring to the development of 110 houses on Marl Lane / Pentywyn Road in the county of Conwy (application 0/43059). Below are the key issues felt by our community due to our personal experiences:

1. Planning Policy issues
2. The Well-Being of Future Generations Act 2015 is not enforceable
3. Lack of Transparency/ evidential issues
4. Developments are not sustainable
5. Loss of best and most versatile agricultural land
6. Not enough social housing
7. Houses classified as "affordable" are not

A lot of these issues are interconnected but I will try and expand on these issues specifically.

### **Planning Policy**

Planning Policy Wales Edition 10 was implemented in December in the middle of the planning inquiry awaiting a decision for Marl Lane/Pentywyn Road. The public, the county and the developer all put their arguments at the inquiry using edition 9. I have done a more

comprehensive report on my views to PW 10 (3 A4 pages) where I raise many concerns which I have summarised below:

- Planning Policy Wales Edition 10 is more difficult to navigate through. Compared to Edition 9, it is less accessible to the general public in terms of finding relevant information and understanding how legislation and policy is applied.
- PPW Edition 10 is not clear on what is mandatory and what is advisory. Although there are links to legislation, legislative requirements are not explained and specific sections of legislation are not identified. Unless a person has access to legal databases (which is not the general public), finding what legislation is relevant is difficult.
- PPW 10 does not clearly show what is required from Local Authorities in terms of appraisals and assessments.
- There are loopholes concerning greenfield sites.
- PPW 10, para 4.2.15 states 'planning authorities must ensure that sufficient land is genuinely available or will become available to provide a five-year supply of land for housing...' How is this policy in line with the Well-being of Future Generations Act 2015? Land is a finite resource and currently there is a shortage of agricultural land to meet the needs of the population. The JHLAS studies are currently flawed as calculations produce unrealistic targets.
- Tan 1, para 6.2 (which was not part of PPW 9) which required 'considerable weight' for housing applications that did not meet the 5 year supply was dis-applied. The reason for this was that a consultation paper produced quite a strong reaction from councils across Wales who felt the pressure to allow applications at the expense of sustainability. Yet the flawed JHLAS study has now become policy under para 4.2.15.
- PPW 9 (para 4.3.1) required evidence to be scientific and this has been reduced to the ambiguous term of 'robust' in PPW 10.

In conclusion, PPW 10 attempts to take a more holistic view and adhere to the principles and objectives of the Well-Being of Future Generations Act 2015 but at closer inspection, it is in fact a deregulated policy which allows developers to abuse the system.

### **The Well-Being of Future Generations Act 2015 is not enforceable**

This Act requires public bodies to carry out sustainable development. This interlinks with developments not being sustainable, transparency and evidential issues.

In the case of Marl Lane/Pentywyn Road, residents raised concerns over the sustainability of the development. The Well-Being study for the area shows that we have a higher older age population, a higher than average population with long term illness and in-work families suffering from poverty. Economically there are few well paid jobs. The boundaries of schools were actually changed because the closest was at capacity and the new school situated over 1.8 miles away from the new development is full according to local knowledge. The planning officers did not present this information to councillors, it was the residents who found the statistics and presented them to council. The local councillors as a result found in our favour. This decision was then overturned by the Planning Inspectorate at appeal.

Residents wanted to challenge the decision but were advised by our solicitors and counsel (as we had raised money in the hope of conducting a Judicial Review) that we did not have a strong enough case. There does not seem to be a legal requirement for evidence produced at these inquiries to be of any quality. Thus, decisions are based on opinions and not fact and this is deemed legally acceptable in our system. Our Health Board actually responded to the Council and stated that they had concerns about providing an adequate

service due to several developments outside of the Local Development Plan being granted planning permission. However, they failed to object or ask for any financial contributions from the developers. This means that despite the fact that there are statistics of 1 GP to 3161 patients (which is nearly double the Wales average) we are now left without a remedy as a community. We were told by counsel that, if the Health Board had failed to reply, we might have had a case. An ambiguous reply is still evidence a Planning Inspectorate can rely on.

### **Lack of Transparency/ Evidential issues**

During the planning application process for Pentwyn / Marl, including at the enquiry itself in September 2018, it was largely the residents who drew attention to the many flaws in the documents submitted to support the application by Beech Developments. Some of these contained factual errors and most were significantly lacking in detail. Examples include: 1) the initial tree survey (conclusion: not a lot there, just some old hedge); 2) the habitat survey, carried out in January, the time of year when they are least likely to gain any significant observations; 3) the traffic survey, carried out in less than one hour at non-peak time (mid-morning); 4) the soil surveys which contained errors (which went unnoticed and un-challenged by the Department for Environment and Rural Affairs).

Most, if not all, of the above mentioned “surveys” were undertaken by preferred contractors from outside Wales, and all were **chosen by the Developer**. Some of the same contractors have worked on other sites for the same Developer (e.g. Sychnant Pass and Llys Marl), all of which have been successfully granted planning permission. Surely a fairer system would be that the surveyors required for any potential development in future are **chosen by the Planning Authority**. This would remove potential conflicts of interest and potential bias. Preference should be given to local-based contractors.

Admittedly, there may not currently be a sizeable “pool” of potential contractors in Wales, but if it was compulsory for Planning Authorities in Wales to preferentially choose contractors based in Wales, this would be a potential growth area and provide employment opportunities. For example, local Universities (e.g. Bangor and Aberystwyth) could be encouraged to design courses and qualifications to include habitat surveys, soil surveys etc. These are potential graduate employment opportunities for Wales currently being lost to contractors based as far-afield as Exeter.

On a practical note, many of the 1000+ residents who objected to the Pentwyn / Marl development found the sheer amount of documentation on the Conwy (CCBC) Planning Explorer very difficult to negotiate. There were many hundreds (if not thousands) of pages and documents, with none of them indexed. Why not introduce a filing system on the Explorer, with key words such as: CCBC documentation, Developer submissions, Resident’s submissions, Health, Transport, Schools, Environment, Soil etc? At times it was impossible to find specific documents, except by trial and error, scrolling through hundreds of pages. The system, at least in CCBC, could be significantly improved.

### **Loss of best and most versatile agricultural land**

A study titled ‘The best use of agricultural land’ conducted by the University Cambridge found that there is a potential additional demand for up to 7 million hectares of land to meet a growing UK population’s food, space and energy needs while increasing the area needed to protect and enhance the nation’s natural capital.

Concerns were raised about the cumulative effect of loss of agricultural land; this is not the first piece in Conwy alone to be developed. The Marl/Pentwyn site was classified overall

as grade 3a land (good) despite it containing some areas of grade 2 (very good) soil. This fact was largely “hidden” in the soil reports. Grade 2 is the highest grade of soil available in almost the whole of Wales, as Grade 1 (excellent) is extremely rare. The Planning Inspectorate (para 47 of his decision) concluded that the loss would amount to a minor adverse impact. A Freedom of information request reveals that the Welsh Government have no figures on how much agricultural land has been developed. If the Welsh Government does not have figures on how much agricultural land (let alone good to excellent land is being developed), how will they know when the critical point in terms of loss of land has been reached? According to the Cambridge study it is estimated that there is a shortfall of 7 million hectares of land; Wales only has 2 million hectares and only 285,000 hectares (14%) of that is actually good to excellent in grade (1, 2 and 3a). It is alarming that developments are being permitted on good agricultural land considering its sparsity.

### **Not enough social housing /Houses classified as “affordable” are not**

Innovative solutions need to be developed to address the issue of the lack of housing and affordability of housing. Once land receives planning permission its value becomes hugely inflated and it is this price that is being passed onto the buyer or tenant of rental properties. The theory that building more houses will reduce prices does not work in the housing market. Why would developers deliberately flood the market and reduce their profits? Company directors are actually under a legal duty under the Companies Act 2006 to promote the success of its company. A company’s prerogative is to generate profit which is therefore in conflict with the society’s need for affordable homes.

Would an Expropriation Act such as that in the Netherlands provide a solution to the UK’s housing crisis? The Expropriation Act provides specific public law authorities to seek to expropriate property if this is in the public interest and strict criteria must be met before this is done.

### **Conclusion**

Our community is not against development and many other residents, like ourselves, who oppose controversial plans seem to be tarnished and branded as NIMBYs. Our community wants responsible developments that encourages communities to flourish. As it stands, many communities across Wales are losing precious green spaces to ill suited developments while brown field sites are left derelict. Unless there is investment in the economy and infrastructure to our areas it is likely that residents in our communities that are already struggling will slip further down the social mobility ladder. Rapid urbanisation without careful planning can lead to the increase in poverty. The Victorian slums of the past may soon become our future. We hope that the members of the Assembly will give this topic the time it deserves and represent Wales and its people. The ideal of “sustainable development” encapsulated in the Well-Being of Future Generations Act 2015 are admirable but legislation is meaningless unless enforced by the bodies that created them.

### **P-05-883 – Wythnos Genedlaethol Hanes Cymru**

Cyflwynwyd y ddeiseb hon gan Phil Rowe, ar ôl casglu cyfanswm o 86 lofnodion.

#### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sefydlu Wythnos Genedlaethol Hanes Cymru.

Y nod yw creu a hybu wythnos o ddathlu a chofnodi'n hanesyddol-gywir hanes Cymru sy'n esgor ar ddysgu a chyfleoedd addysgol. Byddai'r hyn a addysgir yn fwy onest na hanes 'lân' Prydain a gafodd cynifer ohonom yn yr ysgol, ac ni fyddai'n amcanu i roi unrhyw ogwydd i'r wybodaeth gan ffafrio unrhyw barti.

I herio'r ffantasiau hanesyddol-anghywir sydd i'w cael ynghylch stereoteip Cymru, a sut y daeth i fod yn hierarchiaeth Prydain yn y cyfnod sydd ohoni.

Drwy ddeall ein hanes go iawn, hybu pwysigrwydd yr iaith Gymraeg a diwylliant Cymru, lle Cymru yn y Brydain fodern, a thrwy gyflwyno trafodaethau ynghylch sut y dylem geisio sicrhau bod hynny'n cael ei ddeall nid yn unig o fewn Cymru, ond hefyd o fewn y gwledydd eraill ar ynysoedd Prydain ac yng ngweddill y byd.

#### **Gwybodaeth ychwanegol:**

Mae nifer o bobl yng Nghymru (gan gynnwys fi fy hun) yn cael ein magu â thybiaethau anghywir ynghylch sut y daeth Cymru i fod, a'r 'hiliau' sydd i'w cael ar ynysoedd Prydain.

Bydd dealltwriaeth ddyfnach o bwy ydym a sut y cyrhaeddom lle yr ydym heddiw yn ein rhoi mewn gwell sefyllfa i ystyried lle yr ydym am fod yn y dyfodol.

## **Etholaeth a Rhanbarth y Cynulliad**

- Castell-nedd
- Gorllewin De Cymru

## National Welsh History Week

Y Pwyllgor Deisebau | 11 Mehefin 2019

Petitions Committee | 11 June 2019

### Research Briefing:

**Petition number:** P-05-883

**Petition title:** National Welsh History Week

**Text of petition:** We call on the National Assembly for Wales to urge the Welsh Government to establish a National Welsh History Week.

The aim is to create and promote a celebratory and historically accurate week of learning and educational opportunities about the history of Wales that is more honest than the sanitised British history that many of us took from school and does not seek to bias the information to offer a favourable view of any party.

To challenge the stereotypical and inaccurate historical fantasies of Wales and how it came to be within the hierarchy of modern day Britain.

Through understanding our actual history, promote the importance of Welsh language and culture, its place within modern Britain, and bring about discussion on how we should seek for it to be perceived not only within Wales, but within the other countries of the British isles and the wider world.

Many people in Wales (myself included) grow up with inaccurate assumptions and ideas of how Wales came to be, and of 'races' within the British Isles.

A more complete understanding of who we are and how we arrived where we are today can better place us as a population to consider where we want to be in the future.

#### 1. New curriculum

In his letter to the Committee, the Deputy Minister for Culture, Sport and Tourism outlines the opportunities to learn about the history of Wales that are in the current curriculum, through Programme of Study for History. The Welsh Government [published the draft new curriculum on 30 April 2019](#). The statutory introduction of the new curriculum will be in September 2022.

Learning in the new curriculum will be organised in six ‘Areas of Learning and Experience’ (AoLEs) rather than narrow subject boundaries. Within these, statements of ‘what matters’ set out the most important knowledge, skills and experiences to be gained. The six AoLEs are:

- Expressive Arts
- Health and Well-being
- Humanities
- Languages, Literacy and Communication
- Mathematics and Numeracy
- Science and Technology.

History will fall mainly within the **Humanities AoLE**.

The new curriculum will be organised into **Progression Steps** at ages 5, 8, 11, 14 and 16 (rather than key stages) and take the form of **Achievement Outcomes** relating broadly to expectations at those ages. The progression steps are set out in terms of what a learner can do, or has done.

The new Curriculum for Wales is **purpose-driven rather than content-driven**. There are therefore **no ‘programmes of study’** as there are in the current curriculum and there will be comparatively less prescription of what must be taught. The statutory guidance on each AoLE sets out what schools should take into account in designing their curriculum and how it could be structured and the broad expectations for learners at each progression step.

As well as the six AoLEs, the new curriculum has and three cross-curricular responsibilities (literacy, numeracy and digital competence) and also cross cutting-elements, including the ‘Welsh dimension and international perspective’. The draft guidance states that:

The Welsh dimension and international perspective are integral to all disciplines within the Humanities Area of Learning and Experience. An exploration of Welsh businesses, cultures, history, geography, politics, religions, societies, and world views should form a central part of a learners’ entitlement and include an understanding of the links between these and wider national, European and international contexts. Through Humanities, learners develop a sense of identity and of their own cynefin [habitat], as well as an understanding of Wales and its place in the wider world

## 2. Areas of Learning and Experience

The draft **Humanities AoLE** defines humanities as being all about asking questions about the human condition. It states:

As such, studying human experiences in the past and present, at local, national and global levels, will help learners answer those questions, encouraging them to contribute to their communities, imagine possible futures and benefit from a sense of belonging. Humanities encompasses geography, history, religious education, business studies and social studies. It is intended that Humanities will provide opportunities for all learners to learn about their heritage and sense of place through a study of their cynefin and of Wales. It will aim to promote an understanding of how the people of Wales, its communities, culture, landscape, resources and industries interrelate with the rest of the world.



There are five elements within the Humanities what matters statements, the one that would seem most relevant to the Petition is ‘Developing an enquiring mind enables learners to explore and investigate the world, past, present and future, for themselves’. This states that, at progression step 3 (and onwards), learners should about the history and diversity of the communities of which they are part.

The **Languages, Literacy and Communication** AoLE states that learning about identity and culture through languages prepares learners to be citizens of Wales and the world. It says:

Meaningful learning experiences in a multilingual context go hand in hand with learning about one’s own cultural identity as well as the cultural identities of others. This area of learning and experience will therefore foster in the learners a pride in their sense of identity as citizens of Wales and the world.

### 3. Assembly activity

#### Previous Petitions

Between February and November 2018, the Committee considered a petition, [Change the National Curriculum and teach Welsh history, from a Welsh perspective, in our Primary, Secondary and Sixth form Schools](#). The Committee heard oral evidence from the petitioner, Elfed Wyn Jones, Dr Elin Jones and Kirsty Williams, Minister for Education.

The Culture, Welsh Language and Communications (CWLC) Committee ran a public poll during summer 2018, inviting members of the public to select from a list of potential inquiry topics. Nearly 2,500 people participated in the poll. Forty-four per cent voted for ‘Teaching of Welsh history, culture and heritage in schools’. The Petitions Committee therefore agreed to pass the evidence that it had received to CWLC Committee and close the petition.

CWLC Committee’s inquiry, Knowing our History is underway. The Committee [held a symposium in February 2019](#) to gather evidence from stakeholders and will take further evidence later this year.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.



Eich cyf/Your ref P-05-883  
Ein cyf/Our ref DET/05405/19

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21 Mai 2019

Annwyl Janet,

Diolch am roi'r cyfle i mi roi sylwadau ar y ddeiseb hon yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sefydlu Wythnos Genedlaethol Hanes Cymru.

Rwyf wedi darllen testun y ddeiseb yn ofalus iawn ac er y gallai Wythnos Genedlaethol Hanes Cymru fod yn fuddiol er mwyn hyrwyddo Hanes Cymru, a'r iaith Gymraeg yn ei thro, credaf fod mesurau ar waith eisoes i gefnogi'r nodau yn y ddeiseb. Gan gyfeirio at bob pwynt yn y ddeiseb yn ei dro:

*Y nod yw creu a hyrwyddo wythnos o ddathlu, sy'n hanesyddol gywir i gynnig cyfleoedd dysgu a chyfleoedd addysgol mewn perthynas â hanes Cymru sy'n fwy gonest na'r hanes Prydeinig golygedig y clywsom amdano yn yr ysgol ac nad yw'n ceisio gogwyddo'r wybodaeth i gynnig safbwynt ffafriol o unrhyw blaid.*

Mae'n bwysig bod pob dysgwr yng Nghymru yn cael y cyfle i ddysgu am hanes ein cenedl. Mae hanes Cymru yn rhan amlwg o'r Rhaglen Astudio ar gyfer Hanes ar Gyfnodau Allweddol 2 a 3 yn ein hysgolion. Gall dysgwyr ystyried y safbwynt lleol, cenedlaethol a byd-eang o ddigwyddiadau hanesyddol, a datblygu eu sgiliau, eu gwybodaeth a'u dealltwriaeth hanesyddol drwy ddysgu am amrywiaeth o gyd-destunau hanesyddol.

Yn benodol, yng Nghyfnod Allweddol 2, mae cyfleoedd i ysgolion astudio Owain Glyndŵr ac Oes y Tywysogion, ac yng Nghyfnod Allweddol 3, mae cyfleoedd i ddysgwyr astudio'r modd y dylanwadodd y Normaniaid ar Gymru a Phrydain rhwng 1000 a 1500, y newid a'r

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

**Tudalen y pecyn 68**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

gwrthdaro yng Nghymru, a Phrydain rhwng 1500 a 1760 a digwyddiadau eraill a luniodd Cymru.

