

Agenda – Petitions Committee

Meeting Venue:

Committee Room 3 – Senedd

Hybrid

Meeting date: 13 November 2023

Meeting time: 14.00

For further information contact:

Gareth Price – Committee Clerk

0300 200 6565

Petitions@senedd.wales

1 Introductions, apologies, substitutions and declarations of interest

(Pages 1 – 19)

2 Evidence session – P-06-1358 Review the inadequate funding for Schools in Wales

(Pages 20 – 29)

- Dr Martin Price, Chair of Vale School Governor Association
- Laurence Matuszczyk, Chair of Merthyr Tydfil School Governor Association
- David Blackwell, Headteacher of St Richard Gwyn Catholic High School, Barry and Chair of the vale of Glamorgan Education Budget Forum
- Matthew Gilbert, Headteacher Barry Island Primary School

3 New Petitions

3.1 P-06-1360 Build a simple slip-road between the M48 westbound and M4 eastbound at Rogiet

(Pages 30 – 34)

3.2 P-06-1364 Dentistry crisis in Wales. Ensure all adults and children have access to a dentist

(Pages 35 – 42)



- 3.3 P-06-1365 Re-open railway lines to connect the north and south of Wales
(Pages 43 – 85)
- 3.4 P-06-1366 Reinstate funding for Taf Valley Coaches 351 (Tenby to Pendine)
and 352 (Tenby to Kilgetty) services
(Pages 86 – 92)
- 3.5 P-06-1368 The Welsh Govt should take steps to save the Environmental
Information Regulations in relation to Wales
(Pages 93 – 117)
- 3.6 P-06-1369 Use only Welsh names for places in Wales
(Pages 118 – 125)
- 3.7 P-06-1370 Save overnight minor injuries provision at Nevill Hall Hospital in
Abergavenny
(Pages 126 – 133)
- 3.8 P-06-1373 Stop Welsh Government Wasting £4million on Skyline private
development Kilvey Hill, Swansea
(Pages 134 – 144)
- 3.9 P-06-1375 Initiate an early senedd election
(Pages 145 – 147)

4 Updates to previous petitions

- 4.1 P-06-1356 Introduce comprehensive safety measures at the A477
'Fingerpost' junction
(Pages 148 – 150)

- 5 Paper to note – P-06-1326 The Senedd should scrutinise the
prepayment meter scandal in Wales**
(Pages 151 – 152)

- 6 Motion under Standing Order 17.42(ix) to resolve to exclude the
public from the remainder of the meeting**

7 Discussion of evidence – P-06-1358 Review the inadequate funding for Schools in Wales

Document is Restricted

P-06-1358: Review the inadequate funding for schools in Wales

Y Pwyllgor Deisebau | 25 Medi 2023
Petitions Committee | 25 September 2023

Reference: SR23/6779-2

Petition Number: P-06-1358

Petition title: Review the inadequate funding for schools in Wales

Petition text: Many schools have set deficit budgets for 2023-24 financial year. More, perhaps most schools will be posting deficit budgets for 2024-25. The impacts on children in Welsh Schools are grave – poorer teaching and learning, poorer buildings, safety concerns and staff burnout.

More details: This petition was prepared by Chairs of Governor Associations throughout Wales.

The impacts of low funding on children in Welsh Schools are:

- Reduction in the quality of learning & teaching
- Increased adult/learner ratios
- Health & safety -less adult supervision, for example at lunchtime and breaks
- Fewer support staff, meaning that children with Additional Learning Needs are at risk of not receiving the help they need.
- Fewer adults in classrooms putting everyone at risk.
- Fewer teachers – either through non-replacement or redundancies.
- Less maintenance on buildings leading to safety concerns
- Increased stress on Headteachers and Senior staff, leading to increased sickness absence and burn-out.



And at the same time schools are struggling to implement educational reforms.

We urge the Welsh Government to urgently review the level of funding for Education for this and next financial years. Our children deserve the best education and must not suffer through funding cuts.

1. Summary

- Schools receive their budgets from local authorities, who use the funding, which they themselves receive from the Welsh Government through the local government settlement, to provide the range of services for which they are responsible.
- Funding from local authorities makes up the vast majority of funding that schools get, although the Welsh Government provides some direct funding to schools (via Regional Education Consortia) from its education budget for school improvement and targeted funding for the education of disadvantaged pupils.
- The money Local Authorities have planned to spend on schools is referred to as budgeted expenditure. This has increased in 2023-24 by 8%, compared to 2022-23. It has increased by 26% since 2019-20. This is a 5.3% real terms increase since 2019-20 and a real terms 1.1% increase since 2010-11.
- School budget reserves, the money schools themselves hold and as reported at a one-off point in the year, have been historically high for the past couple of years, although the Welsh Government says this is misrepresentative and a temporary position.
- The WLGA has warned of the inflationary pressures facing schools and reported overspends and budget gaps across all local authorities.
- The Welsh Government describes the overall current financial position as the toughest since devolution and the Minister for Education and Welsh Language says there are “no easy answers” to the budget pressures facing schools.

2. How are schools in Wales funded?

2.1. Un-hypothecated funding for local authorities

The large majority of funding for schools comes from local authorities, which in turn receive the majority of their funding from the annual local government settlement set by the Welsh Government.

The **local government settlement is un-hypothecated**, meaning it is for each local authority to decide how to allocate their available resources to the various services they provide, including education, and within that how much funding they give to schools.

There are **three main steps** to the process for setting school budgets:

- Firstly, the Welsh Government provides each local authority with its **Revenue Support Grant (RSG)**. Together with its redistributed non-domestic rates allocation, this makes up a local authority's Aggregate External Finance (AEF). Each local authority uses this plus the money it raises from council tax to fund the range of services it provides, including education. Each **local authority's RSG is arrived at using a formula**, based on Standard Spending Assessments (SSA) which are notional calculations of how much each local authority needs to maintain a standard level of service. SSAs are broken down into Indicator Based Assessments (IBA) which model notionally the amount needed in each service sector. 'School services' is one of the SSA sectors used for the IBAs.¹

¹ The Welsh Government says SSAs and IBAs are not spending targets and should not be treated as such. They represent a notional estimate of what a local authority needs to provide a standard level of service (although they are dependent on the overall quantum of funding made available by the Welsh Government for the local government settlement). They also build in an assumption of what the local authority can raise from council tax.

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- Secondly, once they have decided how much of their overall budget to allocate to education, local authorities set **three tiers of education budget**:
 - The Local Authority Education Budget is for central functions relating to education, including but not wholly comprising expenditure on schools.
 - The Schools Budget contains expenditure which is directly aimed at supporting schools but considered to be more efficiently administered centrally.
 - The Individual Schools Budget (ISB) is the remainder of education funding which is delegated to schools.

 - Thirdly, the local authority sets the **individual budget for each school** it maintains, apportioning the ISB according to its own locally determined formula, within the parameters set by the School Funding (Wales) Regulations 2010.

2.2. Ring-fenced funding targeted at school improvement and supporting the education of disadvantaged pupils

On top of the budget each school receives from their local authority, the Welsh Government uses a number of funding streams from its central education budget to support the implementation of **certain policies and priorities** or **target additional funding**. These take the form of specific grants distributed via the regional school improvement consortia, such as the Regional Consortia School Improvement Grant (RCSIG) and the Pupil Development Grant (PDG).

Most of the PDG, which supplements schools' income based on the number of their pupils who are eligible for free school meals (eFSM), is passported in its entirety to schools. A smaller portion of the PDG is given to the regional consortia to distribute to support the education of Looked After Children and adopted children.

The Welsh Government allocates the RCSIG to the regional consortia who pass some of this money to schools and spend it on various improvement initiatives. A breakdown of the RCSIG can be found in the Minister for Education and Welsh Language's paper to the Children, Young People and Education Committee (CYPE) on the 2023-24 budget (see Annex D).

3. Current funding position

3.1. Local Government Settlement 2023-24

As explained in section 2 above, the predominant source of funding for schools' budgets is provided by the Welsh Government to local authorities through the un-hypothecated Aggregate External Finance (AEF) within the local government settlement.

The Final Local Government Settlement 2023-24 provided a **7.9% overall increase to local authorities** (with no local authority receiving less than 6.5%), compared to 2022-23. It is for **local authorities to decide on which services this increase is spent**.

Whilst reiterating that local authorities are responsible for providing schools with their core funding, the Welsh Government pointed to money that it has included in the un-hypothecated Revenue Support Grant (RSG), within the Local Government Settlement, for local authorities to give schools.

The Minister for Finance and Local Government said in Plenary in December 2022:

An additional £227m is being provided to local government through the settlement to help local authorities safeguard the important and wide range of services they provide, **including directly funding schools**. As a result of spending decisions made in relation to education in England, Wales received a **consequential of £117m a year in the Autumn Statement [November 2022]**. Through the choices we have taken, this is being **provided in full to local government**. [bold is our emphasis]

However, **local authorities had to meet the costs of the initial 5% 2022/23 academic year teachers' pay award from within their own resources**. The Welsh Government said this was reflected in the 7.9% increase it gave local authorities for 2023-24 and an earlier increase of 9.4% for 2022-23.

The Minister told the Children Young People and Education (CYPE) Committee during budget scrutiny that the cost to local authorities of the teachers' pay award was **£44m** between September 2022 and March 2023 and **£75m** for the full financial year of 2023-24. The CYPE Committee questioned how much of the additional funding for local authorities to spend on schools would be left after they had implemented the teachers' pay award. This is discussed further in the

CYPE Committee's report on the 2023-24 budget (paras 51-54 and paras 104-105) and in the Welsh Government's response (recommendation 5).

[A further 3% pay award for 2022/23 was agreed with teachers in February 2023. The Welsh Government provided grant funding to local authorities for this additional 3% element.]

3.2. Funding from the education budget

The Welsh Government is providing schools with **£121 million of PDG** in 2023-24 to supplement the core budgets they receive from local authorities, based on the numbers of eFSM pupils on their roll (£1,150 is allocated per eligible pupil).

The Welsh Government is also providing **£163 million of school improvement funding** via the regional consortia.

3.3. Budgeted expenditure on schools

The Welsh Government publishes **data annually on the total amount of expenditure that local authorities budget for schools**. This includes schools' core

budgets, provided by local authorities, and financed from the RSG, and the grant funding from the Welsh Government’s Education budget. Table 1 below provides data for recent years.

Table 1: Gross budgeted expenditure on schools

	Gross Budgeted Expenditure on schools £ Billion	£ Per Pupil Gross Budgeted Expenditure on schools	Percentage delegated to schools
2023-24	3.343	7327	81.9
2022-23	3.096	6773	82.9
2021-22	2.913	6387	83.4
2020-21	2.822	6203	83.7
2019-20	2.657	5857	83.9
2018-19	2.566	5675	84.2
2017-18	2.543	5628	84.2
2016-17	2.519	5570	84.3
2015-16	2.496	5526	83.8
2014-15	2.528	5607	82.9
2013-14	2.519	5594	82.3
2012-13	2.495	5520	81.0
2011-12	2.470	5451	76.2
2010-11	2.458	5409	75.0

Source: Welsh Government, [Statistical Bulletins: Local authority budgeted expenditure on schools](#) (several years’ editions)

- Total funding for schools in 2023-24 is 8.0% higher than in 2022-23 (5.3% higher in real terms). Funding per pupil is 8.2% higher (5.5% higher in real terms).
- Funding has risen since 2019-20 by 25.8% in cash terms and 9.1% in real terms. Increases per pupil are 25.1% in cash terms and 8.5% in real terms.
- Taking a longer backward look, funding has increased in real terms by 1.1% (0.7% per pupil) since 2010-11. Before this year (2023-24), there had been a real terms decrease in funding since 2010-11.

[Real terms changes are calculated using latest [GDP deflators data](#) published by HM Treasury in June 2023.]

3.4. School reserves

The Welsh Government also publishes [annual data on the budget reserves held by schools](#). This is captured as at the end of March each year. Table 2 below provides data for recent years:

Table 2: Reserves held by schools

	Total	Per Pupil
March 2022	£301m	£659
March 2021	£181m	£393
March 2020	£32m	£70
March 2019	£46m	£102
March 2018	£50m	£111
March 2017	£46m	£102
March 2016	£64m	£142
March 2015	£64m	£141
March 2014	£60m	£132

Source: Welsh Government, [Statistical First Release: Reserves held by schools](#) (several years' editions)

Levels of reserves in the past two years (as at 31 March) have been historically high. The Welsh Government's explanation has been that, due to the pandemic, schools received additional resources relatively late in the financial year, resulting in a misleading picture. It has said that the high level of reserves reported in recent years is a temporary position due to school closures and reduced activity during the pandemic.

This is discussed further in the [CYPE Committee's report on the 2023-24 budget](#) (paras 65-67 and paras 112-114) and in the [Welsh Government's response](#) (recommendations 10-11).

4. The financial outlook facing the public sector

The Welsh Government described the 2022-23 budget-setting round as “one of the toughest” since devolution, pointing to 40 year-high inflation rates, and “soaring” energy prices, both at the same time that living standards are falling. The Minister for Finance and Local Government said Wales’ funding settlement from Westminster was “not sufficient to meet all these extraordinary pressures, let alone all our priorities in 2023-24”. The Minister said that, even after an additional £1.2 billion over two years resulting from the UK Government’s Autumn Statement, Wales’ settlement was still worth up to £3 billion less in real terms and up to £1 billion less in 2023-24.

In its response to the Finance Committee’s consultation ahead of the 2022-23 Draft Budget, the Welsh Local Government Association (WLGA) warned that schools were facing inflationary pressures of £177 million and £114 million in 2023-24 and 2024-25 respectively. The WLGA also reported that every local authority across Wales was reporting an overspend in 2022-23 and budget gaps in future years. It said that, other than the experience of the early months of the pandemic, there was no precedent for pressures of this scale escalating so quickly.

The Minister for Education and Welsh Language reiterates this context in his letter regarding this petition. He says he “recognise[s] that the cost-of-living crisis is putting schools and local authorities under significant pressure” but “there are no easy answers to resolving the[se] issues”.

The First Minister issued a statement on 9 August 2023 following a meeting of the Welsh Government’s Cabinet to discuss financial pressures. He said the current position was the “toughest financial situation we have faced since devolution” and:

.... our financial position after the UK Spring Budget in March, was up to £900m lower in real terms than when that budget was set by the UK Government at the time of the last spending review in 2021. (...)

The Cabinet will be working over the summer to mitigate these budgetary pressures based on our principles, which include protecting frontline public services, as far as possible, and targeting support towards those at greatest need.

5. Previous scrutiny in the Senedd

The Fifth Senedd's Petitions Committee considered a similar petition in 2019, which was to "Protect school funding or admit to the weakening of service provision" (P-05-872). This petition was drawn to the attention of the Fifth Senedd's Children, Young People and Education Committee which was undertaking a policy inquiry into school funding at the time. This looked at both the sufficiency of the overall quantum of funding being made available to schools and the way in which that funding is distributed. In response, the Welsh Government commissioned a review by education economist, Luke Sibieta.

The current CYPE Committee continues to scrutinise the level of funding for schools, including in its annual budget scrutiny, most recently in January 2023.

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.

P-06-1360 Build a simple slip-road between the M48 westbound and M4 eastbound at Rogiet

Y Pwyllgor Deisebau | 13 Tachwedd 2023
Petitions Committee | 13 November 2023

Reference: SR23/6916

Petition Number: P-06-1360

Petition title: Build a simple slip-road between the M48 westbound and M4 eastbound at Rogiet

Text of petition: Every time the Severn Bridge (M48 Crossing) is closed to traffic, the area including Chepstow, Caldicot, Magor with Undy and Newport East grind to a literal halt. This is, in broad terms, because the Chepstow traffic heading for England has to either circle around the minor roads past Caldicot and through Magor, or head directly down the M48 to M4 J23, turning around the roundabout en masse and preventing Newport and Magor traffic flowing out onto J23. This situation must, and can be, ended.

On 13/03/2023 at 07:25 I left my address in Undy, heading to work in Portishead. Having left Manor Chase onto the B4245 I almost immediately joined a traffic queue, and the result was that the normal journey of around four/five minutes to reach the M4 J23 eastbound entry slip road took exactly two and a half hours. I had to persist as I was enrolled on a mandatory training course that required physical attendance. This story is not rare; hundreds, if not thousands of people go through very similar ones every time the Severn Bridge is closed to traffic. The entirety of this corner of Wales has to suffer this 'off-switch' and the issue could so easily be alleviated by a simple and comparatively inexpensive slip road between the M48 westbound and the M4 eastbound between Rogiet and Undy. The land is currently only a field, the topography is favourable and a slip road would wholly prevent the



effective blocking-off of the J23 roundabout by Chepstow traffic, leaving the switch 'on'.

1. Background

The M48 and M4 meet at the Rogiet interchange – junction 23 of the M4 – adjacent to Magor.

Both the M4 and M48 Severn bridges are the responsibility of National Highways, the UK Government agency responsible for the management, maintenance and improvement of the English strategic road network (SRN).

National Highways indicates that the M48 bridge is closing more frequently both as a result of maintenance work, and to improve safety for traffic officers.

The Welsh Government is the highway authority for the M4 and M48 in Wales, including the Rogiet interchange.

Following the report of the Roads Review Panel, published in February, the Welsh Government set out its response in a new Roads Policy Statement, along with a new National Transport Delivery Plan (NTDP).

The policy statement sets out the circumstances where the Welsh Government will invest in roads, stating it will do so to:

- support modal shift and reduce carbon emissions;
- improve safety through small-scale changes;
- adapt to the impacts of climate change; and
- provide access and connectivity to jobs and centres of economic activity in a way that supports modal shift.

Transport for Wales is supporting a Burns Delivery Unit, to oversee implementation of the 58 recommendations of the South East Wales Transport Commission. The work aims to provide alternatives to journeys on the M4 and encourage the use of public transport and active travel in the region, relieving congestion on the M4 in south east Wales.

2. Welsh Government action

The Deputy Minister for Climate Change's letter to the Chair on this petition says:

There are currently no plans to introduce a slip road at this location, and it is unlikely that a scheme of this nature would meet the criteria for funding under our future road building tests set out in our response to the Roads Review.

The Deputy Minister also outlines the work underway to implement the South East Wales Transport Commission's recommendations to relieve congestion on the M4.

3. Welsh Parliament action

While the Roads Review and South East Wales Transport Commission recommendations have been discussed extensively in the Senedd, the specific issue raised by the petition has not.

However, on 14 July 2021 Natasha Ashgar MS asked the Deputy Minister in Plenary if he would undertake development work for "a motorway junction on the M48 where the Severn tollbooths used to be, to relieve congestion on the M4." The booths were situated between M4 junctions 23 and 24. This proposal was rejected by the Deputy Minister.

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Lee Waters AS/MS
Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-06-1360
Ein cyf/Our ref LW/02014/23

Jack Sargeant MS
Chair - Petitions committee

30 October 2023

Dear Jack,

Thank you for your letter of 11 September regarding Petition P-06-1360 Build a simple slip-road between the M48 westbound and M4 eastbound at Rogiet.

There are currently no plans to introduce a slip road at this location, and it is unlikely that a scheme of this nature would meet the criteria for funding under our future road building tests set out in our [response to the Roads Review](#).

I have made it very clear that we will still invest in roads. However, we are raising the bar for where new roads are the right response to transport problems. As the [Roads Review](#) points out, a road that was demanded to relieve congestion often ends up leading to extra traffic, which in time brings further demands for extra lanes, wider junctions and more roads. Round and round we go, emitting more and more carbon as we do it and we will not get to Net Zero unless we stop doing the same thing over and over.

Our priorities for the next five years (2022-27) are highlighted in the [National Transport Delivery Plan](#).

The [South East Wales Transport Commission](#) (SEWTC) was also established to consider the problems, opportunities, challenges and objectives for tackling congestion in South East Wales. In its Emerging Conclusions report the SEWTC confirmed that 'The single biggest cause of congestion on the M4, by some margin, is the sheer traffic volume at particular times of day.'

The Commission's 58 recommendations to tackle congestion were [endorsed](#) by the Welsh Government in January 2021. The recommendations are closely aligned to our transport strategy, [Llwybr Newydd](#). Integrated, low carbon and multi modal transport networks will be the future of Welsh transport.

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Lee.Waters@llyw.cymru
Correspondence.Lee.Waters@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 [Burns Delivery Unit](#) tasked with delivering the Commission's recommendations produces Annual Reports, setting out their progress against short, medium and long term measures.

As part of this work, Transport for Wales are [consulting on their plans for new stations](#) between Cardiff Central and Severn Tunnel Junction, and new train service proposals.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Lee', is centered within a light grey rectangular box.

Lee Waters AS/MS

Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change

Dentistry crisis in Wales

Y Pwyllgor Deisebau | 13 Tachwedd 2023
Petitions Committee | 13 November 2023

Reference: SR23/6946-1

Petition Number: P-06-1364

Petition title: Dentistry crisis in Wales. Ensure all adults and children have access to a dentist.

Text of petition: In October 2022 there was a 26-month waiting list to register with an NHS dentist and have a check-up in Wales.