Yng Nghyfnod Allweddol 4, cyflwynwyd TGAU Hanes newydd ym mis Medi 2017. Roedd hwn yn newid sylweddol ac mae wedi cynyddu'r ffocws ar Hanes Cymru ar lefel Uwchradd. Addaswyd y TGAU newydd i ganolbwyntio'n fanylach ar Hanes Cymru a safbwynt Cymreig mewn cyd-destun hanesyddol ehangach. Mae'n ofynnol i ymgeiswyr gyfeirio at effaith newid hanesyddol ar Gymru neu ar safbwynt Cymreig.

Mae cyfoeth o ddeunyddiau i gefnogi'r broses o addysgu hanes Cymru ym mhob cyfnod allweddol, sydd ar gael ar Hwb, y llwyfan dysgu digidol cenedlaethol i ysgolion yng Nghymru.

Mae fy meddyliau pellach yn ymwneud â'r ffordd y byddai pobl eraill yn y proffesiwn addysg yng Nghymru yn teimlo pe byddem yn dweud bod athrawon a darlithwyr hanes Cymru ar hyn o bryd yn cyflwyno barn unochrog a golygedig o Hanes Cymru? Nid wyf wedi fy narbwylllo bod hyn yn wir a phe byddwn yn cefnogi honiad o'r fath, byddwn yn mynd yn groes i bolisi Addysg Llywodraeth Cymru.

Cafwyd mentrau yn y gorffennol i ddatblygu'r syniad o wyl hanes Cymru. Rhwng 2009 a 2014, sefydlwyd Mis Hanes Cymru gan Ymchwil Hanes Cymru – cydweithrediad rhwng nifer o adrannau prifysgolion. Un o'r prif allbynnau oedd cyhoeddiad blynyddol y Western Mail o gyfres o erthyglau ar themâu hanesyddol Cymreig gan ddechrau gyda 'Chwedlau a Realiti Hanes Cymru'. Cyfrannodd Cadw erthyglau byrrach hefyd at y gyfres hon. Cynhaliwyd digwyddiadau ategol yng Ngŵyl y Gelli gyda sgysiau a darlithoedd dyddiol, a chyfrannodd Cadw arddangosiadau a gweithgareddau hefyd.

Mae Cadw hefyd wedi arwain ar y broses o ddatblygu cynllun dehongli ledled Cymru gyda'r bwriad o uno a dathlu'r agweddau lluosog ac amrywiol o'n hanes mewn ffordd ddilys a chydweithredol. Mae llinynnau amrywiol y Cynllun Dehongli hwn ar gael ar wefan Cadw ac maent wedi'u defnyddio i lywio'r deunydd dehongli ar safleoedd a gaiff eu rhedeg gan Cadw a sawl sefydliad arall ledled Cymru. Ar hyn o bryd, mae Cadw yn trefnu amrywiaeth eang o weithgareddau dysgu sy'n hyrwyddo hanes Cymru ac yn cymryd rhan ynddynt, ac rydym wedi cefnogi gŵyl hanes plant ers iddi gael ei sefydlu.

Gan gyfeirio'n benodol at y canlynol:

*Drwy ddeall ein hanes go iawn, hyrwyddo pwysigrwydd yr iaith Gymraeg a diwylliant Cymru, lle Cymru yn y Brydain fodern, ac ennyn trafodaeth ar y ffordd y dylem geisio iddo gael ei amgyffred, nid yn unig yng Nghymru, ond yng ngwledydd eraill ynysoedd Prydain a'r byd ehangach.*

*Gwybodaeth Ychwanegol:*

*Mae llawer o bobl yng Nghymru yn tyfu i fyny gyda rhagdybiaethau a syniadau anghywir ynghylch y ffordd y daeth Cymru i fod, a 'hiliau' o fewn Ynysoedd Prydain.*

*Gall dealltwriaeth fwy cyflawn o bwy ydym ni a sut rydym wedi cyrraedd ble rydym ni heddiw olygu ein bod mewn sefyllfa well fel poblogaeth i ystyried ble rydym am fod yn y dyfodol.*

Mae'r iaith Gymraeg yn rhan o glytwaith cyfoethog o ieithoedd sydd wedi datblygu, cyd-fodoli ac esblygu drwy hanes. Mae'n byw ochr yn ochr ag iaith fyd-eang, ac yn parhau i gyfrannu at ddiwylliant cyfoes y DU, Ewrop a'r byd.

Drwy ddeall pwysigrwydd yr iaith a hanes Cymru, mae pobl yn ei pharchu, yn teimlo ymrwymiad emosiynol tuag ati, ac felly am ei gweld yn parhau ac yn ffynnu, ni waeth p'un a ydynt yn ei siarad ai peidio.

Wrth i nifer y siaradwyr Cymraeg dyfu, ac wrth i ni groesawu pobl o bob cwr o'r byd i Gymru, mae rhagor o gyfleoedd yn cyflwyno eu hunain i hyrwyddo'r defnydd o'r Gymraeg mewn cyd-destunau diwylliannol newydd a chynyddol amrywiol.

Ein nod yw creu brand cenedl cyfoes ac ymgysylltiol sy'n hyrwyddo Cymru ledled y DU ac yn fyd-eang, gan ysbrydoli pobl Cymru i fentro'n hyderus ar yr un pryd. Mae hyn yn cynnwys rhoi croeso cynhenid Cymreig i'n dinasyddion a'n hymwelwyr fel ei gilydd a fydd yn rhoi ymdeimlad o le, ac yn ein cyflwyno fel cenedl ddwyieithog. Mae parhau i gefnogi a hyrwyddo'r iaith yn golygu ehangu ein gorwelion ac edrych allan i'r byd, a chydabod bod bywyd bob dydd i nifer fawr o bobl ledled y byd yn cynnwys mwy nag un iaith.

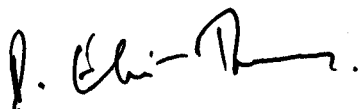
Er y byddai sawl budd yn deillio o Wythnos Genedlaethol Hanes Cymru ar yr olwg gyntaf, fy mhrif bryder fyddai pwy fyddai'n penderfynu beth oedd y fersiwn "gywir" o hanes. Rwyf hefyd yn ymwybodol bod y Pwyllgor Diwylliant, y Gymraeg a Chwaraeon wrthi'n craffu ar y broses o addysgu hanes, diwylliant a threftadaeth Cymru mewn ysgolion a dylai canlyniad yr ymchwiliad hwnnw hefyd gael ei ystyried.

Wrth gwrs, cyfrifoldeb y sawl sy'n hyrwyddo hyn yw datblygu'r syniad hwn eu hunain. Gallent edrych ar fentrau presennol, fel Mis Hanes Pobl Dduon, sydd wedi datblygu ar lawr gwlad ac wedi tyfu dros y blynyddoedd. Yn yr un modd, mae'r ysgogiad ar gyfer ein gwyliau presennol yn y sector amgueddfeydd a threftadaeth wedi dod o'r sector ei hun.

Rwyf hefyd yn ymwybodol o fentrau eraill sy'n gorgyffwrdd â'r cysyniad o wythnos/gŵyl hanes. Er enghraifft, mae Cymru (gyda chymorth Cadw) yn parhau i gymryd rhan yn yr ŵyl Drysau Agored ledled Ewrop a gynhelir bob mis Medi. Nod hyn yw annog ymweliadau am ddim â'r llu o atyniadau hanesyddol niferus ledled Cymru – nad yw llawer ohonynt ar agor i'r cyhoedd fel arfer. Mae hyn yn rhoi cyfle unigryw i ddeall yr amrywiaeth a'r ehangder o straeon hanesyddol ledled Cymru. Mae Cadw a sefydliadau treftadaeth eraill yng Nghymru hefyd yn cyfrannu'n rheolaidd at yr Ŵyl Archaeoleg flynyddol a drefnir gan y Cyngor Archaeoleg Prydain.

Pe byddai Wythnos Genedlaethol Hanes Cymru yn cael ei chynnal, yna byddai'n well i hynny ddigwydd fel dathliad cadarnhaol o Hanes a Diwylliant Cymru, a chyfraniad Cymru i'r byd ehangach, er enghraifft, ein rôl amlwg yn y Chwyldro Diwydiannol. Byddwn yn bendant yn osgoi ei chynnwys o fewn termau negyddol geiriad y ddeiseb hon. Fodd bynnag, er mwyn bod yn llwyddiannus, byddai angen i syniad o'r fath gael ei fabwysiadu'n eang gan y sector a byddai angen iddo fod yn seiliedig ar ymgynghoriad a chydweithrediad â rhanddeiliaid.

Yn Gywir,



**Yr Arglwydd Elis-Thomas AC/AM**

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth  
Deputy Minister for Culture, Sport and Tourism

## **P-04-522 Asbestos mewn Ysgolion**

Cyflwynwyd y ddeiseb hon gan Cenric Clement-Evans ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Rhagfyr 2013, ar ôl casglu 448 o lofnodion ar bapur.

### **Geiriad y ddeiseb**

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

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

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

### **Etholaeth a Rhanbarth y Cynulliad**

- Canol Caerdydd
- Canolbarth a Gorllewin Cymru



Eich cyf: P-04-522  
Ein cyf: KW/06069/19

Janet Finch-Saunders AC  
Cadeirydd – Y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

20 Mai 2019

Annwyl Janet

Diolch am eich llythyr dyddiedig 8 Mai yn gofyn am ddiweddariad pellach parthed fy mhenderfyniadau ynghylch cyhoeddi gwybodaeth o'r arolwg ar gyflwr ysgolion, a chyhoeddi Canllawiau wedi eu diweddarau ar Reoli Asbestos mewn Ysgolion.

Er hwylustod, rwy'n darparu dau ddiweddariad ar wahân fel a ganlyn: -

### **Rheoli asbestos mewn ysgolion - yr ymatebion yn yr arolwg ar gyflwr ysgolion**

Rwyf yn falch i gyhoeddi fod sicrwydd llawn yn awr wedi eu derbyn oddi wrth awdurdodau lleol yn cadarnhau fod yr wybodaeth y maent wedi ei darparu yn gyfredol ac yn ddilys, a bod gan ysgolion o fewn eu ffiniau sydd ag asbestos yn bresennol, gynllun rheoli asbestos ar waith. Ar y sail yma, rwyf bellach wedi penderfynu sicrhau bod yr wybodaeth lefel uchaf yma ar gael, ac mi fyddaf yn gofyn i fy swyddogion roi hyn ar waith cyn gynted â phosib.

### **Canllawiau Rheoli Asbestos mewn Ysgolion**

Mae'r Canllawiau Rheoli Asbestos mewn Ysgolion sydd wedi eu diweddarau yn awr wedi cael eu hadolygu'n llawn gan randdeiliaid allweddol ac mae eu hadborth a'u sylwadau wedi eu cymryd i ystyriaeth wrth ddiweddarau'r canllawiau. Gan fod hyn yn awr wedi cael ei gwblhau, rwy'n falch o ddatgan y bydd y dogfennau canllawiau rheoli asbestos sydd wedi

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

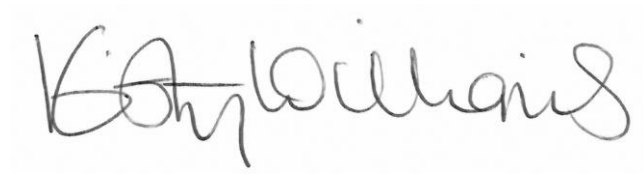
[Gohebiaeth.Kirsty.Williams@llyw.cymru](mailto:Gohebiaeth.Kirsty.Williams@llyw.cymru)  
[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

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

**Tudalen y pecyn 72**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

eu diweddarau yn cael eu cyhoeddi yn nhymor yr haf ar-lein ac yn disodli'r wybodaeth sydd eisoes yn bodoli.

Yr eiddoch yn gywir

A handwritten signature in black ink, reading "Kirsty Williams". The signature is written in a cursive style with a large initial 'K' and 'W'.

**Kirsty Williams AC**

Ysgrifennydd y Cabinet dros Addysg

## Eitem 3.2

### P-05-788 Cael gwared ar agwedd orfodol Bagloriaeth Cymru

Cyflwynwyd y ddeiseb hon gan Katharine Drinkwater, ar ôl casglu 60 o lofnodion ar-lein.

#### Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gael gwared ar agwedd orfodol Bagloriaeth Cymru ac adolygu strwythur y cwrs i sicrhau ei fod yn addas at y diben. Ar hyn o bryd mae'n cynnwys tasg sy'n annog gamblo dan oed a diofalwch ariannol.

Mae ein plant yn haeddu'r hawl i ragori ar y llwyfan byd-eang. Mae tua 70% o'u hastudiaethau eisoes yn bynciau gorfodol ac mae Bagloriaeth Cymru yn cymryd cyfleoedd oddi wrthynt oherwydd na allant astudio'r holl bynciau y maent yn dymuno mynd ar eu trywydd. Efallai bod y 'cymhwyster' yn ffordd o dicio blwch ond nid yw'n helpu myfyrwyr Cymru i wireddu eu potensial (gweler y detholiad dilynol o adroddiad gan Lywodraeth Cymru). Bydd hyn yn cael effaith andwyol ar weddill eu bywydau ac ar eu rhagolygon gyrfa at y dyfodol. Rhowch yr un cyfleoedd i blant sy'n astudio yn ysgolion Cymru â'r rheini o wledydd eraill y Deyrnas Unedig a gwnewch addysg Cymru yn rhywbeth i fod yn falch ohono eto.

#### Gwybodaeth ychwanegol

Daw'r canlynol o adroddiad Llywodraeth Cymru ei hun i gymhwyster Bagloriaeth Cymru (Cymhwyster Bagloriaeth Cymru, Ionawr 2015), gan nodi – Roedd canfyddiadau adroddiad WISERD yn ddwy ran yn bennaf. Daeth i'r casgliad fod CBC yn arbennig o werthfawr o ran paratoi pobl ifanc ar gyfer addysg uwch, o bosibl oherwydd y pwysau sydd ganddo yn nhariff UCAS. Ar yr un pryd, roedd yr adroddiad yn cefnogi canfyddiad blaenorol mewn adroddiad yn 2011 yn benodol ar Brifysgol Caerdydd nad oedd elfen Graidd CBC gyfwerth â gradd A Safon Uwch. At hynny, daeth i'r casgliad fod myfyrwyr gyda CBC yn fwy tebygol o dynnu'n ôl o'r brifysgol ac yn llai tebygol o sicrhau 'gradd dda', a ddiffinnir fel gradd Dosbarth Cyntaf neu radd Ail Ddosbarth Uwch.

Mae'r adroddiad yn dadlau y gall y ddau ganfyddiad fod yn gysylltiedig. Daw i'r casgliad yr ymddengys fod CBC yn gwella'r tebygolrwydd o fynd i'r brifysgol, gyda phopeth arall yr un peth; ond ymddengys y daw'r fantais hon ar draul canlyniadau llwyddiannus yn y brifysgol.



## **Etholaeth a Rhanbarth y Cynulliad**

- Islwyn
- Dwyrain De Cymru

**Janet Finch-Saunders, AM**  
**Chair of the Petitions Committee**  
**National Assembly for Wales Petitions Committee**  
**Cardiff Bay**  
**Cardiff**  
**CF99 1NA**

18 April 2019

Dear Ms Finch-Saunders

**Re: P-05-788 Remove the compulsory aspect of Welsh Baccalaureate**

Thank you for your letter dated 20 March 2019 in relation to the above case being reviewed by the National Assembly for Wales Petitions Committee.

Firstly, I would like to personally apologise that you did not receive a response from WJEC to your original request. This was due to a combination of senior management changes and internal misunderstanding in relation to the submission of a response. We are currently reviewing our procedures to ensure that an error like this does not occur again.

I understand the concerns raised as the following:

- **Petition regarding the compulsory aspect of the Welsh Baccalaureate**

We understand the concerns raised, however, as an awarding organisation, our role is to provide qualifications that meet the requirements of the governing body. In the case of the Welsh Baccalaureate, this was established by the Welsh Government and is regulated by Qualifications Wales. As the petition relates to the requirements of the qualification, this petition should be directed to either the Welsh Government and/or Qualifications Wales.

- **Petition regarding the suitability of tasks associated with the Welsh Baccalaureate**

Having reviewed the current range of approved tasks included for our Welsh Baccalaureate qualifications, I can confirm that there are no WJEC approved tasks based on gambling and/or scratch cards. However, we have identified a supporting task in our collaboration area, which was developed by a Welsh Baccalaureate practitioner, where learners are asked to plan spending of £1,000 won on scratch cards. Whilst the task had no suggestion that learners should/would be engaging in any form of gambling, we have since removed this from our website.

If you would like to discuss this further, our Welsh Baccalaureate team would welcome a telephone or face-to-face conversation at a time that would be suitable for yourself. If this would be of interest, please contact Lorna Turner, Executive Assistant via [lorna.turner@wjec.co.uk](mailto:lorna.turner@wjec.co.uk) or 029 2026 5300.

Yours sincerely



**Roderic Gillespie**  
Chief Executive

### P-05-834 Dylai Pob Ysgol Fod yn Ysgol Cyfrwng Cymraeg ac Addysgu Hanes Cymru

Cyflwynwyd y ddeiseb hon gan Ashley Davies, ar ôl casglu 75 o lofnodion.

#### **Geiriad y ddeiseb**

Rydym ni sydd wedi llofnodi isod yn deisebu'r Cynulliad Cenedlaethol a'r Gweinidog Addysg i bob ysgol yng Nghymru fod yn ysgol cyfrwng Cymraeg er mwyn gwarchod iaith ein cyndadau. Gofynnwn hefyd i bob ysgol yng Nghymru addysgu hanes Cymru a hanes y bobl a gynorthwyodd i lunio'r wlad hon.