An open letter from the British Dental Association of NHS dentists criticised new contracts introduced by the Welsh Government, and called for much needed improvements and investments to ensure that everyone in Wales can access dental services.

They raised concerns about many dentists leaving the NHS for private practice.

<https://www.bbc.co.uk/news/uk-wales-64351984>

Everyone should have access to dental care, regular check-ups and timely treatment.

Unfortunately, my dentist has left the NHS to practice privately. As a result I've been looking for another NHS dentist and the nearest I found was 79 miles away from my home, which is not acceptable.



1. Background

Widespread attention has been given recently to the difficulties in accessing NHS dentistry in Wales, with a number of Senedd Members describing it as a 'crisis'.

Access to dental services was severely impacted by the COVID-19 pandemic, creating a backlog of patients in need of dental care and treatment. However, there were long-standing access issues prior to the pandemic.

During a debate on dentistry in Plenary on 24 May 2023, a number of Members referred to findings of surveys they had undertaken, highlighting difficulties across Wales in accessing an NHS dentist, and the lack of dentists taking on new NHS patients. Some of the issues relating to access to dentistry were also brought to light during a Plenary debate on 21 June 2023.

Health and Social Care Committee Inquiry

The Senedd's Health and Social Care Committee carried out an inquiry into dentistry and published its report in February 2023, which made 16 recommendations in relation to dentistry services in Wales. In its response to the report, the Welsh Government accepted 11 recommendations, partially accepted a further 3 and rejected 2 recommendations. A Plenary debate on the report was held on 21 June 2023.

The oral evidence sessions and written evidence for the inquiry revealed that there is no clear picture of how many people are currently waiting to see an NHS dentist or how many people have been unable to get onto an NHS dentist waiting list as there is no centralised waiting list. There is also no centrally held data on the number of patients being treated privately. The situation is further complicated by people being able to register on a number of waiting lists.

The Committee's report called for the Welsh Government to consider a single centralised waiting list across Wales. Welsh Government officials are in discussions with Digital Health Care Wales to scope a design for an all-Wales dental waiting list and there is a commitment to delivering that solution in this financial year.

The Committee's report and Members in the Senedd have also referred to a 'three-tier system' in dentistry in Wales. One tier is the people who can access an NHS dentist and another tier is the people who pay to go privately. A third tier is the people who can't access an NHS dentist and can't afford to pay privately.

Dental contracts and funding

From April 2022, NHS practices could choose to be part of the Welsh Government's dental contract reform programme, which will focus on prevention and needs-based care. This means a move away from routine six-monthly check-ups for all patients. The aim is to release capacity to provide appointments for new patients. The Welsh Government is providing an additional £2m each year to improve access to dental services across Wales.

However, the British Dental Association (BDA) claimed in January 2023 that new NHS contracts issued by the Welsh Government that include a requirement to see new patients are to the detriment of those already registered at practices. The BDA sent an open letter to the Welsh Government warning that new contracts will force practices from the NHS, and has also warned that NHS dentistry in Wales could disappear.

The Welsh Government has begun the process that will lead to a formal discussion on a **new dental contract**.

The Committee's report calls for the Welsh Government to explore whether current levels of funding are sufficient to tackle the backlog of patients. The Welsh Government responded by saying that once a centralised waiting list is in place, it will be able to establish the scale of people waiting for NHS dentistry and make an assessment of the level of funding required.

2. Welsh Government action

Correspondence from the Minister for Health and Social Services to the Committee on 15 October 2023 highlights that the majority of dentists are independent, self-employed practitioners who can choose whether they contract a proportion of their time to provide NHS treatment on behalf of Health Boards. As a consequence, they may provide only NHS care, work totally outside the NHS or as is commonly the case, provide a mixture of NHS and private dental care.

The Welsh Government is said to be working with Health Boards to **address gaps in service provision** through their operational plans. The Minister acknowledges that access to dentistry is not where the Welsh Government would like it to be

and that “significant and substantive changes will take time and require financial investment which is difficult in the current financial climate”.

In relation to the **termination of NHS dental contracts**, the Minister states that at the start of April 2022 there were 413 dental contracts in place across Wales; 26 of those contracts have been terminated for a range of reasons such as retirement, practice sale and practices choosing to move to private only provision. In the majority of cases where contracts have been varied or terminated, Health Boards have already, or are in the process of recommissioning replacement services. The Minister notes that this “shows that there is a genuine appetite for taking on NHS contracts”. It is also highlighted that when a dentist decides to reduce or end their NHS commitment, the funding for the lost provision remains with the Health Board in order for it to replace the level of NHS dental services.

The Welsh Government is said to be working with Health Boards to ensure that as part of the recovery of services, measures are included to **ensure dental practices see new patients**. The Minister states that since April 2022 almost 246,000 new patients have gained access to an NHS dentist across Wales. It is noted that although the Welsh Government aims to continue to invest in dental services to increase access for new patients, there may be a delay while appointments for routine care become available in some local areas.

As the **workforce** is seen as a key part of improving access to NHS dental care, the Welsh Government is said to be “looking to identify and establish innovative opportunities to upskill and improve career pathways in dentistry to make working in Wales more attractive”. Health Education and Improvement Wales is working with stakeholders to focus on both **recruitment and retention of the dental workforce** in Wales. A scheme has been launched recently to incentivise dental trainees in dental practices across rural Wales, rather than more popular urban areas. The aim is that this will help to increase access to NHS care for local people in rural Wales.

Skill-mix (i.e. making use of the skills of the whole dental team) is also seen to play a significant role in the provision of NHS dental care. From April 2023 dental therapists, hygienists and clinical dental technicians can open and close NHS courses of treatment which increases the capacity of the existing workforce.

The Minister advises that **those seeking access to NHS dental services** should contact their Health Board for the latest information on access in their local area and with a view to joining a practice waiting list. The Health Board will be able to provide details of the current level and location of available NHS dental services in

the locality. They will also be able to provide details of the access sessions and availability of urgent treatment the Health Board provides for those residents not currently placed with a practice. As an interim measure, it may be possible to arrange for children to be seen by the Community Dental Service, especially if there are any concerns about a child's oral health or the length of time since their last dental check-up.

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-06-1364
Ein cyf/Our ref EM/02543/23

Jack Sargeant MS
Chair - Petitions Committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

15 October 2023

Dear Jack,

Thank you for your letter of 22 September on behalf of the Petitions Committee about access to NHS dentistry for adults and children.

We want to reach a position where everyone in Wales who wants access to NHS dental care can get it. We are working with Health Boards, which have the budgets and responsibility for the provision of NHS dental services, to address gaps in service provision through their operational plans.

The majority of dentists are independent, self-employed practitioners who can choose whether they contract a proportion of their time to provide NHS treatment on behalf of Health Boards. As a consequence, they may provide only NHS care, work totally outside the NHS or as is commonly the case, provide a mixture of NHS and private dental care.

It is always disappointing when a dentist decides to reduce or end their NHS commitment. It is important to highlight that when this happens the funding for the lost provision remains with the Health Board in order for it to replace the level of NHS dental services.

Anyone seeking access to NHS dental services should contact their Health Board for the latest information on access in their local area and with a view to joining a practice waiting list. The Health Board will be able to provide details of the current level and location of available NHS dental services in the locality. They will also be able to provide details of the access sessions and availability of urgent treatment the Health Board provides for those residents not currently placed with a practice. As an interim measure, it may be possible to arrange for children to be seen by the Community Dental Service, especially if there are any concerns about a child's oral health or the length of time since their last dental check-up.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

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

Gohebiaeth.Eluned.Morgan@llyw.cymru
Correspondence.Eluned.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.

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.

Guidelines on the frequency of dental check-ups were issued by the National Institute for Health and Clinical Excellence (NICE) in October 2004. The guidelines state the recommended interval between recall intervals should be determined specifically for each patient and tailored to meet their needs on the basis of an assessment of disease levels and the risk of or from dental disease. Routine visits to the dentist every six months are not necessary for everyone anymore, largely because the oral health of the nation has improved dramatically over the last few decades. For children the guidelines recommend a maximum interval of 12 months.

Access in dentistry is not where we would like it to be. Historic access issues have been further compounded with complications caused by the pandemic. We are working on system reform in dentistry to make improvements for patients and the profession; however, significant and substantive changes will take time and require financial investment which is difficult in the current financial climate.

Reform focuses practices on prevention and needs based care rather than routine 6 monthly check-ups on all patients. This is because we know that tooth decay and gum disease are largely preventable through good tooth brushing and reduced frequency of sugar intake. The capacity released by this shift is then available to provide new patient access, both for those who want to receive continuing care from an NHS dental team, or urgent care capacity for patients who just want a particular dental need resolved but opt out of receiving continuing care.

There seems to be a narrative circulating that dental practices are terminating their NHS contracts and moving to an exclusive private service only, converting those patients that can afford it onto private dental plans. There are some examples of this happening, but the scale does not equate to the amount of noise. At the start of April 2022 there were 413 dental contracts in place across Wales; 26 of those contracts have been terminated for a range of reasons such as retirement, practice sale and practices choosing to move to private only provision. In the majority of cases where contracts have been varied or terminated, Health Boards have already or are in the process of recommissioning replacement services. This shows that there is a genuine appetite for taking on NHS contracts. Of course, this does take time and there is inevitably a gap in provision while the procurement process takes place.

We are working with Health Boards to ensure that as part of the recovery of services, measures are included to ensure dental practices see new patients. I am committed to increasing new patient access as part of dental reform and since April 2022 almost 246,000 new patients have gained access to an NHS dentist across Wales. Overall, over 1 million people received NHS dental care through the general dental service last year, with over 1.3 million courses of treatment delivered. If dental treatment is urgent or the patient is in pain, there is provision in place to provide care quickly. We will continue to invest in dental services in a way that continues to increase access for new patients but there may be a delay while appointments for routine care become available in some local areas.

Workforce is a key part of improving access to NHS dental care and we are looking to identify and establish innovative opportunities to upskill and improve career pathways in dentistry to make working in Wales more attractive. Health Education and Improvement Wales continues to concentrate on ensuring that they work with stakeholders to have a focus on both recruitment and retention of the dental workforce in Wales. Most recently they have launched a scheme to incentivise dental trainees in dental practices across rural Wales, rather than more popular urban areas. This will help to increase access to NHS care for local people in rural Wales.

Skill-mix can also play a significant role in the provision of NHS dental care and the reform programme has highlighted the advantages of a well-balanced dental team delivering preventive-based approaches. From April 2023 dental therapists, hygienists and clinical dental technicians can open and close NHS courses of treatment which increases the capacity of our existing workforce.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M. E. Morgan'.

Eluned Morgan AS/MS

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

P-06-1365 Re-open railway lines to connect the north and south of Wales

Y Pwyllgor Deisebau | 13 Tachwedd 2023
Petitions Committee | 13 November 2023

Reference: SR23/6946-2

Petition Number: P-06-1365

Petition title: Re-open railway lines to connect the north and south of Wales.

Text of petition:

Travelling between the North and the South of Wales is always a long journey, especially when using the railway. If a person is traveling between Bangor and Cardiff, one has to go outside of Wales on rail to be able to complete the journey. Wales needs to be connected internally by rail. The plan to do this would be to reopen the Bangor - Afon-wen and Aberystwyth to Carmarthen lines, and integrating them with the Cambrian railway, and the line from Carmarthen on to Cardiff.

What this petition is specifically asking for is:

- A Scoping and Feasibility study for the Bangor to Afon-wen Line
- Commitment to spend any funding for the railways from Westminster on reinstating the railway lines
- Develop a blueprint of the rail route between Bangor and Cardiff on the proposed route
- Look at other routes within Wales that would be beneficial on a national and local level to reopen

If we are looking to develop the infrastructure in Wales, and to use a greener method of travel, reinstating and reopening this railway would be a step in



the right direction, and would be beneficial for all the communities situated along the railway, as well as for Wales as a nation.

1. Background

Aside from the [Core Valleys Lines](#), which transferred into Welsh Government ownership in 2020, rail infrastructure is not devolved to Wales. Although the Welsh Government has powers to invest in rail it does not receive a Block Grant allocation.

There have been many arguments made suggesting [Welsh rail infrastructure](#) has been underfunded – most recently in relation to the [HS2 project being classed as an England and Wales project](#) by the UK Government. In 2021 the House of Commons Welsh Affairs Committee made a series of recommendations following its [inquiry into rail infrastructure in Wales](#). This also included a recommendation that HS2 should be classified as an England only project.

In 2019, while calling for the full devolution of rail infrastructure, the Welsh Government published '[A Railway for Wales](#)', setting out its vision for the rail network. This identified a number of strategic corridor developments which included north-south connectivity. It suggested “this may include upgraded lines, reopened lines and new lines”.

In a [2021 blog post](#), Transport for Wales (TfW) suggested the fact there is no railway linking north and south Wales without crossing the border “comes down to the geography and history of the nation”. It went on to say that reinstating former routes through mid or west Wales (as called for by the petitioner) would not be enough. It suggested:

...the routes would not be suitable for a north-south intercity service, because their meandering nature would mean journey times would be far longer than via the current route. As well as this, the former track beds of these routes were sold off and redeveloped in many places, making rebuilding of the old railway almost impossible.

The petitioner specifically calls for the Bangor to Afonwen and Aberystwyth to Carmarthen lines to be reopened. In its [2023-24 Business Plan](#), TfW states it will:

...continue to investigate measures that can be implemented to further protect the former rail corridor between Carmarthen and Aberystwyth and Bangor and Afon Wen. We'll work with local authorities and the [Corporate Joint Committees] to have the routes recognised within their Regional Transport Plans.

Aberystwyth to Carmarthen line

The feasibility of reopening the Aberystwyth to Carmarthen line has been considered previously by the Welsh Government.

In 2018, it published a [feasibility study](#) which explored the costs and benefits of reinstating the line. It estimated a total cost of £775 million in 2017 prices.

In April 2023, [Professor Stuart Cole](#) suggested at a [Ceredigion County Council scrutiny committee meeting](#) that based on estimated costs “in his opinion, it was very unlikely the railway would be developed in the next 30-40 years”.

Bangor to Afonwen line

In 2020 the Welsh Government published a map showing its [ambitions for the North Wales mainline](#). It included committed work, short term aspirations and further proposals subject to more detailed business case development. This included links between Bangor and Porthmadog shown as ‘further proposals’.

As reported [in the media](#), this raised campaigners hopes of the [Bangor to Afonwen line](#) being reopened.

In 2020 the UK Government established the ‘restoring your railway fund’ to provide “funding for early-stage ideas to explore options to restore lost rail connections”. A June 2022 [update on the programme](#) shows the Welsh Government submitted a bid in relation to the Bangor-Afonwen railway, however this was unsuccessful (see Appendix C).

2. Welsh Government action

At the time of preparing this brief, no response to the petition from the Welsh Government has been received. Relevant Welsh Government action is included in the background section above.

3. Welsh Parliament action

The fact that those journeying from north to south Wales and vice versa have to travel through England has been raised on many occasions in the Senedd.

In November 2020, Llyr Gruffydd MS asked the then Minister for Economy, Transport and North Wales, Ken Skates MS what support the Welsh Government could provide for a scheme to reopen the Bangor to Afonwen line. In response, the then Minister referred to various studies taking place to explore connectivity in north and west Wales.

The reopening of the Aberystwyth to Carmarthen line has also been raised on various occasions in the Senedd. In June 2022, Natasha Asghar MS asked for an update, to which the Deputy Minister for Climate Change, Lee Waters MS responded:

The Aberystwyth to Carmarthen Feasibility Study published in 2018 estimated the cost of reinstatement of the line at £775m. Following the publication of the study, we identified the west coast line, including Aberystwyth to Carmarthen, as a key strategic corridor development in our response to the UK Government's Williams Rail Review. This was part of a clear, comprehensive and conclusive case for full rail devolution and a fair funding settlement.

More recently, in October 2023 Delyth Jewell MS tabled a written question in relation to the Aberystwyth to Carmarthen line. At the time of preparing this brief the question has yet to be answered by the Deputy Minister.

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.

P-06-1365 Ail-agor llinellau rheilffordd i gysylltu gogledd a de Cymru, Gohebiaeth – Deisebydd i'r Pwyllgor, 08.11.23

At sylw aelodau'r pwyllgor deisebau

Rwy'n falch iawn o weld bod y ddeiseb i 'Ail-agor llinellau rheilffordd i gysylltu gogledd a de Cymru' wedi cyrraedd y pwyllgor deisebau gydag agos i 13,000 o lofnodion. Mae'r ymgyrch yma'n un sy'n bwysig iawn imi, fel rhan o'r ymgyrch mi gerddais ran fwyaf o'r ffordd o Fangor i Gaerdydd, gan ddechrau drwy ddilyn yr hen lwybr trên o Fangor i Afon wen, yna dilyn llinell y Cambrian lawr i Aberystwyth, wedyn cerdded yr hen reilffordd rhwng Aberystwyth a Chaerfyrddin, ac yna cerdded rhan fwyaf o'r ffordd rhwng Caerfyrddin a Chaerdydd (bu'n rhaid imi ddal y trên yn Llanelli hyd at Ben-y-bont ar Ogwr gan fod fy nhraed wedi anafu'n ddrwg ar y daith). Gorfennais y daith o flaen y Senedd ar y 27ain o Fedi - cerddais 206 o filltiroedd i gyd dros 10 diwrnod.

Mae'r ymgyrch yma'n allweddol felly at ddyfodol Cymru, yn bennaf i'r nifer o bobl yng Nghymru sy'n gorfod teithio rhwng y gogledd a'r de er mwyn cael gwaith, a hefyd er mwyn cryfhau'r cymunedau gwledig sy'n wasgar ar hyd y gorllewin, a chryfhau'r iaith, gan fyddai'r rheilffordd yn mynd trwy gadarnleoedd y Gymraeg. Yn bennaf, yr hyn rwy'n gobeithio gweld yn digwydd yw cael astudiaeth dichonoldeb a sgôp ar y llinell rhwng Afon wen i Fangor, fel cafwyd ar linell Caerfyrddin i Aberystwyth agos i ddegawd yn ôl, a hefyd astudiaeth yn edrych ar y beth fydd effeithiau cael rheilffordd yn cysylltu Cymru'n fewnol o'r gogledd i'r de.

Mae'n bwysig hefyd nodi bod ailagor rheilffordd Bangor - Caernarfon wedi bod yn rhan o strategaeth Llywodraeth Cymru ers dros ugain mlynedd bellach, a bod y dirprwy Weinidog wedi cadarnhau bod achos busnes cryf i'r cynllun yma. Mae'n allweddol rwan bod astudiaethau yn cael ei wneud ar y rheilffordd rhwng Bangor ac Afon-wen. Gyda'r datblygiadau diweddar gydag HS2 mae'n dod yn glir bod arian yn ddyledus i Gymru fel rhan o fformiwla Barnett, ac er bo'r Gweinidog yn San Steffan yn dadlau bod HS2 dal yn brosiect sy'n dod a budd i Gymru, er bod hi'n glir nad ydi hynny'n wir, mae'n amlwg mai mater o amser bydd hi hyd y bod arian yn mynd i fod yn dod i gefnogi cynllun fel hyn. Gallai hyn felly olygu bod angen dechrau'r astudiaethau cyn gynted ac sy'n bosib er mwyn paratoi at hynny.

Trawslink Cymru sydd wedi bod yn ymgyrchu dros y blynyddoedd dwythaf er mwyn cael astudiaethau o'r llinellau yma, felly mae gwybodaeth ganddynt hwy wedi cael ei atodi fel rhan o'r llythyr yma. Gwelir astudiaeth achos strategol isod.

I nodi hefyd fel pwynt o wybodaeth, mae deiseb sydd wedi cael ei redeg hefyd gan Traws Link Cymru wedi cyrraedd 18,000 o lofnodion dros y blynyddoedd, sy'n golygu bod 30,000 wedi arwyddo'r ddau yn gyfangwbl er mwyn cefnogi ailagor y rheilffordd.

Edrychaf ymlaen at glywed y drafodaeth - ac os bod angen i mi gerdded o Fangor i Gaerdydd eto er mwyn amlygu pwysigrwydd y mater yma, bysw'n yn gwneud hynny ganwaith a mwy eto.

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted



Traws Link Cymru

West Wales Rail Campaign

Ymgyrch Rheilffordd Gorllewin Cymru

A NEW STRATEGIC RAIL CORRIDOR FOR WEST WALES



September 2020

Front cover: Train leaving Carmarthen station

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1. Background and Context

On the basis of a range of socio-economic indicators West Wales is one of the most deprived areas of the United Kingdom. This has been recently highlighted in *Ceredigion and Powys Collaboration: A Vision for Growing Mid Wales*, May, 2020, which points to the poor GDP (Gross Domestic Product) and GVA (Gross Value Added) within these two counties; a declining and ageing population; market failure; low pay and rural poverty. Most concerning is the projected economic decline of 3.45% during the period 2018-2040 against a projected growth in the UK economy as a whole of 7.4%. Yet this region, along with the adjacent county of Carmarthenshire, has considerable potential in terms of tourism and agriculture; it has an employment pool that could service a wide range of small and medium-scale industries; it has three university campuses and several linked colleges of further education on seven campuses; it has the National Library of Wales; the Royal Commission for Ancient and Historic Monuments; the headquarters of the S4C television channel; and it has a rich and diverse cultural history.