#### **Gwybodaeth Ychwanegol**

Mae'n warth nad yw'r rhan fwyaf o bobl yng Nghymru yn gallu siarad Cymraeg. Yn waeth fyth, mae ein hanes yn cael ei golli. Dim ond mewn ysgolion yn y Gogledd a'r Gorllewin, lle mae'r mwyafrif yn siarad Cymraeg, y caiff ein hanes ei warchod, hanes sydd wedi'i ysgrifennu yn yr iaith. Er mwyn diogelu'r rhain, rhaid inni wneud yn siŵr bod ein plant yn eu dysgu a bod yr iaith yn cael ei defnyddio bob dydd.

#### **Etholaeth a Rhanbarth y Cynulliad**

- Mynwy
- Dwyrain De Cymru

**P-05-834 All Schools Should be Welsh Medium and Teach Welsh History,  
Correspondence – Petitioner to Committee, 28.05.19**

According to John Davies in his book 'A History of Wales' during the period 400 - 600 AD the Brythonic language that had been used by the native Celts began to transform into what can now be recognised as Welsh or Cymraeg.

If we take the later year of 600AD this means that the Welsh language is at least 1,400 years old. A language that has stood the test of time.

Chronicles which were historical accounts were written by monks in various monasteries across Wales from 800AD and were the primary sources of record-keeping for centuries.

These documents would have been written in Latin and Welsh and would have provided a unique Welsh perspective on history.

I would like to draw the committee's attention to one such Chronicle that is held in the National Library of Wales called 'Brut y Tywysogion' and dates to around 1330AD.

This of course is one of many manuscripts and documents that were written in Welsh. One of the most famous examples indicates native Welsh laws were in place under the reign of Hywel Dda, king of Wales during the 10th century AD. Some of these laws were akin to those that we have in place today, with one in particular referring to divorce which at the time would have been frowned upon.

This of course is not taught in schools, though information is readily available because it works better for Westminster to suppress any knowledge that we were an independent, forward thinking, just nation before the Act of Union in 1536.

To avoid mistakes in the future we must be able to draw on those of the past. If we don't know our own history, then can we really call ourselves Welsh?

### P-05-862 Mynd i'r afael â bwlio mewn ysgolion

Cyflwynwyd y ddeiseb hon gan BlowforBradley Campaign, ar ôl casglu 1,463 o lofnodion.

#### **Geiriad y ddeiseb**

Rydym yn credu bod achosion o fwlio mewn ysgolion yn cael eu hanwybyddu'n aml ac nad yw'r mater yn cael ei wynebu mewn gormod o achosion. Mae'n ofynnol i ysgolion fod â pholisi gwrth-fwlio ond, yn rhy aml, datganiad gwaith papur yn unig yw hyn na weithredir arno.

Rydym am i Gynulliad Cymru greu fframwaith gwrth-fwlio safonol y gellir ei orfodi drwy'r gyfraith. Mae bwlio mewn ysgolion yn aml yn effeithio ar y dioddefwyr ar hyd eu bywydau, felly mae angen newidiadau gan fod y system bresennol yn fethiant.

Yn aml, nid yw ysgolion yn cofnodi achosion o fwlio o'r fath oherwydd ofn gwneud niwed i'w henw da ac mae'r dioddefwyr sy'n codi llais yn aml yn canfod eu bod eu hunain yn cael eu cosbi, gan wneud mwy fyth o niwed i'w hunan-barch.

Rydym yn mynnu y caiff achosion o fwlio eu cofnodi ac y gweithredir arnynt drwy system gofnodi well, teledu cylch cyfyng, adrodd, a chyswllt gorfodol â rhieni.

#### **Etholaeth a Rhanbarth y Cynulliad**

- Llanelli
- Canolbarth a Gorllewin Cymru

Kirsty Williams AC/AM  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-862  
Ein cyf/Our ref KW/05966/19

Janet Finch-Saunders AC  
Aelod Cynulliad dros Aberconwy  
Cadeirydd y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Caerdydd  
CF99 1NA

[Government.Committee.Business@llyw.cymru](mailto:Government.Committee.Business@llyw.cymru)

1 Mai 2019

### Deiseb P-05-862 – Mynd i'r afael â bwlio mewn ysgolion

Annwyl Janet,

Diolch am eich llythyr dyddiedig 18 Ebrill yn gofyn am ragor o wybodaeth am y ddeiseb uchod yn dilyn cyfarfod y Pwyllgor Deisebau ar 2 Ebrill.

Mae fy swyddogion yn dal i fod yn y broses o ddadansoddi'r ymatebion amrywiol, sydd yn aml yn rhai technegol, a dderbyniwyd yn ystod yr ymgynghoriad cyhoeddus diweddar ar y canllawiau gwrthfwlio diwygiedig. Felly, ar hyn o bryd nid oes unrhyw newyddion sylweddol gennyf i'w cyfleu ers fy llythyr diwethaf i'r Pwyllgor ar 12 Mawrth.

Byddaf yn cyhoeddi crynodeb o'r ymatebion i'r ymgynghoriad cyn hir. Ac wedyn bydd sylw'r gwaith yn symud i ganolbwyntio ar ddatblygu'r canllawiau diwygiedig a'r pecyn cymorth ategol. Bydd y gwaith hwnnw'n cymryd yr holl safbwyntiau a dderbyniwyd yn ystod yr ymgynghoriad i ystyriaeth, gan gynnwys rhai'r deisyfwr. Caiff y gyfres o ddogfennau canllaw a'r pecyn adnoddau eu cyhoeddi yn nes ymlaen eleni.

Yn gywir

**Kirsty Williams AC/AM**  
Y Gweinidog Addysg  
Minister for Education

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

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[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

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

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

Tudalen y pecyn 80

**P-05-862 Tackling school bullying, Correspondence – Petitioner to Committee,  
30.15.19**

Dear Sir/Madam,

I feel the minister has given a very guarded and non committal response.

Bullying is a massive social problem. It begins in schools and often follows both victim and perpetrator into adult life. The effects of bullying often lead to mental health issues including self harm and suicide.

Education will not doubt help steer perpetrators onto a different course and this is welcomed. The consultation however pays little regard to the fact that in far too many cases schools and their staff do not deal with bullying nor address bullying in anyway.

Punishment of VICTIMS happens far too often and many people feel that there is far more support for the perpetrators.

We insist that the entire system needs to change with a standard legal framework in place to tackle bullying in schools. We want a legal obligation upon schools and staff to correctly record and deal with bullying. If this can be addressed at grassroots level (schools) a huge improvement in social behaviour, self esteem, discipline and mental health will follow.

When dealing with bullying a balance must be weighed between educating the perpetrator and the effects upon victims. Too much focus on 'supporting' perpetrators is often leading to the basic needs and rights of the victim. Schools are too often happier to record 'behavioural incidents' and punish both victim and perpetrator equally, lowering the self esteem of the victim further.

The current system is failing too many children and is not being implemented by too many school staff.

Kindest regards

Byron John

BlowForBradley Campaign

## Eitem 3.5

**P-05-797 Sicrhau mynediad i'r feddyginiaeth ffibrosis systig, Orkambi, fel mater o frys**

Cyflwynwyd y ddeiseb hon gan Rhian Barrance ac ystyriwyd am y tro cyntaf yn ystod Ionawr 2018, ar ôl casglu 5,717 o lofnodion.

### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i alw am ddatrysiad i drafodaethau parhaus rhwng GIG Cymru, Grŵp Strategaeth Meddyginiaethau Cymru Gyfan, Pwyllgor Iechyd a Gwasanaethau Arbenigol Cymru a Vertex Pharmaceuticals ynghylch mynediad i'r feddyginiaeth ffibrosis systig, Orkambi, fel mater o'r brys eithaf.

### **Gwybodaeth ychwanegol**

Mae gan 418 o bobl yng Nghymru ffibrosis systig (CF). Mae CF yn anhwylder etifeddol sy'n lleihau bywyd. Yr oedran canolrifol ar farwolaeth i berson â CF yn 2016 oedd 31 oed. Mae CF yn cael ei achosi gan fwtadiadau yn y genyn CFTR sy'n arwain at fwcws trwchus, gludiog yn cronni yn yr ysgyfaint ac organau eraill. Yn raddol, mae'r cronniad hwn yn achosi heintiau cronig yn yr ysgyfaint a difrod cynyddol i'r ysgyfaint. Mae'r baich triniaeth ar gyfer person â CF yn uchel a gall bywyd bob dydd fod yn anodd.

Mae Orkambi yn feddyginiaeth fanwl y gallai 40% o bobl yn y DU gyda CF gael budd ohoni. Tra bod triniaethau CF confensiynol yn targedu'r symptomau, mae meddyginiaethau manwl yn mynd i'r afael â'r mwtadiadau genetig sylfaenol sy'n achosi'r cyflwr. Er nad yw Orkambi yn wellhad, canfuwyd ei bod yn arafu'r dirywiad yng ngweithrediad yr ysgyfaint – yr achos marwolaeth mwyaf cyffredin i bobl â CF – o 42%.

Ym mis Gorffennaf 2016, cydnabu'r Sefydliad Cenedlaethol Rhagoriaeth Glinigol (NICE) Orkambi fel 'triniaeth bwysig.' Fodd bynnag, nid oeddent yn gallu argymhell y cyffur i'w ddefnyddio o fewn y GIG ar sail cost effeithiolrwydd a diffyg data hirdymor.

Ym mis Mehefin 2017, trefnodd yr Ymddiriedolaeth Ffibrosis Cystig ddiwrnod o brotest cenedlaethol yn y Senedd, Stormont, Holyrood, Downing Street ac ar-lein i alw am derfyn ar y diffyg cynnydd. Ers y protestiadau, mae



Pwyllgor Iechyd a Gwasanaethau Arbenigol Cymru (WHSSC) wedi cyflwyno Grŵp Strategaeth Meddyginiaethau Cymru Gyfan (AWMSG) gyda'r dull portffolio a ddatblygwyd gan wneuthurwr y cyffur, Vertex Pharmaceuticals.

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i alw am ddatrysiad i'r trafodaethau parhaus hyn rhwng GIG Cymru, yr AWMSG, WHSSC a Vertex Pharmaceuticals fel mater o'r brys pennaf. Mae'n hanfodol bod dull ad-dalu teg a chynaliadwy i'w gael ar gyfer Orkambi ac ar gyfer y biblinell gyffrous o driniaethau yn y dyfodol.

Mae pobl yng Nghymru wedi bod yn aros yn rhy hir am y cyffur trawsnewidiol hwn. Maen nhw'n haeddu gwell.

#### **Etholaeth a Rhanbarth y Cynulliad**

- Gorllewin Caerdydd
- Canol De Cymru

Vaughan Gething AC/AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref VG/06324/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Tŷ Hywel  
Cardiff  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

13 May 2019

Dear Janet,

Thank you for your letter of 18 April regarding the Petition P-05-797 to ensure access to cystic fibrosis Medicine, Orkambi®.

I note the Committee's suggestion of crown use licencing; this would be a matter for the UK Government. It was discussed in the House of Commons in February and several issues were noted. The transcript of the debate can be viewed at:

<https://hansard.parliament.uk/commons/2019-02-04/debates/12C071ED-9463-4502-8625-89B910AD12F5/Orkambi>

I wrote to the manufacturer Vertex in September to encourage them to submit evidence about Orkambi® to the All Wales Medicines Strategy Group for appraisal. I would urge you and the other Committee members to do likewise.

Yours sincerely,

**Vaughan Gething AC/AM**  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

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

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

Tudalen y pecyn 84

# Cystic Fibrosis a fight we must win

Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CARDIFF  
CF99 1NA

3 June 2019

Dear Ms Finch-Saunders,

Thank you for your continued work in raising the issue of access to Orkambi, Symkevi and other cystic fibrosis medicines. The Cystic Fibrosis Trust is dismayed that access to these medicines has not been resolved.

It has been eighteen months since a petition was first submitted to the Assembly, followed by eight committee meetings. Yet due to continued disagreement between Vertex Pharmaceuticals, NHS Wales and the Welsh Government, people with cystic fibrosis are still waiting for access to these life-saving drugs. The impact of this delay is avoidable, irreversible health decline for people with cystic fibrosis in Wales.

Wales is a world-leader in cystic fibrosis outcomes, but this is changing. Recently, NHS Scotland and Vertex have reached an interim access deal through the PACS Tier 2 system, on the condition that Vertex submit Orkambi and Symkevi to the Scottish Medicines Consortium (SMC), and NHS England have recently made an offer based on a managed access scheme following the work of the Health and Social Care Select Committee in Westminster. Most notably, on Thursday 30 May, Vertex Pharmaceuticals released headline results for their fourth cystic fibrosis medicine, which could radically transform the lives of nine in ten people with the cystic fibrosis in Wales

However, for people with CF and their families in Wales, the joy and optimism of these results was bitterly soured by the fear and anxiety that they will never get to use them. In the last three years, this issue has been debated five times in Westminster and not once in the Welsh Assembly. On 10 June access to cystic fibrosis medicines will once again be debated in Westminster Hall. However, there must be a Welsh solution that works for people in Wales with cystic fibrosis, whom without a forward process, are frustrated, angry, and distressed.

Will the Committee make an urgent suggestion that this issue is debated in the Assembly to shed light on these negotiations and push for a resolution?



David Ramsden  
**Chief Executive**

## Eitem 3.6

**P-05-804 Mae angen cyllid Llywodraeth Cymru ar gyfer chwarae!!**

Cyflwynwyd y ddeiseb hon gan RAY Ceredigion ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Mawrth 2018, ar ôl casglu 328 o lofnodion ar-lein.

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ddarparu cyllid dynodedig blynyddol i roi cymorth ariannol i bob Awdurdod Lleol wrth gyflawni eu dyletswydd yn unol â'u hasesiad o ddigonolrwydd cyfleoedd chwarae er mwyn osgoi cau darpariaethau chwarae agored megis RAY Ceredigion

### **Etholaeth a Rhanbarth y Cynulliad**

- Ceredigion
- Canolbarth a Gorllewin Cymru

Julie Morgan AC/AM  
Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol  
Deputy Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-804  
Ein cyf/Our ref JM/05298/19

Janet Finch-Saunders AM  
Chair – Petitions Committee  
National Assembly for Wales  
Tŷ Hywel  
Cardiff  
CF99 1NA

[SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

9 May 2019

Dear Janet,

Thank you for your further letter of 18 April regarding your Committee's current consideration of the petition from RAY Ceredigion about funding for play.

I note that the Committee has asked for consideration to be given to an enhancement of any guidance which accompanies any future Welsh Government grant for play purposes to ensure that local voluntary organisations receive "sufficient benefit" from such funding.

Although not specified within grant terms and conditions, at times when funding has been available, my officials have always ensured that related communication with the local authorities has encouraged them to consider working with their local third sector partners. It is a matter of balance when determining the formal scope of any funding to ensure that the potential outcomes meet with national policy intentions whilst providing local authorities with the ability to use their local discretion in line with their Play Sufficiency Assessment duties. However, I would like to reassure the Committee that my officials will bear this request in mind should further resources for play become available in the future.

Yours sincerely,

**Julie Morgan AC/AM**  
Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol  
Deputy Minister for Health and Social Services

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[Correspondence.Julie.Morgan@gov.wales](mailto:Correspondence.Julie.Morgan@gov.wales)

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

**Tudalen y pecyn 87**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

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RAY CEREDIGION

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23-05-2019

Petitions Committee  
National Assembly for Wales

## RAY Ceredigion Petition We need Welsh Government Funding for Play!!

Thank you for your correspondence indicating that this will be discussed again at the meeting on 11<sup>th</sup> June 2019, we greatly appreciate the committees continued discussion on this matter.

Thank you also for a copy of the correspondence from AM Julie Morgan, I would draw attention to the final phrase in AM Julie Morgan's response which is at the heart of the issue this petition seeks to highlight:

*'... should further resources for play become available in the future'*

Welsh Government initiated a duty on local authorities to audit for a sufficiency of play provision for all children in Wales, but this duty was not matched by any designated funding. Play is identified as a right children should be able to access by the UNCRC in particular Article 31 and General Comment 17 makes clear the importance of this right to child welfare and the imperative on governments to ensure this right is accessed.

The point of the petition is to bring to the attention of the government in Wales that despite a play sufficiency duty little progress can be made on developing the provision of play with NO designated funding, and as the letter from Julie Morgan makes clear there is a question mark over whether funds will be available in the future.

The amounts of funding provided for play referred to in correspondence from Huw Irranca-Davies is mainly that provided to local authorities at the end of the financial year, which has always been made available at very short notice, the amount available has been variable and unpredictable, and the timescale for spending this funding has been incredibly short. This does not help to fund or sustain play provision or play providers, and this lack of financial



support for a sufficiency of play has particularly decimated the voluntary sector in Wales. Of 10 strong and vibrant third sector providers of play in Wales, created by the 6 year lottery funded Child's Play programme nearly all are lost. One of the main reasons for this loss is that no funding coming into local authorities is for play, despite the play sufficiency duty.

Our argument is that this situation is at odds with the duties placed on local authorities and has a detrimental effect on third sector organisations that have worked in partnership with the local authority to develop expertise in the delivery of play provision.

We are requesting Welsh Government provide designated funding for play to achieve 3 outcomes:

- Enable children in Wales to access their right to play
- To enable the play sufficiency duty to be enacted by local authorities in a planned way throughout 12 months, rather than reliant on unpredictable last minute funding at the end of each financial year
- To support the continuation of organisations across Wales with expertise in the delivery of play provision such as RAY Ceredigion who currently cannot identify any funding to sustain play

So far we have not seen that these points have been adequately addressed by previous correspondence from Welsh Government Ministers and the proposed outcomes arising from the Play Sufficiency Duty continue to be unsupported by funding and consequently largely unmet.

This is a disappointing outcome for children in Wales.

Yours sincerely

Gill Byrne  
Executive officer, RAY Ceredigion

## Eitem 3.7

**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



Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon



GIG  
CYMRU  
NHS  
WALES

Iechyd Cyhoeddus  
Cymru  
Public Health  
Wales

**Iechyd Cyhoeddus Cymru**

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**Public Health Wales**

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Tracey Cooper

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Our Ref: TC.CS.020518.JFS

2 May 2019

Janet Finch-Saunders – AM/AC  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear Janet,

**Petition P-05-825 Protect children's lungs from harmful pollution whilst at school**

Thank you for your letter of 18 April 2019 seeking Public Health Wales advice in relation to this petition. This is an important issue and we are committed to working with others to reduce air pollution, risks and inequalities.

To provide context, outdoor air pollution is the largest environmental risk to public health. Pollutants such as particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>) and ozone (O<sub>3</sub>) can adversely affect health. Sources of air pollution include road vehicles and other forms of transport, industry, agriculture, domestic sources (such as heating systems and wood-burners), and naturally occurring sources (such as sand and sea salt). In the UK, man-made air pollution is said to account for the equivalent of around [28,000 to 36,000](#) deaths each year; in Wales, the equivalent of around [1,600](#) early annual deaths are attributed to exposure to fine particulate air pollution. It is important to interpret these estimates with caution since figures do not refer to 'actual' numbers of deaths but reflect the sum of the small contributions air pollution exposure make to reduce life-expectancy across all individuals in the population.

The health effects of air pollution are well-documented. Long-term exposure over several years to pollutants such as fine particulate matter, for example, reduces life expectancy, mainly due to cardiovascular and respiratory diseases but also from increased risks from lung cancer. These impacts result from invisible dust particles

being small enough to be breathed deep into lungs, causing inflammation of the lining of lungs and placing pressure on body systems and organs. Recent research suggests that other health consequences may be linked too, including low birth weight and dementia. Shorter-term exposure over hours or days is associated with eye, nose and throat irritations, as well as higher risks from reduced lung function and worsening of asthma. Of relevance to this petition is that different people and population groups will be affected in different ways by air pollution exposure; vulnerable groups include children and young people, older people, and those with chronic health conditions. [Research](#) carried out in Wales shows that people living in the most deprived parts of Wales may also be more susceptible to air pollution than those living elsewhere.

In Wales, under the Environment Act 1995, local authorities have responsibility to deliver the [Local Air Quality Management](#) (LAQM) regime. This requires regular review of local air quality, by assessing data collected through established monitoring networks as well as through modelling techniques against health-based Air Quality Objectives. In locations where these objectives are actually or likely breached, the local authority must declare a formal Air Quality Management Area. An accompanying action plan should then set out measures which partners implement together to address local identified problems. This process is set out in Wales LAQM guidance which ensures that the sustainable ways of working required by the Wellbeing of Future Generations Act are applied fully to air quality management activities. Importantly, in the context of this petition, the guidance specifies that local authorities must give special consideration to risks posed to children, at home and school/nursery settings as well as travel in-between. Schools and linked active travel routes are designated as sensitive receptor location in the guidance too.

Public Health Wales appreciates that it is not practicable to monitor and measure air pollution concentrations everywhere and that local authorities must adopt a pragmatic needs-based approach to this [with outputs from sophisticated air quality modelling techniques used to fill in gaps in coverage and/or intelligence]. However, given that monitoring networks are regularly reviewed, Public Health Wales hopes that the focus placed on children vulnerability and schools in the Wales LAQM guidance can facilitate the collection of more information on local air quality in future. Such new data would be extremely useful in informing our ongoing work to understand air quality exposure potential amongst children and also help target mitigation action accordingly. In the interim, we are aware of and continue to support the good work ongoing across local authorities to raise awareness of air pollution amongst school pupils and staff. The Welsh Government has developed educational resources (through the "Young Dragons" initiative) for use in both primary and secondary school settings, with linked opportunities for pupils to undertake their own indicative air pollution measurements in and around school buildings.

Finally, we are working with Welsh Government to develop a Clean Air Plan for Wales. We understand that this will be drafted for consultation later this year. The plan will likely describe key pollutants and health risks, along with short, medium and long term actions that can help improve air quality across a range of different sectors. The plan will explore what more can be done to improve air quality around sensitive receptor locations, including schools and nurseries and also NHS sites. We will

continue to support this work to increase opportunities to integrate air quality management with public health policy and practice.

We trust this information will be useful to members of the Petitions Committee. Should you require any further information, please do not hesitate to contact me.

Yours sincerely,

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

**Dr Tracey Cooper**

Chief Executive, Public Health Wales

Janet Finch-Saunders AM/AC  
Chair  
National Assembly for Wales  
Petitions Committee  
Cardiff Bay  
Cardiff  
CF99 1NA

8 May 2019

Dear Janet Finch-Saunders

## **Petition P-05-825 Protect children's lungs from harmful pollution whilst at school**

Thank you for inviting NRW to comment on the above-named petition to protect children's lungs from harmful pollution whilst at school.

Natural Resources Wales is responsible for providing a risk-based approach to regulation, to ensure the sustainable management of our natural resources for human and environmental well-being. We seek to achieve this directly, through delivery of our regulatory duties, using powers and tools available as set out in legislation; and indirectly through wider interventions that support the delivery of relevant outcomes, such as raising awareness with industry trade bodies to ensure they are taking steps to reduce emissions that have an air quality impact.

Our duties in respect of air quality fall into two categories, Compliance and supporting Local Air Quality Management (LAQM).

We ensure that the facilities we regulate comply with:

- The EU's requirements for Wales and the UK, such as Air Quality Directives, the Habitats Directive, the National Emissions Ceiling Directive and the Industrial Emissions Directive;

- Wales and UK requirements, such as the Environmental Permitting Regulations, the UK Air Quality Strategy, the Countryside and Rights of Way Act and the Natural Environment and Rural Communities Act.

Air quality monitoring is not one of NRW's statutory duties, however we are represented on Public Service Boards and attend the Wales Air Quality Forum (WAQF). Through these groups we work with Public Health Wales, Local Authorities and Welsh Government to ensure air quality issues are addressed. As part of the WAQF we also input into policy and strategy decisions regarding air quality issues. Specific advice on health matters are provided to government by Public Health Wales.

Welsh Government and local authorities are required by legislation to monitor air quality across a network of sites throughout Wales. The data is used as part of the evidence that informs our interventions at sites we regulate.

NRW is also a partner in the Air Quality in Schools Citizen Science Project for Europe with the European Environment Agency. This is a new project that is developing methodologies for harmonising approaches to addressing air quality in schools, which includes both monitoring and behaviour change initiatives.

NRW is working in a partnership project with Cardiff Council to monitor air quality in 20 schools in Wales, which is summarised below:

- Targeted for one year of NO<sub>2</sub> Monitoring.
- Data will be included in Bridgend-Cardiff and Vale of Glamorgan Council's LAQM Annual Air Quality Progress Reports 2020.
- Targeting awareness, education and behaviour change in tandem with monitoring.
- Following completion of 2019/20 annual ratified data sets, data will then be included in the 2020 LAQM progress reports.

The trial started in March 2019 and will run for a year, the results will be discussed at the WAQF to establish if the evidence suggests the monitoring should be expanded.

Best wishes



Clare Pillman  
**Prif Weithredwr, Cyfoeth Naturiol Cymru**  
**Chief Executive, Natural Resources Wales**

National Assembly for Wales  
Petitions Committee  
Cardiff Bay  
Cardiff  
CF99 1NA

**Siân Clayton  
Pennaeth Gweithrediadau**

**Adeiladau'r Llywodraeth  
Ty Glas  
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sian.clayton@hse.gov.uk

<http://www.hse.gov.uk/>

Divisional Director  
Jane Lassey

Date: 16<sup>th</sup> May 2019

Dear Janet Finch-Saunders AM/AC (Chair/Cadeirydd)

**PETITION P-05-825 – PROTECT CHILDREN'S LUNGS FROM HARMFUL POLLUTION  
WHILST AT SCHOOL**

Thank you for your letter to Dr David Snowball, HSE's Acting Chief Executive, dated 18<sup>th</sup> April 2019, seeking HSE's views on the petition submitted in respect of the above matter. I have been asked to respond on HSE's behalf as the Head of Operations for HSE's Field Operations Division covering Wales.

I thought it would be helpful if I set out the role of HSE in respect of reducing ill-health arising from work activities before commenting on the petition itself.

**HSE role in reducing ill-health**

The Health and Safety Executive (HSE) is an enforcing authority responsible for the regulation of health and safety at work in Great Britain and was established by the Health and Safety at Work etc Act 1974 (HSWA). HSE is a non-departmental public body with Crown status, sponsored by the Department for Work and Pensions (DWP) and accountable to its ministers. HSE investigates incidents and concerns about health and safety practices and develops new or revised health and safety legislation and codes of practice. HSE regulates health and safety across a range of sectors and industries including major hazard sites such as offshore gas, oil installations and onshore chemical plants through to more conventional sites, quarries, farms, factories, waste management sites, local authorities and hospitals.

In order to reduce ill-health arising out of work activities, HSE has three health priorities which are occupational lung disease, musculoskeletal disorders and work-

related stress. How we aim to reduce the prevalence of these health priorities is set out in our ['Health Priority Plans'](#).

In respect of lung disease, our focus is on workers in the industry sectors where the risk of developing occupational lung disease will be the highest and will be achieved through prioritising interventions, inspection activity and enforcement. It involves working with others in partnership to raise awareness and develop initiatives.

#### **Air pollution at schools in Wales**

As mentioned above, HSE is a workplace regulator and its remit is to prevent ill-health from work activities. Therefore, we do not have a role in relation to general environmental levels of pollution and would look to other better placed regulators responsible for environmental policy development and regulation.

#### **HSE view on the petition**

General air pollution is outside our remit, so it is not appropriate for us to comment on the petition.

I hope this letter helps to set out our position and I hope that you are able to agree a way forward to improve the situation and reduce children's exposure to harmful levels of air pollution. We will consider the matter you have raised and consider whether HSE can impact on general air pollution from workplaces in other ways.

Yours sincerely

A handwritten signature in black ink that reads "Siân Clayton". The signature is written in a cursive style with a large initial 'S'.

**Mrs Siân Clayton**  
**Pennaeth Gweithrediadau / Head of Operations**  
**Cymru a'r Gororau**



**P-05-825 Protect children's lungs from harmful pollution whilst at school,  
Correspondence – Petitioner to Committee, 30.05.19**

The PHW response is a factual one that I don't disagree with at all. I was surprised by the HSE suggesting they have no involvement with air pollution, as I thought there might be a link for safety of the staff working at the schools.

We are interested in the pilot talked about by NRW in Cardiff and will be interested to see the results.

Kind regards,



**Joseph Carter**

Head of Devolved Nations

Pennaeth Cenhedloedd Datganoledig

British Lung Foundation

## Eitem 3.8

P-05-831 Rhowch ddiwedd ar yr annhegwch a'r gwahaniaethu yn y cymorth ariannol a roddir i ddiodefwrwr sgandal gwaed wedi'i heintio yng Nghymru  
Cyflwynwyd y ddeiseb hon gan Contaminated Whole Blood UK Group, ar ôl casglu 159 o lofnodion.

### Geiriad y ddeiseb

Mae'r ddeiseb hon yn galw ar Gynulliad Cymru i roi diwedd ar yr annhegwch a'r gwahaniaethu yn y cymorth ariannol a roddir i ddiodefwrwr sgandal gwaed wedi'i heintio yng Nghymru, drwy newid y cynllun i o leiaf adlewyrchu'r darpariaethau ar gyfer y rheini a gaiff eu heintio yn Lloegr.

Mae sawl categori o ddiodefwrwrwr yng Nghymru sydd o bosibl ar eu colled o £20,000 neu fwy o dan y cynllun. Cafodd miloedd o bobl eu heintio o ganlyniad i dderbyn gwaed wedi'i heintio neu gynhyrchion gwaed wedi'u heintio a roddwyd iddynt gan y GIG tan fis Medi 1991 o leiaf. Mae dros ddwy fil o bobl eisoes wedi marw.

Yn dilyn datganoli pwerau, y Cynulliad sydd â'r cyfrifoldeb dros gefnogi diodefwrwrwr a'u teuluoedd y rhai sydd wedi'u heintio yng Nghymru. Caiff y cynlluniau cefnogaeth eu gweithredu gan wasanaeth Cefnogi Gwaed wedi'i Heintio yng Nghymru (WIBSS) a weinyddir gan Ymddiriedolaeth GIG Velindre a Chyd-bartneriaeth Gwasanaethau'r GIG (NWSSP) sydd, yn y pen draw, yn atebol i Gynulliad Cymru.

I'r rheini a gaiff eu heintio yn Lloegr, cynhelir y cynllun cyfatebol gan EIBSS, sydd yn y pen draw yn atebol i'r senedd yn Llundain. Er i'r diodefwrwrwr oll gael eu heintio gan y GIG cyn iddo gael ei ddatganoli, mae gan EIBSS ac WIBSS ddarpariaethau tra gwahanol o ran cymorth ariannol. Y ffactor sy'n pennu pa gynllun y byddwch chi'n ei gael yw lle cafodd y diodefwrwrwr ei heintio yn hytrach na lle mae'n byw. Mae dau gynllun na all y rheini sydd o dan WIBSS gael mynediad atynt. Gelwir y rhain yn 'Fecanwaith Categori Arbennig' a 'cynllun cyllid ychwanegol dewisol'. Effaith net hyn oll yw bod sawl categori o ddiodefwrwrwrwr heintiau yng Nghymru o bosibl ar eu colled o £20,000 o dan y cynllun, neu'n fwy os oes ganddynt blant, waeth ble y maent yn byw. Bydd dau berson sy'n byw yng Nghaerdydd er enghraifft, sydd wedi'u heintio gan y GIG, â'r un effaith, o bosibl yn cael gwahaniaeth o £20,000 mewn cymorth

ariannol dim ond gan fod un o'r ddau 'yn fwy lwcus' o gael ei heintio yn Lloegr.

Rydym yn galw ar Gynulliad Cymru i ymyrryd i roi diwedd ar yr anghyfiawnder hwn nawr

### **Gwybodaeth Ychwanegol**

Pwy ydym ni: rydym yn grŵp cefnogi cyfoedion annibynnol sy'n cynnwys dioddefwyr sgandal gwaed wedi'i heintio ledled y DU

<https://www.facebook.com/groups/ContaminatedWholeBloodUK/>

Lle gellir canfod manylion cynlluniau cyfatebol ar gyfer y rheini a gaiff eu heintio yn Lloegr a'r rheini a gaiff eu heintio yng Nghymru: I bobl sydd wedi'u heintio yng Nghymru, <https://wibss.wales.nhs.uk/> I bobl sydd wedi'u heintio yn Lloegr, dyma'r cynllun cyfatebol

<https://www.nhsbsa.nhs.uk/england-infected-blood-support-scheme>

Beth sydd wedi digwydd hyd yn hyn:

Ar sawl achlysur, mae gwahanol sefydliadau wedi ceisio codi'r mater yn yr ymchwiliad sy'n cael ei arwain gan Syr Brian Langstaff a thrwy wneud y wasg yn ymwybodol o'r erthygl hon sy'n canolbwyntio ar y gwahaniaethau rhwng cynlluniau Cymru a'r Alban <https://www.bbc.co.uk/news/uk-wales-politics-43898899>

### **Etholaeth a Rhanbarth y Cynulliad**

- Gorllewin Clwyd
- Gogledd Cymru



Llywodraeth Cymru  
Welsh Government

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## DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

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<b>TEITL</b>	<b>Cymorth ychwanegol o dan Gynllun Cymorth Gwaed Heintiedig Cymru</b>
<b>DYDDIAD</b>	<b>06 Mawrth 2019</b>
<b>GAN</b>	<b>Vaughan Gething, y Gweinidog Iechyd a Gwasanaethau Cymdeithasol</b>

Rwy'n falch o hysbysu'r Aelodau fod cymorth ychwanegol yn mynd i gael ei roi i'r rheini sydd wedi'u heintio â Hepatitis C a /neu HIV drwy waed neu gynhyrchion gwaed heintiedig. Mae'r effaith sylweddol y mae heintiau o'r fath yn ei chael ar fywydau llawer o unigolion wedi cael ei thrafod yn helaeth yn siambr y Cynulliad. Derbynnir y bydd buddiolwyr o dan y cynllun taliadau *ex-gratia* a ddarperir drwy ein partneriaid yng Nghynllun Cymorth Gwaed Heintiedig Cymru wedi profi anawsterau sylweddol o safbwynt iechyd meddwl, llesiant ac anhwylder straen wedi trawma yn sgil cael eu heintio.

Mae swyddogion wedi cyfarfod â'r rheini sydd wedi cael eu heffeithio'n uniongyrchol, clinigwyr, a chynghorwyr budd-daliadau yng Nghynllun Cymorth Gwaed Heintiedig Cymru i gael eu barn nhw am gymorth ychwanegol ar gyfer pob buddiolwr. Canolbwyntiwyd yn arbennig ar y rheini sydd yng Nghyfnod 1 gyda chymhlethdodau sy'n cael effaith ar fywyd sy'n deillio o gael eu heintio â Hepatitis C.

Yn dilyn y trafodaethau hyn, rwyf wedi cytuno ar ddarparu'r cymorth ychwanegol a ganlyn: Yn gyntaf, bydd taliad uwch, y cyfeirir ato fel Taliad Cynllun Hep C Cyfnod 1+ Uwch, ar gyfer y rheini sydd â Hepatitis C Cyfnod 1 eisoes ac sy'n dioddef o symptomau iechyd meddwl y maent yn ystyried sy'n gysylltiedig â'r ffaith eu bod wedi cael eu heintio â Hepatitis C a lle y gallai'r symptomau iechyd meddwl hynny effeithio ar eu gallu i ymgymryd â gweithgareddau o ddydd i ddydd. Bydd y taliad uwch gyfwerth â'r gyfradd dalu bresennol ar gyfer y rheini sydd yng Nghyfnod 2 haint Hepatitis C, sef £18,500 y flwyddyn. Pan fydd cais i gael Taliad Cynllun Hep C Cyfnod 1+ Uwch yn cael ei gyflwyno erbyn 23 Ebrill 2019, caiff y taliad ei ôl-ddyddio i 1 Ebrill 2018 neu i'r dyddiad pan gafodd yr unigolyn daliad *ex-gratia* Cyfnod 1 gyntaf o dan Gynllun Cymorth Gwaed Heintiedig Cymru, gan ddibynnu pa ddyddiad yw'r diweddaraf.