Unlocking this potential requires considerable inward investment, vision and planning, but a major requirement is a significant improvement in transport network, both within the region itself, as well as outward to the nearby urban centres of South Wales, the English Midlands, and Merseyside and Manchester. Poor transport connectivity and access to markets and services has been recognised as a major infrastructural weakness by previous economic assessments (see, for example, *Framework for Action Plan* produced by the *Growing Mid Wales Partnership*, 2016, and *Rural Wales – Time to Meet the Challenge*, 2017, by Baroness Eluned Morgan). Currently, the road system in Mid- and West Wales in particular is inadequate for the region’s needs, and while the existing railway links eastwards from Bangor and Aberystwyth, and east and west from Carmarthen, are both well-used, they do little to improve regional connectivity (Figure 1).



Figure 1. A road/rail map of Wales showing the large gap between Aberystwyth and Carmarthen with no railway connection and no major roads. This means that the whole area is particularly poorly served by public transport. From Welsh Infrastructure Investment Plan for Growth and Jobs, 2012. Welsh Government, Cardiff.

For the past seven years, Traws Link Cymru (hereafter abbreviated to TLC) has been campaigning to re-instate the 90 km-long railway line between Aberystwyth and Carmarthen, which was closed to passengers in 1965 under the programme of Beeching Cuts to the British rail network. It is TLC's contention that the re-opening of this line could be a major driver in the economic and social regeneration of Mid- and West Wales. It would link a number of small towns between Aberystwyth and Carmarthen along a north-south axis (Llanilar, Tregaron, Lampeter, Llanybydder, and Pencader), while providing easier access to the major population centres of South Wales and beyond. However, TLC also envisages that, in due course, the 44 km-long North Wales rail connection between Afon Wen and Bangor would be restored which would complete the rail link between North and South Wales along the western fringe of the country (Figure 2). Quite apart from the considerable economic benefits that this would bring to West and North-west Wales as a whole, a railway line running from Bangor in the north to Carmarthen in the south would be of wider significance as this western 'Rail Corridor' would not only provide an important transport link between industrial South Wales and the rural north, but would also bind the country together to produce a more integrated Wales. As such, a new railway line would have considerable strategic significance.

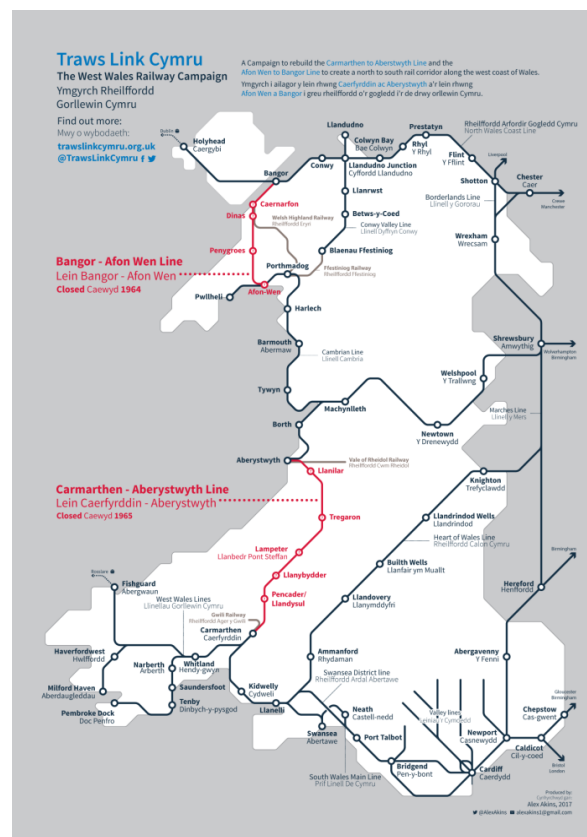


Figure 2. The Traws Link Cymru map showing the proposed new railway lines connecting North and South Wales to create a strategic West Wales Rail Corridor.

In this document we set out the arguments for re-opening these railway lines, initially in the context of recent Welsh Government Policy, and subsequently in terms of the social, economic and other benefits that we see the new railways bringing to West and North-west Wales. Although rebuilding the northern section of the line has always been a long-term ambition of TLC, the focus of the campaign to date has been exclusively on the Aberystwyth to Carmarthen section of the proposed Rail Corridor. Indeed, both a Scoping Study (2015) and a Feasibility Study (2018) have been undertaken to assess the viability of re-opening this particular stretch of line (see sections 4 and 5). Accordingly, much of the detail in the

following pages relates specifically to the Aberystwyth to Carmarthen line and we would envisage that this part of the Rail Corridor would be the first to be constructed.

2. The West Wales Rail Corridor and Welsh Government Policy

2.1 Introduction

The proposed re-opening of the Aberystwyth to Carmarthen railway is fully in line with two key areas of Welsh Government Policy: **The Welsh Transport Strategy, 2008**, and the **Well-being of Future Generations (Wales) Act, 2015**.

2.2 Welsh Transport Strategy, 2008

This document, also titled 'One Wales: Connecting the Nation', sets out the Government's Transport Strategy which focuses on three distinct, but inter-linked, long-term outcomes: **Social, Economic** and **Environmental**. Under 'Social', the strategy identifies improved access to health care; improved access to education, training and lifelong learning; improved access to shopping and leisure facilities; the encouragement of healthy lifestyles; and improving the actual and perceived safety of travel. In the 'Economic' category, we find: improved access to employment opportunities; improved connectivity within Wales and internationally; improving the efficient, reliable and sustainable movement of people; improving the efficient, reliable and sustainable movement of freight; and improved access to visitor attractions. Finally, under 'Environmental' the following are listed: an increase in the use of more sustainable materials; reduction in the contribution of transport to greenhouse gas emissions; adaption to the impacts of climate change; reduction in the contribution of transport to air pollution and other harmful emissions; reducing the impact of transport on the local environment; reducing the impact of transport on our heritage; and improving the impact of transport on biodiversity.

The re-opening of the railway lines in West and North-west Wales and the creation of a new Rail Corridor would contribute to all of the core elements in the Transport Strategy as set out above. The rail links would clearly enhance connectivity both regionally, and nationally; they would improve international connections, for example to airports in Cardiff, Bristol, Birmingham, and Manchester and to the ferry ports along the Irish Sea coast; they would promote greater social inclusion, offering a viable means of public transport for those in transport poverty; they would provide better access to health care and education, and to shopping and leisure facilities; they would help stabilise the population in rural areas by providing new forms of employment; and they would enhance commuting potential from rural areas to urban centres. In addition, by reducing the numbers of cars on the roads, they would reduce traffic congestion and accidents and therefore provide a safer form of transport. They would also provide a more rapid and efficient transport link between the major centres of population in West and South Wales, and would enhance the tourist attraction of West Wales by improving access to visitor attractions. Above all, by providing a more environmentally-friendly form of transport, they will make a significant contribution to the reduction in emissions of carbon dioxide and other pollutants associated with road vehicles.

In the introduction to the Strategy Document, five key areas where the Welsh Government needs to make substantial progress in the development of a viable transport strategy are listed:

1. reducing greenhouse gas emission;
2. improving public transport and better integration between modes;

3. improving links and access between key settlements and sites across Wales and strategically important all-Wales links;
4. enhancing international connectivity;
5. increasing safety and security.

The re-opening of the Carmarthen to Aberystwyth and Afon Wen to Bangor railway lines meets every one of these core aims of the Welsh Government's Transport Strategy.

2.3 The Well-being of Future Generations (Wales) Act, 2015

The central theme of this Act is the improvement of the social, economic, environmental and cultural well-being of Wales. Its aim is to encourage public bodies to think more about the long-term, work better with people and communities and each other, look to prevent problems, and take a more 'joined-up' approach. The Act notes that Wales faces a number of challenges now and in the future, such as climate change, poverty, health inequalities, jobs and growth, and in order to give future generations a good quality of life, careful thought has to be given as to how decisions made now will impact on them. This Act will ensure that the public sector does this. It is an important piece of legislation that will inform all future decisions-making within the public sector in Wales.

The Act sets out seven well-being goals:

1. **A prosperous Wales:** An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
2. **A resilient Wales:** A nation which maintains and enhances a bio-diverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
3. **A healthier Wales:** A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
4. **A more equal Wales:** A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).
5. **A Wales of cohesive communities:** Attractive, viable, safe and well-connected communities.
6. **A Wales of vibrant culture and a thriving Welsh language:** A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
7. **A globally responsible Wales:** A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being and the capacity to adapt to change (for example climate change).

As is the case with the aims of the Welsh Transport Strategy discussed above, the re-opening of the Aberystwyth to Carmarthen rail link would make significant contributions to many of the Well-being goals listed above. These include reduction in carbon footprint (goals 1, 2 and 7); an increase in regional prosperity (goals 1 and 4); enhanced connectivity to improve, for example, health care and education provision (goal 3) and intra- and inter-regional linkages (goal 5); and improved transport links that would bring social, cultural (including the Welsh

language), and economic benefits to West Wales (goals 4, 5, 6 and 7). Insofar as all the major public bodies in Wales now have a statutory duty to work towards the seven goals described above, it is encouraging to see that, in very broad measure, the proposed new rail links already fulfil the aspirations of the Well-being of Future Generations (Wales) Act. Indeed, this appears to be acknowledged in the recent policy paper from the Welsh Government, *A Railway for Wales, Meeting the needs of future generations, 2019*, which outlines a programme to meet the needs of future generations in terms of rail transport provision, and which specifically targets new strategic corridor developments, including enhanced north-south connectivity along the western margins of Wales (Figure 3).