Bydd y Taliad Cynllun Hep C Cyfnod 1+ Uwch wedi'i ôl-ddyddio hwn yn cael ei dalu felly i'r buddiolwyr sydd wedi'u heintio ar hyn o bryd â Hepatitis C Cyfnod 1, neu fuddiolwyr oedd wedi'u heintio yn ystod blwyddyn ariannol 2018/19, sy'n bodloni'r meini prawf perthnasol ac a oedd wedi cyflwyno cais am y taliad uwch hwn erbyn 23 Ebrill 2019. Mae hyn yn ymestyn hefyd i unigolion sydd wedi marw yn ystod blwyddyn ariannol 2018/19 a lle y mae cais am y taliad uwch yn cael ei wneud gan ystad y buddiolwr erbyn 23 Ebrill 2019.

Bydd y cynllun uwch a gynigir ar gyfer y rheini sydd yng Nghyfnod 1 lawer symlach na'r un sydd i'w gael dros y ffin, ac ni fydd angen unrhyw fewnbwn meddygol yn ystod y broses ymgeisio. Gofynnir i fuddiolwyr yn syml a oes ganddynt unrhyw symptomau iechyd meddwl y maent o'r farn sy'n gysylltiedig â'r ffaith eu bod wedi cael eu heintio drwy waed neu gynhyrchion gwaed heintiedig, a beth yw'r symptomau hynny. Gofynnir hefyd iddynt a ydy'r symptomau iechyd meddwl hyn yn effeithio ar eu gallu i ymgymryd â gweithgareddau o ddydd i ddydd. Os bydd hyn yn berthnasol, ni fydd galw iddynt gael eu hasesu ymhellach oherwydd bydd yr unigolion eisoes wedi cael diagnosis o Hepatitis C o waed neu gynhyrchion gwaed heintiedig, a chydabyddir eisoes fod hyn yn anghyfiawn.

Yn ail, cynigir asesiad strwythuredig a phecyn o gymorth ychwanegol wedi'i deilwra'n benodol ar gyfer yr unigolyn i bob un sydd wedi'i heintio ac i'w teuluoedd fel rhan o drefniadau cymorth seicolegol newydd Cynllun Cymorth Gwaed Heintiedig Cymru. Pwysleisiodd yr Ymchwiliad i Waed Heintiedig fod angen cymorth o'r fath hefyd a bydd yn rhan o'r pecyn cyffredinol o ddarpariaeth holistaidd a gynigir.

Yn ogystal â'r gwelliannau hyn, bydd Cynllun Gwaed Heintiedig Cymru yn mabwysiadu dull diwygiedig a mwy agored a thryloyw o weinyddu'r gronfa yn ôl disgresiwn bresennol. Byddant yn ysgrifennu at yr holl fuddiolwyr i roi gwybod iddynt am y meini prawf cymhwys ac yn eu gwahodd i gyflwyno cais. Bydd y cymorth hwn yn gwella ymhellach fywydau'r rheini a effeithiwyd, mewn ffordd decach a fydd wedi'i rheoleiddio'n well, a bydd yn ychwanegol at y taliadau *ex-gratia* ac ychwanegiadau at incwm rheolaidd a roddir eisoes.

Gallaf gadarnhau hefyd, o 1 Ebrill 2019, y bydd y gyfres o daliadau *ex-gratia* sydd ar gael ar hyn o bryd i'r rheini sy'n perthyn i Gynllun Gwaed Heintiedig Cymru yn cynyddu yn unol â'r Mynegai Prisiau Costau Byw yn cynnwys Tai, fel y'i cyhoeddwyd ym mis Chwefror 2019.

Cyfarfu Mr Ustus Langstaff, Cadeirydd Ymchwiliad y DU i Waed Heintiedig, yn ddiweddar â Jackie Price-Doyle, Is-ysgrifennydd Seneddol, a chynrychiolwyr y rheini sydd wedi'u heintio a'u heffeithio, a gofyn iddi fynd i'r afael â'r mater o daliadau ariannol annheg ar draws cynlluniau cymorth gwaed heintiedig y DU. Hanesion o galedi ariannol yr adroddodd unigolion wrtho yn ystod gwrandawiadau cychwynnol yr ymchwiliad oedd y tu ôl i'r cais hwn. Bu cryn bryder ynghylch y gwahaniaeth rhwng y cyfraddau a dalwyd, wrth reswm. Yn dilyn y cyfarfod hwn, cytunodd swyddogion ar draws adrannau iechyd y DU i gydweithio er mwyn adolygu cyfraddau taliadau *ex-gratia* a gwasanaethau holistaidd ehangach sydd i'w cael ar hyn o bryd, gan ystyried y cynnig a gyflwynwyd gan y rheini sydd wedi'u heintio a'u heffeithio.

Byddaf yn rhoi'r wybodaeth ddiweddaraf ichi am ganlyniad y trafodaethau hyn maes o law.

# Eitem 3.9

## **P-05-670 – Gadewch i ni Sicrhau y Caiff Calon Pob Person Ifanc (10–35 oed) ei Sgrinio**

Cyflwynwyd y ddeiseb hon gan Sharon Owen, ar ôl casglu cyfanswm o 3,444 lofnodion.

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ofyn i Lywodraeth Cymru gyflwyno rhaglen sgrinio calonnau i bob person ifanc rhwng 10 a 35 oed yng Nghymru. Mae cannoedd yn marw bob blwyddyn yng Nghymru o gyflwr calon heb ddiagnosis a bydd prawf ECG syml yn nodi'r rhan fwyaf o abnormaleddau'r galon fel y gellir rheoli cyflyrau'n effeithiol.

Mae sesiynau sgrinio calonnau'n cynnwys prawf byr, 5–10 munud, sy'n gyflym ac yn ddi-boen ac yn gallu canfod y rhan fwyaf o annormaleddau'r galon a gallai achub cannoedd o fywydau yng Nghymru. Yn rhanbarth Veneto yn yr Eidal, lle mae'r rhaglen sgrinio calonnau wedi'i chynnal ers 25 mlynedd, gostyngodd nifer yr athletwyr (dynion a menywod) a oedd yn marw'n sydyn o ataliad y galon o un mewn 28,000 bob blwyddyn i un mewn 250,000, yn ôl astudiaeth yn 2006 a gyhoeddwyd yng nghylchgrawn y Gymdeithas Feddygol Americanaidd.

### **Gwybodaeth ychwanegol:**

#### **Etholaeth a Rhanbarth y Cynulliad**

- Gorllewin Caerdydd
- Canol De Cymru



Ein cyf/Our ref VG/06323/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

16 May 2019

Dear Janet,

Thank you for your further letter of 18 April regarding Petition P-05-870 about introducing a heart screening programme for all 10 to 35 year olds in Wales.

As I said in my previous response, population screening programmes generally can save lives through early risk identification but can also do harm by identifying risk factors that would never otherwise develop into a serious condition or complication. Screening programmes may have false negative results, so do not guarantee protection. Receiving a low risk result does not prevent the person from developing the condition at a later date. Population screening programmes should only be offered where there is robust, high-quality evidence that screening will do more good than harm. Screening to prevent Sudden Cardiac Death (SCD) in 12 to 39 year olds has been considered by the UK National Screening Committee and for these reasons is not recommended and, therefore, cardiac screening is not provided in the UK.

Although whole-population screening is not beneficial, families of individuals with SCD should be offered individual clinical assessments to assess their risk. This is 'cascade' case-finding in a higher-risk population rather than whole-population asymptomatic screening. Additionally, young people who have symptoms or concerns, particularly if they are very physically active, should speak to their GP who will be able to advise them as appropriate. This approach is supported by the British Heart Foundation which supports individuals having an increased understanding of their family's medical history, so if a family member has died suddenly, particularly at a young age, they would be advised to discuss with their GP, with a view of getting themselves screened and assessed at an inherited heart conditions service, as appropriate.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre  
0300 0604400

[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

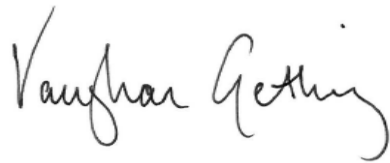
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

The British Heart Foundation supports cascade testing of individuals who have a first degree relative who has died suddenly and no cause of death has been established (and post mortem reveals a structurally normal heart) or who has been diagnosed with an inherited heart condition.

It would be irresponsible to provide a screening programme against the advice of the experts and which the evidence does not support. The current tests available have limitations and as such it is potentially dangerous to provide individuals with misleading test results. Should more accurate tests become available, whole population asymptomatic cardiac screening will be fully considered.

Yours sincerely,

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

**Vaughan Gething AC/AM**

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



**P-05-870 Let's Get Every Young Heart Screened (Age 10-35), Correspondence  
– Petitioner to Committee, 31.05.19**



**WELSH HEARTS**  
**CALONNAU CYMRU**  
THE HEART CHARITY FOR WALES  
ELUSENY GALON DROS CYMRU

**Date 31/5/19**

**REFERENCE PETITION P-05-870**

**LET'S GET EVERY YOUNG HEART SCREENED (age 10 -35)**

**For submission for discussion by the Committee  
at the meeting to be held on Tuesday 11<sup>th</sup> June 2019**

In response to Mr Gethin's letter dated 16<sup>th</sup> May 2019, it is with astonishment that we view his generalisations, when there is clear evidence to contradict his comments.

To state that it is harmful to detect cardiac risk factors, which in his words 'would **never** otherwise develop into a serious condition or complication', are both outdated and thus ill informed and insensitive comments.

With our first hand knowledge of cardiac wards in hospital, it has been seen to be the case that so-called 'minor' cardiac issues, have developed into problems that have needed addressing.

He then makes a contradictory comment to his earlier remark, stating that 'receiving a low risk result does not prevent the person from developing the condition at a later date'. Exactly as we state in our previous comment, so isn't it better to 'know' and get any issue checked out further? From firsthand experience, we can assure that it is.

Mr Gethin's comment about 'false negatives' not guaranteeing protection, is an aspect of screening that has been shown to have been improved massively in recent years and is now negligible, compared to the number of detected, previously undiagnosed cardiac issues, in both athletes, recreational participants and non-athletes, enabling further investigation and treatment as required, saving lives.

Quote taken from article by Dr Harshil Dhutia

A large proportion of sudden cardiac death in young individuals and athletes occurs during rest with sudden arrhythmic death syndrome being recognised as the leading cause. The international recommendations for ECG interpretation have reduced the false-positive ECG rate to 3%.

Reference from CRY article

**1. Previous studies (September 2016) showed that current screening protocols significantly reduced the level of “false positives” (often used by Government advisors as an argument against screening) from 21.8% to 4.3%.**

Mr Gethin then goes on to state that the National Screening Committee have considered heart screening for 12-39yr olds, to prevent SCD (Sudden Cardiac Death) and he adds that ‘population screening programmes should only be offered where there is robust, high quality evidence that screening will do more good than harm’. The report from the committee is outdated (30<sup>th</sup> July 2015), with quality of interpretation of readings having been shown to have significantly improved in recent years. Their recommendation was ‘against screening for risk of sudden cardiac death’ citing it as ‘rare’ and the risks ‘tiny’. Recent evidence noted herewith, shows otherwise.

In response - The most persuasive evidence supporting the theory that early identification of disease through ECG screening saves lives comes from a large prospective Italian study of 42,386 competitive athletes aged 12–35 years. The study demonstrated that since heart screening was brought in, a reduction in the incidence of SCD from 3.6/100,000 person-years to 0.4/100,000 person-years, representing a 90% reduction in mortality. The predominant reason for this reduction was a decrease in SCD due to cardiomyopathy.

Mr Gethin comments that high risk families should be screened.

High risk family members such as SCD relatives are given help, advice and mostly screened, but this cascade screening is after the fact a lot of the time.

He states that it would be irresponsible to provide a screening programme against the advice of the experts and which evidence does not support.

There are plenty of other experts, including BMJ, Cardiologists, Cardiac researchers, medical and cardiac institutes who would disagree, also up to date data and sports associations, all supporting the rolling out a heart screening program for all young people.

This petition is addressing the issue of all the young people who have undiagnosed heart issues and often are asymptomatic until the worst happens.

Out of date information and lack of direct knowledge or involvement, used as the argument against rolling out a screening campaign for all young people across Wales is nothing short of extraordinary.

Below is evidence (just a couple of the many) showing clearly how such a campaign could very well have saved these young lives, by the very fact that **YOUNG LIVES HAVE AND ARE BEING SAVED BY THE HEART SCREENING SESSIONS CONDUCTED BY WELSH HEARTS.**

### CASE STUDY 1

(quote from WalesOnline)

A devastated mother in Wales, found her teenage daughter collapsed in the bath after her heart suddenly stopped, an inquest has heard. Fit and healthy Amber Rummels, 18, was found under the water with the taps still running at her family home. An inquest heard her mum Anita Lewis, 44, pulled Amber out of the bath and carried out CPR (cardiopulmonary resuscitation). Paramedics managed to get Amber's heart started but she died four days later in hospital. Medics believe waitress Amber died of sudden arrhythmic death syndrome - a cause of unexpected deaths in young people.

### CASE STUDY 2

(quote from WalesOnline)

Nothing showed how important it may be to get your heart tested than the tragic events immediately following last year's Cardiff Half Marathon.

Ben McDonald, 25, from the Vale of Glamorgan, and dad-of-one, Dean Fletcher, 32, from Exeter, both suffered **cardiac arrests** after crossing the finish line on October 7.

Ben had been described as a "very fit and healthy young man" with no past medical history.

A post-mortem report found that his heart was normal and the cause of death given was Sudden Arrhythmic Death Syndrome (SADS).

Ben's tragedy also highlights and adds to the substantial evidence to support sport preparticipation screening of all athletes, which in turn should include recreational sports participants and ultimately, all young people, saving lives in Wales.

### What is Sudden Death Syndrome?

Every year in the UK at least 620 young people aged 35 or under die suddenly from an undiagnosed cardiac condition. Sudden death syndrome (SDS) is an umbrella term used for the many different causes of cardiac arrest in young people. In about 1 in every 20 cases of sudden cardiac death and up to 1 in 5 young sudden cardiac deaths, no definite cause of death can be found, even after drugs have been excluded and an expert cardiac pathologist has examined the heart for structural abnormalities. The conditions responsible for SDS cause a cardiac arrest by bringing on a ventricular arrhythmia, even though the person has no disease affecting the structure of the heart.

One of the ways we could prevent some of these tragic deaths is by screening young people, particularly those involved in heavy exercise.

**HEART SCREENING** finds so many undiagnosed, potentially life limiting cardiac problems or issues that need addressing further in hospital. It maybe something that just needs keeping a regular check on, spanning up to someone requiring major surgery, as has happened at screenings held by Welsh Hearts.

### **Welsh Sports Association Joins Forces with Welsh Hearts to Raise Heart Health Awareness Through Screening**

Hidden heart conditions can pose a real risk for participants in sport and physical activity, so the issue of heart screening is of huge importance to the members of the Welsh Sports Association. We are therefore delighted to be supporting the charity Welsh Hearts in their initiative to ensure heart screening for 8-45 year-olds is readily available across Wales.

**In conclusion, Welsh Hearts believe there is a strong argument for a working committee to be set up, with up to date contributions and evidence from an extensive pool of resources, experts and service providers and then a comprehensive assessment can be made, on**

**all aspects of hearts screening in young people, to potentially identify undiagnosed heart issues, that can in turn be addressed, with the strong possibility of saving more young lives across Wales, with a view to ultimately rolling out the heart screening programme across Wales, called for in this petition .**

# Eitem 3.10

**P-05-852 Cyflwyno trwydded i reoli tir ar gyfer saethu adar hela mewn ymgais i roi terfyn ar erlid adar ysglyfaethus**

Cyflwynwyd y ddeiseb hon gan Anthony Britner, ar ôl casglu 119 o lofnodion.

## **Geiriad y ddeiseb**

Rydym yn galw ar Lywodraeth Cymru i gyflwyno cynllun trwyddedu ar gyfer saethu adar hela er mwyn atal erlid adar ysglyfaethus a gysylltir yn aml â'r gweithgaredd hwn.

Mae adroddiadau trosedd adar yr RSPB yn dangos mai ciperiaid sy'n gyfrifol am nifer eithriadol o uchel o ddigwyddiadau erlid adar ysglyfaethus. Fodd bynnag, er gwaethaf y wybodaeth hon, anaml iawn y caiff trefnwr digwyddiadau erlid ei erlyn yn llwyddiannus oherwydd anawsterau wrth gael digon o dystiolaeth i gyhuddo unigolyn penodol. Hyd yn oed yn yr Alban, lle mae atebolrwydd dirprwyol, prin yw'r erlyniadau.

Oherwydd hyn, credwn mai'r cam gweithredu mwyaf priodol yw cyflwyno cynllun trwyddedu. Dylai'r drwydded hon fod yn drwydded i weithredu digwyddiad saethu adar hela

Dylai'r drwydded wneud y canlynol o leiaf:

1. Bod yn berthnasol i ardal ddaearyddol a ddiffinnir yn y cais am drwydded.
2. Bod yn ofynnol er mwyn i ystâd gynnal unrhyw weithgaredd sy'n gysylltiedig â saethu adar hela, gan gynnwys, ond heb fod yn gyfyngedig o reidrwydd i'r canlynol:
  - 2.a. Gweithgareddau sy'n gysylltiedig â magu adar hela.
  - 2.b. Gweithgareddau sy'n gysylltiedig â rheolaeth gyfreithiol o ysglyfaethwyr (rhaid i ystadau gael trwydded weithredu cyn y cânt wneud cais am drwyddedau cyffredinol neu benodol sy'n gysylltiedig â gweithgareddau rheoli plâu).
  - 2.c. Caniatáu i aelodau'r digwyddiad saethu gymryd rhan wrth saethu adar hela y tu allan i'r cyfnod gwaharddedig.
  - 2.d. Caniatáu i drefnwr y digwyddiad saethu werthu diwrnodau saethu i'r cyhoedd.