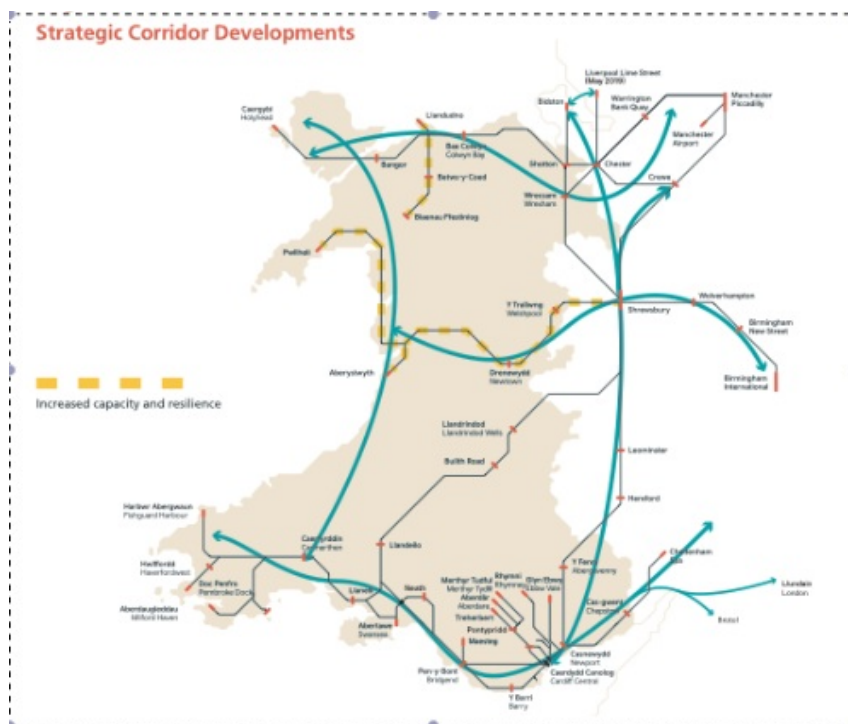


Figure 3. Future strategic rail corridor developments as set out in ‘A Railway for Wales: Meeting the needs of future generations, 2019’. These include a West Wales corridor from Ynys Mon to Swansea, Carmarthen and South Wales which may include upgraded lines as well as re-opened lines.

3. The New Railway Line

3.1 Introduction

TLC’s proposal is to re-install the rail connection between Aberystwyth and Carmarthen, wherever possible along the old alignment. This rail connection ceased passenger operations in 1965. All remaining freight operations finally ceased in 1973, after which the tracks and other infrastructure were removed. Apart from subsequent road and housing developments at both the Aberystwyth and Carmarthen ends of the line, almost the entire track-bed (97%) of the former rail line is still intact. Where deviations from the old track alignment are required, these are covered in Sections 4 and 5 of this document.

3.2 Type of Rail Line to be Installed

There have been proposals that the line could be re-instated as a “light railway”, possibly with the use of tram/trains. Similar proposals have been adopted elsewhere in the UK for disused or under-utilised suburban rail lines adjacent to major cities, and have been incorporated into

“metro” schemes. In some cities these schemes can also incorporate street running to gain access to city centres.

Whereas a light rail system with tram/trains can negotiate steeper gradients and tighter curves than a conventional heavy rail system, this situation does not arise in the case of the Aberystwyth to Carmarthen line. The gradients and curves already exist and were originally designed for a heavy rail line, which carried both passenger and freight trains for over 100 years.

If a light rail system were to be installed for the Aberystwyth to Carmarthen line, there would be some savings in the initial construction costs, as bridges could be designed for a lighter load, less ballast may be required and a lighter gauge of rail line could be used. It might also be argued that with a light rail system “*at grade*” road crossings could be allowed, but it could also be argued that some “*at grade*” crossings should even be allowed for a heavy rail system in a rural setting.

The cost savings if a light rail scheme were adopted would not be significant compared with the total cost of the whole project. Furthermore, any savings in the engineering cost would be more than off-set by having to buy dedicated tram/trains as well as providing a special servicing and stabling depot. In addition, most tram/trains are electrically powered, which if adopted for the Aberystwyth to Carmarthen line would add significantly to the cost.

A huge downside of opting for a light rail system would be the lack of connectivity at both the Aberystwyth and Carmarthen ends of the line. TLC’s proposal is for an integrated rail system with direct rail connections, initially from Aberystwyth and other towns along the line to Swansea and Cardiff, and eventually linking Bangor and Caernarfon directly to South Wales. TLC is also proposing that some freight also be transferred from road to rail. A light rail system would preclude the use of the line for freight.

It is TLC’s firm proposal that the re-installed rail line should be constructed to “heavy rail” standards. TLC considers that a “light rail” system would not be appropriate to the circumstances pertaining in the West Wales corridor.

3.3 Rail Construction Standards

For new rail construction projects Network Rail imposes very strict standards. Amongst these requirements are conditions for the slope angles in cuttings and for embankments. There is also a requirement that there are no “*at grade*” crossings of the rail line, meaning that any crossing must be by way of an over-bridge or under-bridge.

Whilst such strict standards make obvious sense for new projects such as HS2, it is debatable whether these same standards should apply to the re-instatement of a previously operating line in a rural setting.

It is TLC’s opinion that some relaxation should be granted by the Welsh Government to avoid unnecessary excessive expenditure. This relaxation would apply to acceptance of the existing slopes for cuttings and embankments with appropriate remedial measures where necessary, subject to geotechnical examination. It would also possibly apply to some track crossings for farm access and some minor roads, where alternative technology could be considered to ensure safe crossing of the line without the necessity of building expensive bridges.

Had the Aberystwyth to Carmarthen line not been shut down in 1973, Network Rail would have carried on to this day with existing cuttings and embankments, possibly with some localized limited improvement works. Network Rail would have also continued to operate with all the existing level crossings.

By reinstating the railway line to conform with W10 (3.8 m high by 3.3 m wide) or W12 (3.8 m high 3.4 m wide) loading gauge, Hi-cube containers could be carried on standard wagons or, in the case of W12 loading gauge, refrigerated containers. Whilst all new bridges could be constructed to these loading gauges, examination of existing bridges and tunnels would be needed to assess whether they would meet these standards.

In re-instating the line, provision should be made to ensure that bridges, tunnels and track-bed have sufficient clearance to allow for possible future electrification.

4. Aberystwyth to Carmarthen Railway Scoping Study, 2015

This Study, funded by the Welsh Government (£30,000), was carried out by AECOM. The brief was to provide Technical Advice setting out the issues to be considered under a full Feasibility Study into the re-opening of a heavy rail railway between Aberystwyth and Carmarthen, and a scope, programme and cost for that Study. It noted that over 97% of the approximately 90 km original route remains undeveloped, with the most significant development at the northern (Aberystwyth) end. The core formation, including tunnels, embankments and bridges, generally remain intact. It noted that the original route would not necessarily be the optimum one, although it acknowledged that the topography of the area does not readily lend itself to alternative alignments. However, some divergence from the original route may be necessary to reduce environmental impacts, reduce costs, avoid areas of conservation and sites of scientific interest, and attract more patronage. The topography of the route would largely preclude widening the formation to two tracks and hence a single track line was envisaged.



Figure 4. Aberystwyth station. Built by the Great Western Railway in 1925, it is now a Grade II listed building. On the right is a Transport for Wales train recently arrived via the Cambrian Line from Shrewsbury.

With a number of uncertainties regarding the precise location of the route, it was only possible to give an indicative cost for the rebuilding of the line which could be up to £505 million (2015 prices). Land and consent costs could add a further £250 million bringing the total project costs to around £750 million. It was estimated that a full Feasibility Study could cost in the region of £350,000.

5. Aberystwyth to Carmarthen Feasibility Study, 2018

In 2017, Transport for Wales commissioned the global consultancy company Mott MacDonald to undertake a full Feasibility Study into the re-instatement of the railway line between Aberystwyth and Carmarthen. The Study was funded by the Welsh Government (£300,000) to look into the ‘Case for Change’ in the improvement of strategic connections between Aberystwyth and Carmarthen that had been identified by the *WelTAG Stage 1 ‘Outline Case Report, November 2016’*, and to explore further the opportunities suggested by the previous Route Scoping Study (see section 4).

The Study broadly confirmed the technical feasibility of reinstating a modified route and train service, although a number of challenges were identified. These included crossing part of Cors Caron (an important SSSI, SAC and RAMSAR site); resolution of the flood-risk impacts and potential problems relating to bridge construction on the River Towy in the vicinity of Carmarthen; accommodation of the Gwili Railway Preservation Company; mitigation of extensive flood risks within Flood and Tan15 Development advice zones; property impacts; environment; and consents where the route passes through sites and features protected by statutory designations; and problems relating to ground conditions, residual structures and earthworks.

Subject to satisfactory resolution of these constraints, the Study concluded that the railway could be rebuilt and could provide a regular hourly service between Aberystwyth, Llanilar, Tregaron, Lampeter, Llanybydder, Pencader and Carmarthen, with an end to end journey time of around 85 minutes. With a potential opening year of 2024, initial demand assessments indicated that the re-instated railway could attract up to 370,000 trips in the first year of operation, rising to 425,000 and 489,000 in the assessment years 2027 and 2037 respectively.

A total cost build up of £775 million was envisaged for a single line formation; this included an *optimism bias* uplift of £276 million which is a general risk allowance reflecting HM Treasury/DfT guidance. The Study concluded that while there are no compelling engineering reasons why the railway should not be built, it suggested that low population levels along the line mean that on purely economic grounds the scheme does not present a positive case. Indeed a relatively low BCR of 0.43 was assigned to the project. Hence progression of the scheme would need to be based on wider societal needs and strategic aims, both of which fell outside the remit of the Feasibility Study. It is the contention of TLC that wider societal needs and strategic aims do indeed support the case for reinstating the line, and we explain why this is so in the following section.

6. The Social, Economic, Cultural and Strategic Case for Re-opening the Aberystwyth to Carmarthen Railway

6.1 Introduction

As noted above (section 2.2), the re-opening of the Aberystwyth to Carmarthen rail link is in line with all of the core elements of the *Welsh Government Transport Strategy* of 2008. The importance of good transport networks and connectivity to support economic growth and development in Wales is a key component of policy documents at local, regional and national level and was emphasized as such in the Feasibility Study. These documents include, in addition to the Welsh Government Transport Strategy, the *Network Rail Welsh Route Study, 2016*, *Priorities for the future of Welsh Rail Infrastructure, 2016*, and the *Welsh National*

Transport Finance Plan, 2015. Moreover, the Feasibility Study acknowledged that good public transport connectivity is key to helping rural communities, who may experience deprivation as a result of fewer employment and education opportunities. Economic growth across Ceredigion and Carmarthenshire is therefore dependent on accessibility in terms of the highway network and access to public transport. The re-opening of the Aberystwyth to Carmarthen railway reflects the over-arching policy objectives as set out in these various documents, especially as several highlight the un-sustainability of car use.



Figure 5. The southern terminus of the line at Carmarthen station. On the right is the station at the time of the visit of 60163 Tornado. Steam-hauled excursions frequently terminate at Carmarthen and attract large numbers of visitors to the town.