Os cynhelir digwyddiad erlid ar dir ystâd neu'n agos ato, bydd modd i'r awdurdod priodol atal gallu'r ystâd i gynnal yr holl weithgareddau neu unrhyw un ohonynt a restrir o dan bwynt 2 am gyfnod.

Dylai digwyddiadau erlid difrifol neu fynych arwain at ddiddymu trwydded weithredu'r ystâd.

### **Etholaeth a Rhanbarth y Cynulliad**

- Wreccsam
- Gogledd Cymru

**P-05-852, Introduce a Licence to manage land for game bird shooting in an attempt to end raptor persecution, Correspondence – Petitioner to Committee, 03.06.19**

There are clear challenges involved with detecting an investigating raptor persecution, many incidents, such as the detection of poisonings rely very much upon someone stumbling across the victim and as a result, it's possible that many incidents may be undetected.

The fact that only 2 of the 6 poisonings on or near land managed for shooting resulted in further investigations clearly demonstrates the challenges involved in gathering enough evidence to investigate further, the challenges faced in gathering enough evidence to bring about a prosecution (successful or not) must be even greater.

Unfortunately, I don't hold out much hope that the Raptor Persecution Priority Delivery Group will be successful in tackling raptor persecution. I hold this view a result of a boycott of the groups meeting on the 16 Jan 2019 by 4 of the groups "pro-shooting" members and the subsequent resignation of one of the groups "pro-shooting" organisations from the delivery group as a result of additional "conservation/ anti-shooting" organisations being invited to the meeting. This boycott could be interpreted as a sign that the pro-shooting organisations have little interest in working with the Delivery group to end raptor persecution which is why I feel that alternatives such as a licensing scheme should be seriously considered.



## P-05-818 Cyflwyno Cofrestr o Lobiwyr yng Nghymru

Cyflwynwyd y ddeiseb hon gan Centre for Welsh Studies – Think Tank, ar ôl casglu 55 o lofnodion.

### Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i gyflwyno Cofrestr Statudol ar gyfer Lobiwyr yng Nghymru.

Mae'r ddeiseb hon yn dilyn camau a gymerwyd yn yr Alban ac Iwerddon tuag at sicrhau bod lobiö gwleidyddol yn fwy agored.

Mae lobiö yn weithgaredd dilys a gwerthfawr. Mae'n rhan hanfodol o ddemocratiaeth iach. Gall y geiriau lobiö a lobiwr gael eu dehongli'n negyddol, gan awgrymu fod bargeinion yn cael eu taro y tu ôl i ddrysau caeedig. Y gwir amdani yw po fwyaf o leisiau sy'n ceisio llywio meddylfryd y Llywodraeth a'r Cynulliad yng Nghymru, y mwyaf y bydd gwleidyddion yn cael gwybod beth yw barn pobl wrth iddynt ddeddfu, datblygu polisiau newydd a chyflawni gwaith craffu. Am y rheswm hwnnw, ac ar sail yr egwyddor o fod yn agored ac yn hygyrch, sydd wrth wraidd y Cynulliad, dylid mynd ati'n weithredol i annog lobiö. Mae'n gadarnhaol pa mor agored, hygyrch a pharod i ymgysylltu yw'r Cynulliad a'r Llywodraeth eisoes. Ni ddylid cymryd unrhyw gamau a fyddai'n newid hynny neu'n achosi i bobl beidio â chysylltu â gwleidyddion ynglŷn ag unrhyw fater.

### Etholaeth a Rhanbarth y Cynulliad

- Dyffryn Clwyd
- Gogledd Cymru

Janet Finch–Saunders AM  
Chair, Petitions Committee  
National Assembly for Wales

29 May 2019

Dear Janet

**Petition P–05–818: Introducing a Register of Lobbyists in Wales**

Thank you for your letter of 22 March.

The Standard of Conduct Committee reported in January 2018 on its inquiry into Lobbying. There have been a number of developments since the last time the Assembly looked at lobbying; Westminster began operating a register of professional lobbyists in 2015 and Scotland passed legislation establishing a lobbying register in 2016.

The Committee concluded that lobbying needs to be part of an ongoing dialogue in an engaged and open democracy. It was apparent from the evidence gathered that there is no easy answer to the questions of how to define or share information about lobbying. There is no doubt that there are groups seeking to influence politicians, and that it is in the public interest to establish the impact of this influence. However, the Committee has concluded that there is insufficient evidence at present regarding how best to share this information once it has been obtained.

The findings of this report are an interim position. The Committee feel it is crucial to learn from experience and gather further evidence of best practice. The Scottish legislation is in its infancy and we are closely monitoring what happens there and the review of its legislation in 2020. The Committee will also periodically review the situation and developments in Westminster. The



Committee is keen to take steps in this interim period to increase transparency and proposed that a select trial of publishing Assembly Members' diaries, specifically relating to lobbying, is undertaken. We are liaising with the Assembly Commission on how to pilot this with Members of the Committee. We also recommended an increase in the amount of information published about events held on the Commission estate which came into place last Easter.

The Committee also recommended that consideration should be given to commissioning research into how influence is sought and gained over politicians. More information regarding the impact this has would enhance our understanding of lobbyists' influence. Alongside these interim steps, the Committee has encouraged the lobbying industry to take the lead over the next two years. The industry can themselves demonstrate how a voluntary register would operate and how it could provide the necessary information about influence over elected Members.

It is our intention that a review of this work in 2020 would enable us to make clear and informed conclusions, and to set out a proposal for the sixth Assembly.

Yours Sincerely,



Jayne Bryant  
Chair



# Eitem 3.12

## P-05-836 Adroddiadau ar y Bwlch Cyflog rhwng y Rhyweddau

Cyflwynwyd y ddeiseb hon gan Estelle Hart, ar ôl casglu 56 o lofnodion.

### **Geiriad y ddeiseb**

Nid yw Rheoliadau Cydraddoldeb 2010 (Dyletswyddau Penodol ac Awdurdodau Cyhoeddus) 2017 wedi cael eu cymhwyso i Gymru, gan olygu nad oes gofyniad ar gyrff cyhoeddus datganoledig i gyhoeddi adroddiadau ar eu bwlch cyflog rhwng y rhyweddau mewn man canolog.

Rydym yn credu y dylai gyrff sy'n derbyn arian cyhoeddus gyhoeddi'r wybodaeth hon, ac i sicrhau tryloywder arian cyhoeddus, dylai'r wybodaeth hon fod ar gael mewn man canolog ac yn yr un fformat, gan ddilyn canllawiau a ddatblygwyd ar gyfer gyrff sector cyhoeddus yn Lloegr.

### **Etholaeth a Rhanbarth y Cynulliad**

- Gŵyr
- Gorllewin De Cymru

Jane Hutt AC/AM  
Y Dirprwy Weinidog a'r Prif Chwip  
Deputy Minister and Chief Whip



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: JH-/05201/19

Janet Finch-Saunders AM  
Assembly Member for Aberconwy  
Chair - Petitions committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

[SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

*Dear Janet,*

23 April 2019

Thank you for your letter of 3 April requesting an update regarding the petition concerning gender pay gap reporting (P-05-836).

The First Minister and I have made it clear that we place a very high priority on advancing and safeguarding equality and human rights in Wales. This is driving a range of work in relation to many aspects of equality, including gender, disability and race. In particular, the First Minister has confirmed that part one of the Equality Act 2010 (the socio-economic duty) will be commenced in Wales this year. Phase 2 of the Gender Equality Review will be completed this summer and provide a roadmap for embedding feminist principles across Welsh Government policies and programmes.

In my previous letter, I explained that any changes to gender pay gap reporting would be made in the context of strengthening the Public Sector Equality Duty (PSED) regulations generally. However, I am pleased that progress has been made over recent months with regards to taking forward work to improve transparency, availability and accessibility in the equality data that is published by Welsh public bodies. Our intention is to develop a holistic approach which reflects the breadth of the PSED, which will certainly include data on gender pay gaps but will not be limited to this aspect. This is why we have not adopted the UK Government's gender pay portal approach.

Last year, we accepted a recommendation made by the Equalities, Local Government and Communities committee to "publish employment data required by the Welsh public sector equality duties to a single location on the Welsh Government's website, in a format that allows the data to be analysed easily".

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Jane.Hutt@llyw.cymru](mailto:Gohebiaeth.Jane.Hutt@llyw.cymru)  
[Correspondence.Jane.Hutt@gov.wales](mailto:Correspondence.Jane.Hutt@gov.wales)

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

**Tudalen y pecyn 123**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Ministers have been clear that they expect the Welsh Government to be an exemplar employer and look to Welsh Public Bodies to follow suit. Transparency with regard to equality data will be key to establishing and maintaining public confidence in this regard.

Welsh Government has for the first time prepared open data spreadsheets presenting its own PSED data to accompany its Employer's Equality Report 2017-18. These are now available on the Welsh Government website at the following link: <https://gov.wales/welsh-government-employer-equality-reports>.

Given that public sector employers have the responsibility for complying with the PSED, our aim is to work with listed bodies over the coming months to ensure that their PSED data for the 2017-18 financial year will also be available in open data format. It will then be made available from a single location, to be hosted on the Welsh Government website, by late summer.

As a secondary phase to this project, we will liaise with public bodies to discuss how the PSED data which is published could be harmonised in the longer term. Our aim is to consult and agree on a consistent dataset to be published by each of the Welsh public bodies for subsequent publications. Making all public body data available in a single online location and in an open data format will simplify the user experience.

As outlined previously, we are also considering strengthening the Welsh PSED requirements and the reporting arrangements. Initial work on this began earlier this year and is being taken forward alongside a number of other considerations including enactment of the socio-economic duty and legislative provision relating to relevant international treaties. This approach has been taken to ensure the changes are effective, appropriate and complement existing legislation.

This work will be informed by both the Gender Equality Review and the EHRC who undertook monitoring of the PSED across the Welsh public sector in 2018.

*Best wishes,*

*Jane*

**Jane Hutt AC/AM**

Y Dirprwy Weinidog a'r Prif Chwip  
Deputy Minister and Chief Whip

## P-05-838 Cefnogwch y Llwybr Du o ran Ffordd Liniaru'r M4

Cyflwynwyd y ddeiseb hon gan South Wales Chamber of Commerce, ar ôl casglu 1,482 o lofnodion.

### Geiriad y ddeiseb

Rydym yn galw ar Lywodraeth Cymru i barhau â'i chynlluniau i adeiladu Ffordd Liniaru'r M4 ar hyd y Llwybr Du arfaethedig, ac yn dilyn y cyhoeddiad y bydd Llywodraeth Cymru yn cyflwyno dadl ar gynlluniau'r M4 yn ddiweddarach eleni, rydym yn galw ar y Cynulliad Cenedlaethol i gefnogi'r prosiect.

Mae angen di-os am draffordd newydd o amgylch Casnewydd, gyda'r tagfeydd o gwmpas Twneli Brynglas yn cael effaith negyddol ar fusnesau ac ar bobl o bob rhan o dde Cymru. Cyhoeddwyd y bwriad cyntaf i gael ffordd liniaru ym 1991, sef bron i 30 mlynedd yn ôl. Er nad yw'r methiant i weithredu am dros dri degawd yn unig ar fai, credwn nad yw hyn wedi bod o gymorth i les economaidd y genhedlaeth bresennol, ac mae wedi cyfrannu at:

- Fod y gyfradd gyflogaeth yng Nghymru dros 3 y cant yn is ar gyfartaledd na chyfradd gyflogaeth y DU ers canol y 1990au.
- Fod y Gwerth Ychwanegol Crynswth y pen yn gyson yn is na 75 y cant o gyfartaledd yn y DU ers diwedd y 1990au, gyda'r ffigurau diweddaraf yn dangos mai Gwerth Ychwanegol Crynswth Caerdydd y pen yw'r isaf o blith pedair prifddinas y DU.

### Gwybodaeth Ychwanegol

Canfu dadansoddiad Llywodraeth Cymru ers mis Mawrth 2016 y byddai ffordd M4 newydd yn ardal Casnewydd yn gwella cysylltedd yn Ne Cymru ac â gweddill y DU, a fydd yn:

- Lleihau amseroedd teithio, gan ddod â manteision penodol i gwmnïau logisteg a 'gweithrediadau ond mewn pryd', sydd ar hyn o bryd yn wynebu tarfu rheolaidd a chostau cysylltiedig.
- Arbed costau cludiant yr amcangyfrifir eu bod yn £34 miliwn y flwyddyn i fusnesau de Cymru.

- Cynyddu mynediad at gyflogaeth i drigolion ac yn ehangu maint y gweithlu hygyrch i fusnesau.
- Cynyddu Gwerth Ychwanegol Crynswth de Cymru o £39 miliwn y flwyddyn drwy'r cynnydd o ran cynhyrchiant.
- Creu mynediad at safleoedd cyflogaeth newydd yn ardal Casnewydd, gyda photensial ar gyfer 15,000 o swyddi, a gwella mynediad at safleoedd sy'n gyfagos i'r M4 presennol, a gaiff ei rwystro yn sgîl tagfeydd traffig rheolaidd.
- Gwella'r canfyddiad o Gymru ar gyfer ymwelwyr, ac fel lleoliad ar gyfer buddsoddi.

Newidiwch y sefyllfa fel y bu ers 30 mlynedd, a chefnogwch gynigion y llywodraeth o ran y Llwybr Du ar gyfer Ffordd Liniaru'r M4, fel y gallwn wella llesiant economaidd cenedlaethau'r dyfodol ar draws De Cymru.

### Tystiolaeth

<http://www.bbc.co.uk/news/uk-wales-politics-43059755>

<https://statscymru.llyw.cymru/v/C8Ns>

<https://statscymru.llyw.cymru/v/C8Nt>

<https://www.ons.gov.uk/economy/grossvalueaddedgva/bulletins/regionalgrossvalueaddedbalanceduk/1998to2016#wales-was-the-fastest-growing-country-in-the-uk-in-2016>

<https://beta.llyw.cymru/coridor-yr-m4-o-amgylch-casnewydd-adroddiad-diwygiedig-yr-asesiad-or-ffaith-economaidd-ehangach>

### Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Casnewydd
- Dwyrain De Cymru



## **P-05-850 Amddiffyn Gwastatir Gwent ac atal traffordd arfaethedig yr M4**

Cyflwynwyd y ddeiseb hon gan CALM (Campaign Against the Levels Motorway). Mae'r ddeiseb wedi casglu 12,270 o lofnodion ar wefan e-ddeiseb arall.

### **Geiriad y ddeiseb**

Rhowch y gorau i'r cynlluniau i adeiladu traffordd yr M4 ar draws harddwch Gwastatir Gwent a buddsoddwch mewn trafndiaeth gyhoeddus yn lle hynny.

### **Pam mae hyn yn bwysig?**

Bydd y cynlluniau presennol i ymestyn traffordd yr M4 yn peryglu dyfrgwn, gwenyn prin a blodau gwyllt. Byddai'n torri ar draws fersiwn Cymru o 'Goedwig Law Amazon', Gwastatir Gwent, sy'n hafan i fywyd gwyllt. Mae angen gwella'r traffig o amgylch Casnewydd, ond byddai'n well i Gymru a'r amgylchedd pe bai Llywodraeth Cymru yn buddsoddi mewn trafndiaeth gyhoeddus yn lle hynny. Os ydym eisiau gwarchod yr amgylchedd ar gyfer cenedlaethau'r dyfodol, mae angen i ni feddwl am opsiynau amgen yn lle traffyrdd llygredig mawr. Mae rheolydd a chyrff cyngori y Cynulliad ei hun, Cyfoeth Naturiol Cymru, yn gwrthwynebu'r cynlluniau hyn.

### **Etholaeth a Rhanbarth y Cynulliad**

- Dwyrain Casnewydd
- Dwyrain De Cymru

# **STATEMENT BY THE WELSH GOVERNMENT**

**TITLE**        **The M4 Corridor around Newport**

**DATE**        **4<sup>th</sup> June 2019**

**BY**            **Mark Drakeford AM, First Minister**

Llywydd, following my written statement to members earlier today, and publication of the report of the Public Inquiry into the M4 Corridor around Newport, I can now set out further details in relation to my decision on the proposed M4 relief road, and the next steps to alleviate traffic congestion on the current M4.

Since late February, I have carefully considered the report and recommendations of the Public Inquiry into the M4 Corridor around Newport. As Members will be aware, the report is a very substantial document, reflecting the work undertaken by the Inspector between February 2017 and September 2018, and the many hundreds of written submissions to the Inquiry. The decision as to whether to make the Schemes and Orders which are necessary for the Project to be implemented falls solely to me as First Minister.

My decision has to reflect the context within which it is made. We are still deep into the longest and deepest period of austerity in any of our lifetimes. It has seen our capital budgets cut considerably since 2010. My Ministerial colleagues and I grapple every day with balancing the financial implications of our government investment priorities.

The Cabinet met at the end of April to discuss the overall financial situation facing the Welsh Government, and the capital spending needs of the coming years across all portfolios, in order to give careful consideration to our forward capital programme. Cabinet concluded that the significant level of expenditure needed to deliver the M4 Project would have an unacceptable impact on our other priorities in areas such as public transport, health, education, and housing.

It did so, as I said, by placing those capital investment decisions in the wider financial context faced by the Welsh Government.

Llywydd, this decision is being made at the point of maximum uncertainty about our financial future. Unprecedented austerity in the public finances is combined with a complete lack of clarity over our capital budgets for the coming years, and is exacerbated by the uncertainty surrounding Brexit. While the UK Government's lack

of progress on their Comprehensive Spending Review process could see the Welsh Government's budget even lower than it is now.

This financial position has significant and specific implications for the exercise of my powers to make the necessary compulsory purchase orders, or CPOs, for the Project to proceed. In this regard, before deciding to make CPOs, I am required to be satisfied that there is compelling need for the Orders, in the public interest, which justifies interference with the human rights of those with an interest in the land required for the project. I must be satisfied that the necessary resources to carry out the project would be available within a reasonable time scale, and that the project is unlikely to be blocked by any impediment to its implementation.

Llywydd, I have concluded that the financial position means that I cannot be satisfied that I can lawfully exercise my CPO powers in relation to the Project, because I am not satisfied that the Project can be implemented within the foreseeable future, given the prolonged period of uncertainty we face.