What was not taken into account in the Feasibility Study, however, was the *Well-being of Future Generations (Wales) Act* (section 2.3). As noted above, this wide-ranging legislation was designed to inform all future decision-making within the public sector in Wales. It was given royal assent on 29 April 2015 and came into effect in April 2016. As such, the aims and objectives that are enshrined in the Act should figure strongly in any assessment of the rationale for re-opening of the Aberystwyth to Carmarthen railway line. Yet Mott MacDonald's Feasibility Study makes no reference to this key piece of legislation. As a consequence, no account was taken of the wider social, cultural, political or strategic context for the line, with the resulting relatively low BCR (0.43) being derived from an algorithm that was based on a narrowly-defined set of economic criteria.

There seems to be some disagreement on the exact dates when the provisions of the Act should apply. It has been claimed that, although the Feasibility Study was published in September 2018, the contract was let before the Act came into effect. However, the provisions of the Act must have been well-known before the terms of reference for the study were agreed and it should have been realized that the Act would apply within the time-scale of the study. Indeed, without addressing the provisions contained in the Act, the overall validity of the Feasibility Study will have been compromised.

In the following paragraphs we examine the wider social, cultural and strategic factors that underpin the case for reopening of the railway. We then look critically at certain aspects of the Feasibility Study itself (see section 8) and propose revisions to some of the cost estimates (see section 9). If these were applied, they would raise the BCR to at least 1.0, which would make the re-instatement of the Aberystwyth to Carmarthen railway line a viable proposition.

6.2 Population and Passenger Numbers

The Feasibility Study took as a basis for the population input into the BCR calculations the 2011 census figures for the settlements along the line. The five towns of Llanilar, Tregaron,

Lampeter, Llanybydder and Pencader have a combined population of around 8000. According to the Feasibility Study, there are a little over 12,000 in Aberystwyth (although the 2011 census shows 18,965) and 14,500 in Carmarthen, giving a combined population of at least 35,000.

However, it is clear that the railway would serve the much wider counties of Ceredigion and Carmarthenshire, whose total populations are around 260,000. If the neighbouring county of Powys, which is linked with Ceredigion in the strategically important Growing Mid Wales initiative (see section 1) is included, a further c. 130,000 potential rail users are added to the passenger pool. Along the entire Western Rail Corridor (Carmarthenshire, Ceredigion and Gwynedd), the population catchment is 384,000. If the population of the district (county) of Swansea (247,000) is included, this increases the total catchment area to around 630,000.

Between Aberystwyth and Carmarthen, there are c. 40,000 students in schools, colleges and universities along the line. There are, in addition, more than 13,000 students on the Trinity Saint David campus in Swansea (see sub-section 6.12), and some 20,000 students at Swansea University who would also benefit from improved rail connectivity in West Wales. Further north, there are over 10,000 university and college students in Bangor. Finally, there is the transient visitor population of business travellers and tourists, many of whom would make use of the line. Data from the Welsh Tourist Board show 2.73 million visitors to Ceredigion in 2018, and 6.39 million to Carmarthenshire. This suggests that the population figures upon which the BCR has been calculated are excessively conservative and that the number of potential rail users is likely to be considerably higher.

6.3 Demand for Public Transport

There is a demonstrable need for public transport in West Wales, as shown by the T1 bus service between Aberystwyth and Carmarthen which, since April 2018, has, carried over 530,000 passengers.



Figure 6. The university in Lampeter (left) and the National Library of Wales, Aberystwyth (right). Opened in 1822 as St David’s College, Lampeter is the oldest degree awarding institution in England and Wales outside Oxford and Cambridge. It is now part of the University of Wales, Trinity Saint David. The National Library was founded in 1907 and is the largest library in Wales holding over 6.5 million books and periodicals.

In line with national trends, which indicate an increasing demand for rail transport, both Aberystwyth and Carmarthen stations have shown a marked increase in passenger footfall in recent years. Office of Road and Rail data show that for Aberystwyth, the increase has been 21.65% over the past 15 years (2018/19: 309,000; 2004/5: 254,000), while the figures for Carmarthen show a 30.4% increase (2018/19: 383,386; 2004/5: 294,000) over the same

period. Being on the North Wales mainline, Bangor passenger numbers, are considerably higher; in 2018/19 the footfall was 658,934, with little change from 2013/14 (662,970).

6.4 Inter and Intra-regional Connectivity

The Aberystwyth to Carmarthen railway will re-connect a largely rural area with major centres of population and provide an efficient passenger public transport link between these key regional centres. It will provide significant time savings at peak times when compared with road transport. Park and ride facilities, as at the new Bow Street station on the Cambrian line, and bus feeder services to the new stations will also open up the whole route to a wide catchment area ensuring the benefits are maximised. The Aberystwyth to Carmarthen railway would link with trains to Shrewsbury and Birmingham, westwards to Haverfordwest, Pembroke and Fishguard and south-eastwards to Swansea, Port Talbot and Cardiff, and then on to London. The rail connection to Cardiff and beyond would be further improved by the proposed construction of a new West Wales Parkway station near Felindre; this would provide a direct corridor along the South Wales main line between Carmarthen and Port Talbot, and reduce significantly journey time between west and east Wales (Youle, 2019). These various developments would enable people to travel more easily to Cardiff Airport, Bristol Airport and Birmingham and Manchester airports, and via the new Crossrail hub at Reading to both Heathrow and Gatwick airports. There is also the possibility of a future passenger airport at Pembrey, which would have direct rail access from the Carmarthen to Swansea line.

A further potential benefit would be that congestion into Aberystwyth and Carmarthen will be significantly reduced as the railway will provide a realistic and attractive alternative to the car for commuters, shoppers and students travelling to places of study (see sub-sections 6.12/13).

6.5 Transport Poverty

In Wales, the proportion of households with no cars or vans, is 22.9%, but in Carmarthenshire the proportion without falls to 18.8% and in Ceredigion to 18.39%. Vehicle ownership becomes more of a necessity in many rural areas where there are fewer jobs and poorer public transport provision, but many people struggle to afford a car and have to forgo other necessities in order to run one. This trap of ‘transport poverty’ would be alleviated by a better public transport system and, especially, by a better rail network.

6.6 Environmental Benefits

Research has consistently shown that the carbon footprint from rail is significantly lower than that from road transport. In the UK it is estimated that while transport currently accounts for 26% of all carbon emissions, only 1% of this comes from trains. Indeed, trains are one of lowest emitters of CO₂, releasing 0.046 kg per kilometre each passenger travels, whereas a diesel car is double that at 0.117 kg (Mayers & Bamford, 2020). The re-opening of the Aberystwyth to Carmarthen railway line will therefore offer a more ‘environmentally-friendly’ mode of transport, and will reduce significantly the carbon footprint of transport in West Wales. The re-instated rail link would also ensure that adequate provision is made for future electrification to further reduce carbon emissions in line with Government policy for zero net greenhouse gas emissions by 2050.

6.7 Road Safety and Road Maintenance

The Department of Transport (DoT) has devised an algorithm to value the average cost of reported road accidents, taking into account damage to vehicles and property, insurance

administration costs, police and ambulance costs, the costs of hospital treatment, the direct economic costs of lost output and a quantification of the human costs – pain, grief and suffering to the casualty, relatives and friends. Applying this to road accidents along the route of the Aberystwyth to Carmarthen railway, the full economic costs of road accidents between 2011 and 2015 was £51.3 million (c. £10 million per annum).

While the re-opening of the railway will not eliminate all road accidents and their costs, it might be anticipated that a fast regular train service could be expected to reduce them substantially. Indeed, the experience of the Borders Railway in Scotland (see section 7) is that a re-opened railway can lead to significantly fewer car journeys and, by implication, a reduction in the number of road traffic accidents

A reduction in road traffic should also lead to lower road maintenance costs. Welsh Government figures show that for the two principal arterial roads in West Wales, the A470 and A487, expenditure on safety and resurfacing for the period 2013-2020 was almost £115 million. The re-opening of the rail link between Carmarthen and Aberystwyth, initially, with possible further connection to Bangor via Caernarfon, would divert both passenger and freight traffic away from these roads, thus reducing future maintenance costs.

6.8 Rural Sustainability and Development

The Aberystwyth to Carmarthen railway is the strategic key to unlocking the long-term economic potential of Ceredigion and Carmarthenshire by providing effective access to the labour markets of Aberystwyth and Carmarthen and assisting these two towns to manage their demand for housing by spreading commuter pressure into the hinterland. This will assist the sustainability of the counties by creating the critical mass necessary to maintain the connecting railway services, important institutions (for example Trinity Saint David, University of Wales, Lampeter) and ultimately the local communities.

6.9 Population Structure and Stabilisation

Wales has a higher proportion of people over 65 than England: 18.36% compared to 16.34%. In West Wales the proportion rises to 20.63% in Ceredigion and 20.77% in Carmarthenshire. With an ageing population, public transport becomes even more important.

Wales also has a lower proportion of young adults (18-44): 34.39%, compared to 36.9% in England. This falls to 30.62% in Carmarthenshire, but increases to 36.01% in Ceredigion. The figures suggest that young adults are increasingly leaving the West Wales area to find jobs elsewhere. Wales also has 18.16% of the population aged 15 or under, compared to 18.91% in England. In Ceredigion the figure falls to 14.79%, with Carmarthenshire at 17.96%.

The economic stimulus provided by the new railway would help to reverse the ageing trend of the present population, bringing a new vibrancy to the area. A more efficient transport network provided by the railway will also encourage retention of population in the area. Younger people in particular would be more tempted to remain, which would increase the stability and reduce age imbalance in the regional population.

6.10 Inward Investment

Evidence from the Borders Railway in Scotland (see section 7) suggests that the Aberystwyth to Carmarthen railway line could be a powerful catalyst for inward investment. New businesses could be attracted to Llanilar, Tregaron, Lampeter, Llanybydder and Pencader,

bringing much needed employment to one of the most deprived areas of Wales. The railway will markedly improve the perception of Carmarthenshire and Ceredigion as an area in which to invest.

6.11 Health Service Provision

The line will connect five hospitals: Bronglais (Aberystwyth), Glangwili (Carmarthen), Prince Phillip (Llanelli), Singleton (Swansea), Morrision (Swansea), although there is no reference in the Feasibility Study to hospital provision. Ultimately, the Western Rail Corridor will provide a direct link to Ysbyty Gwynedd in Bangor. The re-opening of the line is strongly supported by the Hywel Dda University Health Board in Ceredigion and Carmarthenshire.

In Ceredigion, the proportion of people with a long-term health problem is 23.2% and in Carmarthenshire is 31.9%. Many such households will be less likely to use private cars, due to infirmity. Improved connectivity between these hospitals by rail would benefit, in particular, the elderly and for those without a car. Even for car owners, the hospitals would be more easily reached without lengthy road trips.

6.12 Universities and Colleges

The fact that a rebuilt line would connect further and higher education institutions along its corridor is an important factor in developing social inclusion, personal development, attainment, and aspiration. Again, given the importance of universities in West Wales (universities provide 20% of employment in Ceredigion and Carmarthenshire), it is surprising that the Feasibility Study is largely silent on students as potential passengers on the line as the re-opened railway will link four university campuses: Aberystwyth, Lampeter, Carmarthen (which now includes the headquarters of the S4C television channel) and Swansea. It will also link further education colleges in Aberystwyth, Carmarthen, Llanelli and Swansea. Ultimately, there will be a direct rail connection between these educational institutions and both the university and further education college in Bangor. In addition, the line will connect Cardiff, Swansea, Carmarthen and Lampeter campuses with the National Library of Wales in Aberystwyth. The new line would be of particular benefit to students at Trinity Saint David, which is based on three campuses (Swansea, Carmarthen and Lampeter). Currently Lampeter is the only university in Wales and England not currently served by a railway line, and the lack of a rail connection has often been cited as one of the reasons for Lampeter's student recruitment problems over recent years.



Figure 7. Two important market towns along the line: Lampeter (left) and Tregaron (right), the latter showing the statue in the town square of the Victorian peace campaigner, Henry Richard.

6.13 Schools

There are two secondary schools in Aberystwyth and two in Carmarthen (one bilingual and one Welsh medium in each case), one in Llandysul near Pencader, one in Lampeter and one in Tregaron. In all, these schools teach more than 6000 students, and there are a further 2700 along the line from Aberystwyth to Bangor. The Tregaron school does not have a sixth form and hence A-level students have to travel either to Lampeter or Aberystwyth. The railway would offer a safe and reliable means of public transport for these students. As with university students, the Feasibility Study makes no mention of school and college students as potential passengers.

6.14 The Welsh Language

TLC has the backing of Cymdeithas yr Iaith Gymraeg (the Welsh Language Society) as the re-establishment of the railway is seen as a way of supporting the language in Ceredigion and Carmarthenshire, both areas having seen an increase between 2008 and 2018 (of 8% and 3% respectively) in people able to speak Welsh. The Welsh Government's aim is for one million Welsh speakers by 2050, and a more stable population within the region would undoubtedly benefit the language by encouraging young Welsh speakers to remain domiciled in the area, while commuting more easily to Aberystwyth, Carmarthen, Swansea and Cardiff for work.

6.15 Tourism

Tourism and recreation is an important part of the Welsh economy, currently generating in excess of £5 billion per year. Recent estimates indicate that revenue from tourism in Ceredigion amounts to around £300 million annually (creating 5700 jobs), and in Carmarthenshire the figures are £441 million and 6176 jobs. The railway would be a further and important boost to the tourist economy of West Wales by bringing more visitors to the area, as has been the case with the Borders Railway in Scotland (see section 7). Indeed, a potential increase in tourist numbers is referred to in the Feasibility Study, although it was noted that in order to quantify the increased numbers, further analysis involving stakeholder consultation is required. Rebuilding of the railway between Aberystwyth and Carmarthen would also provide a substantial encouragement to investment in accommodation and leisure facilities in a very poorly supplied area of outstanding countryside.



Figure 8. Tourist attractions in the Teifi Valley area: Strata Florida, a former Cistercian Abbey near Tregaron, founded in 1164 (left), and the ruins of Newcastle Emlyn Castle which was probably built by the Welsh Lord Mareddud ap Rhys around 1240 (right).

West Wales is popular for a range of outdoor pursuits including hill walking, coastal walking, pony trekking, horse riding, fishing, swimming, coracling, coasteering, kayaking, surfing, cycling and mountain biking, rock climbing and orienteering. According to Natural Resources Wales, 2015, mountain biking is worth over £23 million to the Welsh economy, while the value of coastal and hill-walking in 2009 was estimated to be £632 million. The re-established railway would give access to the Cardigan Bay Coastal Path which is rated as the second most attractive coastal path in the world. The current Ystwyth Trail would be retained alongside the railway and linked with the Coastal Path. Again, according to Natural Resources Wales, walkers on the Welsh coast spent £84.7 million in 2014, supporting 1000 jobs.

There are numerous National Trust and Cadw properties and other key sites, including Llanerchaeron in the Aeron Valley, Strata Florida Abbey, the large Iron Age hill forts of Pen Dinas near Aberystwyth and Pen-y-Bannau to the north of Tregaron, and Newcastle Emlyn and Aberystwyth Castles. The line also runs alongside the Cors Caron (Tregaron Bog) nature reserve, a SSSI and Ramsar-designated wetland site.

Several preserved full and narrow gauge railways are to be found in West Wales, including the Gwili Railway near Carmarthen and the Vale of Rheidol in Aberystwyth, while further north are the Talyllyn, Ffestiniog and Welsh Highland Railways.



Figure 9. Tourist activity in the Teifi Valley. Cycling on the Ystwyth trail along the old track-bed of the railway line (left); coracles in the river at Cenarth near Newcastle Emlyn (right).

Moreover, the 87 km-long Cambrian Coast Line between Machynlleth and Pwllhelli has itself been described as one of the world's most scenic railways, and has featured in two recent (2019) national TV documentaries by British Broadcaster Channel 5 and by the German Broadcaster SWS. The Cambrian Community Rail Partnership estimates that the line attracted more than 460,000 additional visitors to the region in 2019.

6.16 Freight

A fully engineered heavy railway could also be used for freight transport. This is in line with the Department of Transport's *Rail Freight Strategy* (2016) to move more freight from road to rail. It is envisaged that most of the freight would travel at night, thus avoiding conflicts with daytime and evening passenger services. Potential materials that could be moved by rail include meat products from the abattoir in Llanybydder; milk and cheese from more than 700 dairy producers in Ceredigion and Carmarthenshire; woven wool products from mills that operate close to the line; and domestic waste from the LAS Waste Facility in Lampeter. Food and other domestic products could also be transported by rail, with possible new railway-based retail hubs being developed in West Wales, similar to the Tesco hub at Magor near Cardiff (Wales Route Study, 2016)

An important potential product for rail transport is timber. According to Natural Resources Wales, the Welsh Forestry Sector is worth over £450 million to the economy and employs over 11,000 people in hundreds of small to medium sized rural businesses. It includes forestry logging and related services (£31 million), the manufacture of wood and wood products (£182 million), and pulp, paper and paper products (£201 million). There are two timber businesses along the line and both would welcome the reintroduction of rail transport. In 2005, a six week experiment to supply timber by rail from Aberystwyth to Kronospan Ltd, Chirk, demonstrated the viability of this form of transport. With each train carrying 200 tonnes of timber (equivalent to eight lorry loads), it showed that, over a five-year period, this could remove some 16 million tonne kilometres of timber traffic (4000 lorry loads) from Welsh roads every year.

Another important potential cargo that could be transferred to rail on the re-opened line would be petroleum products from the refinery in Pembrokeshire, or elsewhere in South Wales. The old siding and oil depot are still in existence in Aberystwyth station and could be re-instated. The transport of petroleum products by rail would free up the existing road network from heavy oil tankers on narrow and twisting local roads.

Containers could also be carried on the line, provided the line is constructed to the appropriate loading gauge, reference to which is made in Section 3.3 on page 7.

6.17 Other Businesses Benefitting from Re-opening of the Line

The construction industry in Ceredigion and Carmarthenshire would benefit both during the four years estimated to rebuild the railway, but also from the anticipated expansion in house building, as has occurred in Scotland following the re-opening of the Borders railway (see section 7 below). Businesses in the building supply industry such as Travis Perkins, Jewson and T.L Thomas could see a significant increase in trade. Other specialist suppliers such as Teifi Concrete and several quarries would also see new opportunities to expand. Cambrian Pet Foods Ltd. in Pencader would find new markets open to them and the supply of feeds for farm animals would also be facilitated.

7. The Borders Railway: An Analogue for the Aberystwyth to Carmarthen Railway Line

The 50 km-long Borders Railway between Edinburgh and Tweedbank, which was re-opened in September 2015, is a good analogue for the Aberystwyth to Carmarthen railway line. Its principal effects have been felt in the tourist industry, but there have also been significant economic benefits to the immediate hinterland and to the Borders area as a whole. Passenger numbers for the first year of operation (2015-16) were 1,267,599, almost double the official forecast when the railway was opened, and this figure increased to 1,387,819 in the second year.

The Scottish Tourism Economic Assessment Monitor (STEAM) statistics for the Borders region compared the first half of 2016 to the same period the year before, and these showed that the number of visitor days in hotels/bed & breakfasts had risen by 27%; there was a 20% rise in visitor spend on food and drink; visitor spend on accommodation was up 17%; and the number of days visitors stayed in the Borders increased by almost 11%. Collectively there was an overall increase in visitor spend of 16%, and an estimated 8% increase in employment directly related to tourism.

Data from the *Border Railway Year 2 Evaluation*, 2018, indicated that 15% of users had moved to the region because of the railway, and 52% of those interviewed who had changed their jobs cited the railway as a key factor. Furthermore, it was estimated that around 36,000 car journeys per year were saved because of the railway, while there were 14,000 fewer bus journeys. Of those interviewed during the course of the Transport Scotland survey, 25% stated that they would not have visited the region had it not been for the railway.

The opening of the Borders railway has given a significant boost to the housing market in the region, with the number of house sales increasing by up to 48% in some areas, while 10,000 new homes are set to be built near the rail corridor. In addition, 150 hectares of land adjacent to the railway have been designated for commercial use. At Tweedbank, the southern terminus of the line, a new Central Borders Business Park is being established and plans are in hand for a hotel and retail outlets adjacent to the new station. Indeed, so successful has the Borders Railway project been that funding has now been secured for a Feasibility Study (£10 million from the British and Scottish Governments) to examine the prospects of extending the line southward by 110 km, thereby completing the old Waverley Route through to Carlisle.

In the initial Business Case for the Borders railway, a BCR of 0.50 was assigned to the project, very similar to the figure of 0.43 for the Aberystwyth to Carmarthen line. However, in the final version of the Borders Business Case, there was a significant methodological change with the narrow economic appraisal being replaced by a wider brief that incorporated a broader and socially inclusive methodology. Indeed, three of the four investment objectives within the Business Case were focused on connectivity, accessibility and key social inclusion. Typical attributes that were given a determinable BCR value by utilising this methodology included creating a ‘modal shift from the car to public transport’, and the recognition of increasing levels of social inclusion by making public services more accessible to those who do not have access to a car. When included as sensitivity indices these factors raised the BCR to a viable and healthy 1.3. The experience of the Borders