In light of this conclusion, it is unnecessary for me to go on to consider whether the advantages of the Project outweigh its disadvantages and whether I agree with the Inspector's overall conclusions as to where the balance lies between the two. Nevertheless, I have proceeded as the Inspector did, by addressing – as he says in paragraph 8.481 of the report – the 'strong and competing interests' at play and the 'question of where the balance between them should be'.

I have therefore considered the advantages and disadvantages identified by the Inspector, and I have concluded that even without Cabinet's position on funding, and even if, on those grounds, it was likely that the Project would be implemented, I would in any event have decided not to make the Schemes and Orders.

I recognise the Inspector's conclusions as to the advantages and disadvantages of the Project. However, I attach greater weight than the Inspector to the adverse impacts that the Project would have on the environment. In particular, I attach very significant weight to the fact that the Project would have a substantial adverse impact on the Gwent Levels SSSIs and their reed network and wildlife, and on other species, and a permanent adverse impact on the historic landscape of the Gwent Levels.

As a result, in my judgement the Project's adverse impacts on the environment (taken together with its other disadvantages) outweigh its advantages. In weighing up the Inspector's 'strong competing interests', my judgement as to where the balance between those competing interests lies differs from his.

For these additional reasons, separate to those on the grounds of funding, I do not consider that there is a compelling case in the public interest to expropriate the land that is subject to the CPOs and I do not consider that it would be appropriate or expedient to make the other Schemes and Orders.

Just as my decision has had to take into account the latest, and changed, financial context facing the Welsh Government, so too, future solutions to the congestion

issues on the M4 around Newport must reflect the most recent environmental circumstances we face as a nation.

Two significant recent reports have highlighted different aspects of these challenges. The first is the UKCCC 'Net Zero' report on climate change, recommending a new 95% target for emissions reduction in Wales by 2050. In response, the Welsh Government, recognising the scale and urgency of the threat, declared a climate emergency.

Secondly, last month the UN published its Global Assessment on Biodiversity, which set out the scale of the impact that human activity and development is having on species, and the threat that further development is likely to pose to ecosystems across the world. Those findings apply equally here in Wales.

Llywydd, I acknowledge there are strong views on both sides of the debate in relation to this Project. There is also a consensus – which I share – that the issues of capacity, resilience and environment at the M4 corridor around Newport need to be addressed with a mix of both local and regional solutions.

In light of the funding constraints and environmental impacts which have led to my decision on the Orders, it is important that these issues are now addressed collaboratively, and that voices on all sides of the debate have the chance to shape the way forward together.

It is in this context, therefore, that I can announce a new expert Commission will be appointed, charged with reviewing the evidence and making recommendations to the Welsh Government on alternative solutions, including innovative technologies, to address the current issues.

The Commission will be guided by our overarching ambition to develop a high quality, multi-modal, integrated and low carbon transport system, and in the context of the major challenges of climate change and biodiversity that I have just mentioned.

The Commission will be drawn from a spectrum of expertise, and be supported in its work by a dedicated team within the Welsh Government.

The Minister for Economy and Transport will make further announcements on the Commission, including timescales, shortly.

In advance of the Commission's work, the Minister will implement a series of fast-tracked, targeted interventions to alleviate congestion on the M4 in South Wales, for example, actions to expedite recovery of vehicles, enhanced Traffic Officer patrol, live journey time information to inform better transport choices, and a behavioural campaign to reduce incidents and maximise use of existing lane capacity.

Llywydd, transport is an area where this Welsh Government has a bold and ambitious plan for the future. From the £5bn plan we have developed through Transport for Wales for the new rail franchise and Metro, to major legislation to

improve bus services, to the biggest investment in Active Travel ever seen in Wales, there are exciting things going on right across Wales.

Resolving the congestion issues around the M4 is an important part of those plans, but there are no easy answers. We are committed to taking an inclusive and collaborative approach to finding innovative, affordable and sustainable solutions, in the shortest possible timescale, and we look forward to working with Members across the chamber to achieve that ambition.



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## DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

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**TEITL** M4 Casnewydd - Camau Nesaf

**DYDDIAD** 5 Mehefin 2019

**GAN** Ken Skates AC – Gweinidog yr Economi a Thrafnidiaeth

Yn ei Ddatganiad Llafar ddoe gwnaeth y Prif Weinidog egluro ei benderfyniad ar Brosiect yr M4, a dweud y byddwn i'n gwneud datganiad arall ar y camau nesaf. Mae'r llythyr penderfyniad llawn a chopi o adroddiad Arolygydd yr Ymchwiliad wedi cael eu cyhoeddi i bawb eu gweld.

Ond fel y mae'r Prif Weinidog wedi'i awgrymu, mae dal gofyn inni weithredu'n benderfynol i ddatrys problemau tagfeydd traffig traffordd y De-ddwyrain.

O gofio cymhlethdod y pwnc, effaith y ffordd bresennol ac effeithiau atebion posibl, bydd angen imi fynd i'r afael â'r mater mewn ffordd strategol ac eang. Bydd angen lleihau'r tagfeydd a'r problemau ag ansawdd yr aer nawr, yn enwedig o ystyried goblygiadau diddymu'r tollau ar bont Hafren yn ddiweddar. Mae'n amlwg imi y bydd angen gweithio gyda'n gilydd i ystyried sut y gallwn sicrhau bod nwyddau a phobl ar draws y rhanbarth yn cael symud, hynny mewn ffordd sy'n creu Cymru decach a mwy ffyniannus, sy'n cydnabod her digynsail y newid yn yr hinsawdd ac sydd hefyd yn fforddiadwy, o gofio'r pwysau aruthrol ar ein cyllidebau ar ôl 10 mlynedd o gynt a thoriadau yn ein cyllideb gyfalaf.

Yn y tymor byr, rwyf wedi gofyn i'm swyddogion, gyda'n partneriaid ym Mhrifddinas-Ranbarth Caerdydd a Chyngor Dinas Casnewydd, i roi ar waith gyfres o fesurau all esgor ar fanteision bach ar unwaith.

Bydd y mesurau hyn yn cynnwys:

- swyddogion traffig ychwanegol i leihau digwyddiadau ac osgoi cau lonydd, fel yn ystod digwyddiadau mawr,

- cerbydau achub sydd ar alw i gefnogi swyddogion traffig trwy symud rhwystrau'n gyflym, fel ag sy'n digwydd pan y gwneir gwaith ar y ffordd
- gwybodaeth fyw am deithiau i helpu gyrwyr i wneud dewisiadau gwell
- ystyried gweithrediad cyffyrdd er mwyn lleihau baich twnelau Bryn-glas
- ymgyrch i newid ymddygiad gyrwyr i'w cael i wneud y defnydd gorau o'r lle sydd ar gael ar y ffyrdd

Yn ogystal â'r mesurau tymor byr hyn, mae angen inni ddatblygu ffordd tymor hir, integredig a chynaliadwy fydd yn mynd i'r afael â heriau parhaus tagfeydd, newid hinsawdd a fforddiadwyedd.

Rwyf am benodi Comisiwn ar unwaith i lywio'r gwaith o ystyried y camau nesaf ar gyfer rhwydwaith trafndiaeth y De-ddwyrain. Sail gwaith y Comisiwn fydd ein huchelgais i ddatblygu system drafnidiaeth aml-foddol, integredig a charbon isel o ansawdd uchel. Yn gyntaf, bydd y Comisiwn yn ystyried yr heriau, y cyfyngiadau a'r cyfleoedd sy'n wynebu trafndiaeth yn y rhanbarth a'r amcanion ar ei chyfer, hyn oll yng nghyd-destun yr heriau polisi sy'n ein hwynebu, dyfodiad y Metro, ein hymrwymiaadau i deithio llesol, y dirywiad yng nghyflwr adeiladwaith yr M4 trwy Gasnewydd, y problemau ag ansawdd yr aer, yr angen i gynyddu ein sylfaen drethu ddomestig a'r nod o greu cymdeithas fwy ffyniannus a mwy cydradd. Bydd wedyn yn ystyried yr atebion posibl.

Yn dilyn y gwaith hwn, bydd gofyn inni wedyn ystyried a allwn fforddio unrhyw atebion yng ngoleuni sefyllfa gyllidebol Llywodraeth Cymru. Er y bydd wastad cystadleuaeth am yr arian sydd ar gael, mae Llywodraeth Cymru'n glir bod sicrhau atebion cynaliadwy i'r heriau sylweddol ar hyd y coridor trafndiaeth hwn yn cael y flaenoriaeth uchaf ganddi.

Bydd y Comisiwn yn fach a thynn ei ffocws ond bydd yn ystyried barn yr holl randdeiliaid, megis Comisiwn Seilwaith Cenedlaethol Cymru, Comisiynydd Cenedlaethau'r Dyfodol, grwpiau busnes, partneriaid cymdeithasol, grwpiau amgylcheddol, grwpiau defnyddwyr cludiant, cynrychiolwyr gwleidyddol lleol a chenedlaethol ac wrth gwrs, y cyhoedd.

Ynghyd â'r Datganiad hwn, rwy'n cyhoeddi heddiw Gylch Gorchwyl drafft ar gyfer y Comisiwn ac mae'n dda gen i gyhoeddi mai'r Arglwydd Terry Burns fydd yn cadeirio'r Comisiwn. Mae ei brofiad yn sylweddol ac yn eang, ac rwy'n siŵr y gwnaiff gyfiawnder â'r dasg bwysig hon. Ei dasg fydd rhoi ffocws newydd i'r drafodaeth ac edrych o'r newydd ar atebion amgen fydd yn cynnig ateb tymor hir a chynaliadwy i bobl Casnewydd a'r De.

Yn fy marn i, mae'n angenrheidiol bod barn y bobl sy'n defnyddio'r ffordd gyfredol, sy'n dioddef oherwydd ei diffygion, sy'n poeni am effeithiau amgylcheddol unrhyw ateb ac a fydd

yn gorfod gwneud i unrhyw ateb weithio i wella perfformiad cymdeithasol ac economaidd ein gwlad, yn ganolog i'r gwaith hanfodol hwn. Bydd y Comisiynydd felly yn ystyried barn holl bobl Cymru.

Bydd y Comisiynydd yn edrych ar y gwaith helaeth y mae'r Llywodraeth wedi'i wneud ar hyn, ar y syniadau amgen a gynigiwyd yn yr Ymchwiliad Cyhoeddus i Brosiect yr M4 a hefyd ar ffyrdd newydd o redeg ac ariannu ateb posibl. Bydd felly gofyn am ffyrdd newydd o weithio gyda phartneriaid lleol a strategol, fel awdurdodau lleol Prifddinas-Ranbarth Caerdydd, i wella'r llif ar yr M4 ond gan osgoi effeithiau ar gymunedau lleol.

Ni fydd yr £114m a wariwyd ers 2013 i ddatblygu cynigion ar gyfer Prosiect £1.32 biliwn yr M4 (yn ôl prisiau 2015, sy'n gyfwerth â £1.57 biliwn yn ôl prisiau 2019) yn wariant ofer gan y bydd y Comisiwn yn gwneud defnydd da ohono trwy wneud yn siŵr fod ganddo'r wybodaeth orau am fodolau teithio, arolygon amgylcheddol a'r holl ffactorau eraill sydd ar waith yn y rhanbarth.

Rwyf am ei gwneud yn glir, fodd bynnag, mai fy ffocws i a'r Comisiwn fydd cael gwerth ein harian a chynnal asesiad priodol ynghylch sut y gallwn ddatrys heriau'r tagfeydd a'u heffeithiau yn ardal Casnewydd. Nid yw'r penderfyniad i beidio â bwrw ymlaen â'r Llwybr Du yn rhoi penrhyddid i mi na neb arall gynnal prosiectau anwes na ellir mo'u fforddio yn y de-ddwyrain nac yn unrhyw le arall gan ddefnyddio rhyw bot dychmygol o arian.

Mae gan Lywodraeth Cymru gynllun dewr ac uchelgeisiol ar gyfer trafndiaeth yn y dyfodol. Mae yna bethau cyffrous yn digwydd ledled y wlad, gan gynnwys y cynllun £5bn rydym wedi'i ddatblygu trwy Trafndiaeth Cymru ar gyfer y fasnachfaint rheilffyrdd newydd, y ddeddfwriaeth arwyddocaol fydd yn helpu i ailreoleiddio'r rhwydwaith bysiau a'r buddsoddiad mwyaf erioed mewn Teithio Llesol yng Nghymru. Mae datrys y tagfeydd o gwmpas yr M4 yn rhywbeth rydym wedi ymrwymo i'w wneud fel rhan bwysig o'r cynlluniau hynny, ond nid oes atebion rhwydd.

Rydym wedi ymrwymo i fynd ati mewn ffordd gynhwysol a chydweithredol i ddyfeisio atebion arloesol, fforddiadwy a chynaliadwy mewn cyn lleied o amser â phosibl ac rydyn ni'n disgwyl ymlaen at weithio gydag aelodau o bob rhan o'r siambr i wireddu'r uchelgais hwnnw.



# Comisiwn Trafnidiaeth De-ddwyrain Cymru

## Cylch Gorchwyl

Bydd y Comisiwn yn ystyried y problemau, y cyfleoedd, yr heriau a'r amcanion ar gyfer mynd i'r afael â thagfeydd traffig ar yr M4 yn Ne-ddwyrain Cymru, ac yn cyflwyno argymhellion i Lywodraeth Cymru ar gyfres o atebion posibl eraill, yng ngoleuni'r datganiad gan Brif Weinidog Cymru ar 4 Mehefin 2019 na ddylid bwrw ymlaen â'r 'Llwybr Du'

Bydd y Comisiwn yn ystyried barn yr holl randdeiliaid, gan gynnwys Comisiwn Seilwaith Cenedlaethol Cymru, Comisiynydd Cenedlaethau'r Dyfodol, grwpiau busnes, partneriaid cymdeithasol, grwpiau amgylcheddol, grwpiau defnyddwyr trafndiaeth, cynrychiolwyr gwleidyddol lleol a chenedlaethol ac, wrth gwrs, y cyhoedd.

Bydd y Comisiwn yn ystyried anghenion y genhedlaeth hon ac anghenion cenedlaethau'r dyfodol, gan ystyried y problemau presennol a thueddiadau yn y dyfodol, megis effeithiau mathau amgen o danwydd a cherbydau awtonomaidd.

Bydd y Comisiwn yn ystyried adroddiad y Comisiwn ar y Newid yn yr Hinsawdd a materion cymdeithasol, economaidd, diwylliannol ac amgylcheddol, gan gynnwys ansawdd aer.

Bydd y Comisiwn yn ystyried yr ymddygiad sydd wrth wraidd y twf parhaus mewn trafndiaeth ar y ffyrdd, a sut y gallai'r atebion ymateb i'r ffactorau hynny.

Bydd y Comisiwn yn cynghori ar ymyriadau arloesol ac ar atebion cyllido. Caiff ystyried unrhyw faterion, gan gynnwys llywodraethu, costau, ariannu, sut i fynd ati i gynllunio, a rheoli rhaglenni/prosiectau, a chaiff hefyd argymhell gwelliannau i brosesau statudol.

Bydd Model Cynllunio Trafnidiaeth De-ddwyrain Cymru, a'r llyfrgell gyfan o wybodaeth a oedd ar gael i'r Ymchwiliad Cyhoeddus i Brosiect yr M4, ar gael i'r Comisiwn hefyd.

Bydd y Comisiwn yn gweithredu'n annibynnol ar Lywodraeth Cymru. Bydd yn cael ei gefnogi gan Ysgrifenyddiaeth a fydd yn cynnwys, yn ôl y gofyn, rai o swyddogion Llywodraeth Cymru a swyddogion ar secondiad.

Bydd y Comisiwn yn cyflwyno adroddiad am ei ganfyddiadau interim, ynghyd ag argymhellion ar gyfer ymyriadau ymarferol y gellir eu rhoi ar waith ar unwaith, ymhen chwe mis iddo gael ei ffurfio.

Diwedd.

# Eitem 3.15

## 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 partion apelio penderfyniadau cynllunio. Ar hyn o bryd, ystyrir bod hyd yn oed y rhai yr effeithir arnynt yn uniongyrchol yn drydydd partion 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 partion 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

Julie James AC/AM  
Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-843  
Ein cyf/Our ref JJ/05723/19

Janet Finch-Saunders AM  
Assembly Member for Aberconwy  
Chair - Petitions committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA  
Government.Committee.Business@gov.wales

29 April 2019

Dear Janet,

Thank you for your letter of 03 April, regarding petition P-05-843. Thank you also for forwarding further correspondence from the petitioner, and the attached report. I have read the Cardiff Environmental Law Foundation Clinic's report with interest. I do not agree, however, with its recommendations.

In Wales, well-established and understood duties exist to inform members of the public of emerging development proposals. This includes the duty to undertake pre-application community engagement on major applications. I set these out in my letter to the Petitions Committee dated 20 December. The duties to seek community input prior to a decision being made ensure these views are taken into account by the Local Planning Authority when deciding whether to grant permission. There are complaints procedures in place within each Local Planning Authority (LPA), which can be used where a LPA does not comply with those duties, with a further recourse to the Public Services Ombudsman.

The planning system in Wales is plan-led. This means Local Development Plans must be prepared in the light of community engagement and input. Draft plans are scrutinised for their compliance with national policy, which is itself subject to public consultation and engagement. Following adoption, these plans form the basis of planning decisions. The duties to consult on applications referred to above also ensure the public is given yet another opportunity to become involved in development proposals.

The plan-led system creates certainty and transparency for developers and communities alike. A third-party appeal mechanism, however, would create an unnecessary layer of uncertainty in the Welsh planning system. The report claims a third party appeals process would provide greater access to justice.

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

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

Tudalen y pecyn 137

It is already possible to challenge the processing of an application via the Courts, if it is legally flawed. It is also open to request any application is called in by the Welsh Ministers for their own determination prior to a Local Planning Authority decision. Some applications are also automatically referred to the Welsh Ministers if they meet certain criteria. The Town and Country Planning (Notification) (Wales) Direction 2012 ensures applications for the construction of 150 or more dwellings, or for development of 6 or more hectares, are referred to the Welsh Ministers so call-in can be considered.

I am aware of a number of applications which have been controversial as they have been significant departures from the relevant adopted development plan. As we move towards complete Local Development Plan coverage, this should cease to occur. Officials actively monitor the frequency of significant departures from the relevant development plan. The Welsh Ministers will intervene where appropriate, and have recently done so on a number of occasions.

Decisions on development proposals are made by publicly elected representatives, or their appointed delegates. Those representatives are responsible for decisions they or their delegates make, including at the ballot box. It is also possible for elected representatives to revoke, modify or discontinue a permission they or their predecessors have granted where it can be demonstrated the decision is grossly wrong so that damage would be done to the wider public interest. The use of these powers is, however, likely to lead to significant compensation costs.

The Clinic's report concludes third party appeals would not hinder economic growth. It refers to GDP of other nations where third party appeal mechanisms exists and concludes that as they are more prosperous than the UK, there would be no negative economic impact. In contrast, the planning system in England and Wales is already under considerable pressure from developers to speed up the consenting process. Developers cite the financial uncertainty of planning decisions as hindering opportunities for growth. In terms of direct costs to Welsh taxpayers, initial work used to inform the Planning (Wales) Act 2015 identified that, if 10% of approved applications were subject to a third party appeal, this would increase the workload of the Planning Inspectorate in Wales by 400%. This would therefore, significantly increase the costs of the appeals system, which are borne by the main parties to the appeal and the taxpayer.

As I stated in my correspondence to the Petitions Committee in December 2018, the issue was considered in detail as part of the scrutiny of the Planning (Wales) Act 2015 and set aside. I do not consider that circumstances have changed sufficiently to justify reconsideration of the matter. Neither the latest correspondence from the petitioner, nor the Clinic's report, alter my view third party rights of appeal are needed in Wales.

I am satisfied that there are already sufficient opportunities for individuals and community groups to engage in the planning process, from plan conception to application determination. Consequently, the Welsh Government does not intend to consult on or introduce a third party appeals mechanism in Wales at this time.

Yours sincerely,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government  
Tudalen y pecyn 138



## Blaengwrach Community Action Group

03 June 2019

Re: More Third Party Rights in Planning Appeals

Dear Chair of the Petitions Committee,

Thank you for the opportunity to respond to the Petitions Committee in light of the recent reply from Julie James AC/AM on the matter of my petition.

I was disappointed to read the minister's comments, especially as this echoes all of the blanket correspondence that I, and members of the Blaengwrach Community Action Group, have received from our local authority to date.

Reasons why the existing process is not sufficient:

I urge the Welsh Government to consider the salient points of my request which are as follows:

- There is no **accountability** for Planning Authorities to involve Directly Affected Residents in consultations.
- There is no process for Directly Affected Residents to follow in the **event of non-involvement** in light of developments which have a severe impact on a community and residents homes.
- The Public Ombudsman **will not investigate** cases where Planning Authorities have not involved Directly Affected Residents, as the decision making process of the Planning Authority is not examined by ANY AUTHORITY.
- Residents and communities generally **cannot afford** to take their local authority to court over grievances in decision making processes and many local authorities are very quick to pursue libel cases to spread fear and prevent such cases from occurring.

Our village is an example on how the system has failed us:

Minister James explained that there are duties and processes which should be followed before a planning decision for approval is taken. As already noted, there is no enforcement of such duties, and Directly Affected Residents have no action to pursue once a planning decision has been made without their involvement.

As a Directly Affected Resident, I personally found out, through social media, about a major development affecting the only access point to my street (and village) **2 days before the Planning Meeting** to decide its approval. We were **not notified** by any official means. That night, my husband and I printed around 200 leaflets and delivered them early in the morning to our neighbourhood to inform them of the planned development and the Planning Committee's scheduled site visit for the morning of the meeting.

Due to our actions, a large group of residents met at the proposed site to demonstrate the community opposition to the site plans and the lack of their involvement in the process. It seemed that no one in our neighbourhood had been made aware of the planned development, although we later heard that 3 printouts had been sticky taped to lampposts around on the waste ground / proposed site.



# Blaengwrach Community Action Group

Although the protest was silent, the Committee called a police presence to the meeting itself in Port Talbot Civic Hall. A few people were escorted out of the building for emotional outbursts. Incredibly, the official decision records %no objection from local residents+and no minutes were taken. The planning approval was given in this meeting and the Head of Planning stood up to announce that there was **no legal avenue anyone could follow to challenge this decision.**

Since this meeting, our Local Councillor and our Community Action Group has delivered over 500 letters to our Planning Authority in protest of the planned development. We have demanded involvement in the uncommonly large number of pre-commencement conditions on this application in order to make our area safe for us. We have requested more investigation into key safety points and have highlighted errors in the traffic surveys and the Local Development Plan which allowed this decision. Every single point we have raised to ask for **further objective investigation** into this development, on the basis of residential **health and safety**, has been bluntly rejected and refused. Our Local Councillor has been effectively shut out of decisions concerning the large number of pre-commencement conditions put onto this development, by using ~~Call-in~~ Panel procedures instead of full planning meetings as we have requested.

We have complained to our Local Planning Authority about the lack of inclusion and the failure to address our concerns. We have involved our Welsh Assembly Ministers who have written numerous letters on our behalf. We have involved the news, with BBC Wales and Wales Online publishing articles to show our plight.

A complaint to the Public Services Ombudsman (which took months to complete), resulted in a refusal to investigate without further ~~proof~~ and the fact that they lack authority over ~~decision making~~ processes. A complaint to the Local Authority Audit Office was met with a blanket letter to tell me they would not investigate further. After sending letters to the Planning Authority about the number of errors in the Planning Application, due to missing and incorrect information in our Local Development Plan, I was told that I can become involved in the next review 2 years from now . once the development was completed. Our neighbourhood has sent so many letters to the Planning Authority, that we were then told that further communications would be ignored, to save their ~~resources~~

I belong to a community that was not involved in consultations for a major development, which will now devastate our way of life, and end another traditional Welsh village. We formed an Action Group to try and have a bigger voice, but ultimately, our Local Authority sees us only, and I quote, as **“the opposition”**. This particular Planning Application was passed for approval in record time, with a huge number of pre-commencement conditions to bypass the need for full and accurate information at the time of decision making. We have a case file full of errors, missing information and inconsistencies, in comparison to other local developments, which just raises more questions.

## **There is no one to go to.**

We have nowhere to turn, unless our low income village residents can find enough money to take our Local Authority to court, as suggested by Minister James. It seems clear that this is the only avenue presented **because** it is the only option communities cannot afford to pursue.



# Blaengwrach Community Action Group

Our requests in these petition letters have still not been addressed:

I am sure that Julie James, Lesley Griffiths and the Planning Authorities around Wales are satisfied with their established processes and duties. My petition has been submitted because **we, the public, are not satisfied**. These policies and guides have no accountability behind them, and are to residents like ourselves, effectively as useless as the Office of the Future Generations Commissioner for Wales. (\*)

I would humbly ask the Welsh Government to consider this petition on behalf of the Welsh public **which has no voice, unless invited**.

As per my previous letter, we are asking for:

- **Directly Affected Residents to be notified appropriately**
- **Directly Affected Residents to be mandatorily invited to consultations – and to be able to contribute effectively**
- **More advice to be freely given at the point of notifying third parties of a planning application.**
- **More time to submit third party planning appeals**
- **The right for recognised Community Action Groups to have direct consultations with the Local Planning Authority**
- **Special consideration be given to appeals where vulnerable people are affected in a community**

Surely these are sensible and achievable requests without overhauling the system? It is clear that the policies outlined in the Planning Act Wales (2015) concerning residential involvement are simply not enough. **Instead of making more policies and guidelines why not simply work out how to enforce what we do have?**

As our Government, I would ask you to think of your small Welsh Villages where there are still many disadvantaged and ill-educated residents with little hope of challenging Local Authorities over life changing commercial developments. Instead of having to fight with our authorities, we should be able to work together to ensure a bright future for future generations. Please don't let another community go through a situation like ours, and instead look to safeguard Welsh Residents' lives over the commercial needs for multi-national developers to obtain faster approval in return for faster and bigger profits.

Do not dismiss my previously submitted legal report as easily as Minister James. This outlines how change is needed legally, with less financial impact than the Planning Authorities would have us believe and with much more to gain. Should I be invited to speak to the Petitions Committee in person to present my views, I would very much welcome such an opportunity. I would also like to request that I am accompanied by the Director of Sustrans, Mr Steve Brooks, who would also like to speak on this topic after publishing articles that support this petition.

Yours faithfully,

Mrs Emma Eynon  
Directly Affected Resident  
Member of Blaengwrach Community Action Group

(\*See supporting article)

# NEWS

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## Law to protect future generations in Wales 'useless'

By Paul Martin  
Reporter, BBC Wales Live

15 May 2019

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M4 relief road



Campaigners argued that Cymer Afan Comprehensive School was in the "heart" of the Upper Afan Valley

A law aimed at protecting future generations in Wales is "virtually useless", a senior barrister has said.

An attempt to use the Future Generations Act for the first time to challenge a school closure was unsuccessful.

Rhodri Williams QC said the judge's decision showed the law was "toothless".

The Welsh Government said the interpretation of the law was a matter for the courts.

But the judge's decision has cast doubt on whether the act could be used by opponents of the M4 relief road.

The **Well-being of Future Generations Act**, which came into force three years ago, says all public organisations must carry out "sustainable development".

It lists several "well-being goals" including: "attractive, viable, safe and well-connected communities".

Tudalen y pecyn 142



- **What has the Future Generations Act done for Wales?**
- **What we know about M4 relief road inquiry**

Lawyers acting for parents unhappy at Neath Port Talbot's decision to close Cymer Afan Comprehensive **tried to use the act** as a means of getting the decision reviewed, because of the potential impact on the community of losing its school.

But the case was dismissed in March by High Court judge Mrs Justice Lambert, who said the act could not trigger a judicial review.

She said: "I do not find it arguable that the 2015 act does more than prescribe a high-level target duty which is deliberately vague, general and aspirational and which applies to a class rather than individuals.

"As such, judicial review is not the appropriate means of enforcing such duties."

The judge also said the closure of Cymer Afan was "not inconsistent" with Neath Port Talbot council's published "well-being objectives", so was compliant with the act anyway.



Mr Williams QC, the barrister acting for the campaigners, told **BBC Wales Live** he had always felt the act was a "particularly badly-drafted piece of legislation".

"Everyone wants to see a resilient Wales, a prosperous Wales, a Wales in which there isn't any inequality," he said.

"But the point is unless individuals can rely on these rights - if they feel they haven't been upheld - to challenge the decisions of public bodies, the act is virtually useless.

"The guidance that has been issued on it is full of fantastic-sounding phrases but in reality individuals are not going to be able to use it.

"So if public bodies for whatever reason can't take into account and apply their obligations, there will be no redress, which effectively means the legislation is toothless."

Opponents of an M4 relief road have suggested the act could be used as a way of triggering a judicial review if the Welsh Government decides to go ahead with the road.

A decision on whether ministers will build the £1.4bn route around Newport is **expected to be announced** in early June,

Mr Williams said the outcome in the Cymer Afan case casts doubt on whether that would be possible.

"This is only a first instance decision but it is a decision of the High Court that there is no right for an individual or a group of individuals to bring a claim for judicial review based on an allegation of a breach of the act," he added.

Plaid Cymru AM Llyr Gruffydd said the development was "immensely disappointing" and suggested the law may need to be amended.

Andrew RT Davies for the Welsh Conservatives said the "reality" of the law "has fallen well short of the rhetoric".



The future generations commissioner, Sophie Howe, whose job it is to monitor whether public bodies are complying with the act, said: "I have monitored very carefully the developments around the first judicial case using the Well-being of Future Generations Act as a ground for judicial review.

"I also took legal advice on these issues and the points of law involved.

"Given the fact that the case was at a very initial stage which would not set precedent and given my limited resources, while I might not agree with all of the arguments or conclusions, I have decided not to intervene in this specific case.

"I will continue to monitor legal developments around the act very carefully and do not exclude intervening formally in the future depending on the specific circumstances."

A Welsh Government spokeswoman said: "The Well-being of Future Generations Act requires that public sector bodies consider the long-term implication of any decisions they make.

"This includes assessing the long-term impacts of more controversial and difficult decisions, such as whether a school should be closed."

Neath Port Talbot council added: "The council was always confident that it had complied with its statutory obligations in this case, having undertaken the most comprehensive and rigorous consultation process prior to the final decision being taken.

"So it proved in court."

***Wales Live is on BBC One Wales at 22:30 BST on Wednesday.***

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# Eitem 3.16

P-05-858 Taenellwyr Dŵr i arbed bywydau nid i wneud arian!

Cyflwynwyd y ddeiseb hon gan John Newman, ar ôl casglu 209 o lofnodion.

## **Geiriad y ddeiseb**

Galw ar Lywodraeth Cymru i ddiwygio paragraff 2.6 o Ddogfen Gymeradwy B mewn ffordd sydd yn ei gwneud yn orfodol bod dyluniad, gosodiad a chynnal a chadw systemau preswyl a domestig ar gyfer ataliad tân yn cael ei gynnal gan neb ond pobl sy'n aelodau o gynlluniau ardystio trydydd parti priodol. Bydd hyn yn sicrhau y caiff systemau arbed bywyd o'r fath eu dylunio, eu gosod a'u cynnal a'u cadw'n gywir gan bobl sydd â'r cymwyseddau addas. Yn anffodus, nid felly y mae ar hyn o bryd.

## **Etholaeth a Rhanbarth y Cynulliad**

- Caerffili
- Dwyrain De Cymru

**P-05-858 Fire Sprinklers are for life, not a fast buck!, Correspondence – petitioner to Committee, 03.06.19**

Please accept my apologies for this last minute response, work demands have been considerable of late.

Hopefully it will be easier for the committee to properly consider my petition if I summarise below key issues and comments that cause me concern at the way Building Control May consider 'competence' to install sprinkler systems.

1. Why is it important for only certificates from UKAS third party accredited installers to be acceptable? Fire Suppression systems are critical to life safety and if installed by inexperienced and/or unqualified personnel there are many errors that can be made that would render the systems ineffective in the event of a fire. Post Grenfell should we really be taking a risk in approving installations by non accredited installers. Would gas installations be passed without a Gas Safe certificate?

2. An example of an installation by an unqualified party can be seen on a LinkedIn post of mine at <https://www.linkedin.com/feed/update/urn:li:activity:6452037867177852928> This post attracted over 20,000 views and a significantly large number of concerned comments.

3. There have been a significant number of installations that do not comply with the relevant British Standard. This is particularly the case with 'mist' systems. There are currently no such systems available that comply with BS8458 yet such systems are being installed by non accredited installers. One system in particular, Puck, failed its automatic testing procedures developing pipe bursts and leaks at many new properties in Wales causing much stress, expense, damage, and inconvenience to homeowners. Properly certificated and experienced installers are not fooled or misled by the delver marketing involved with mist suppression systems, but will readily install such systems when there is a fully compliant system available.

4. Building Control can easily be misled by the production of apparently suitable certificates of training. Third party certification bodies such as FIRAS recognise that holding a pass certificate in sprinkler design (the most commonly recognised certificate is produced by XACT - see <https://www.xact.org.uk/courses/bs-9251-sprinkler-system-design> ) is only part of the process in assessing competency. There are many practical issues with an installation that are not covered within this 3 day course. Consequently, an installer's previous experience and understanding of critical elements of an installation are thoroughly assessed in determining approval for certification.

5. It is worth noting that the standard for commercial sprinkler systems, BSEN 12845, makes 3rd party accreditation mandatory. The main purpose of the commercial standard was the protection of property for insurance purposes with life safety additions being later additions to the original standard. The residential and domestic standards, BS9251 for sprinklers, BS8458 for mist systems, were written with life safety being the paramount consideration so why should the certification requirements be any less robust than the commercial standard requirements.

I would like to thank the committee for further considering my petition and hope that any recommendations in support of third party accreditation and certification will take our World leading fire suppression legislation even further down the path of the protection of our citizens from the devastating effects of fires in our homes.

Kindest regards

John Newman

**P-05-858 Fire Sprinklers are for life, not a fast buck! Correspondence – Interested party to Committee, 06.06.19**

1. Smaller sprinkler companies will be forced out of business with the costs with getting accreditation after spending a vast amount of money on training to ensure competence.
2. There are not enough 3rd party accredited companies in Wales to cope with the demand that there is with the current housing market thus creating a monopoly for larger companies who will then use the smaller defunct companies as sub contractors.
3. If implemented there will need to be a long period of changeover so to speak so companies who are of adequate size can apply for certification and achieve it (can take up to a year) This was the case when electricians had to achieve Part P status.

Once again even though we are going for 3rd party certification I don't think its beneficial to insisted upon it if competency can be proved via current training certs etc.

# Eitem 5

## P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig

Cyflwynwyd y ddeiseb hon gan Cymdeithas Rhieni ac Athrawon Ysgol Gymunedol Bodffordd, ar ôl casglu 5,125 o lofnodion.

### Geiriad y ddeiseb

Galwn ar y Llywodraeth i gymryd camau i sicrhau y bydd awdurdodau lleol yn dilyn canllawiau'r cod trefniadaeth ysgolion presennol a'r cod newydd (pan ddaw i rym) gan gynnwys gweithredu'n unol â'r rhagdybiaeth o blaid ysgolion gwledig. Derbyniwn nad yw hyn yn golygu na chaiff ysgol wledig byth ei chau, ond mae penderfyniad diweddar Pwyllgor Gwaith Cyngor Ynys Môn i gau ysgol Bodffordd yn dangos bod rhwydd hynt i awdurdodau lleol anwybyddu'r cod newydd (y maent i fod i weithredu yn unol â'i ysbryd) a chau hyd yn oed ysgolion poblogaidd a llawn.

### Etholaeth a Rhanbarth y Cynulliad

- Ynys Mon
- Gogledd Cymru



Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon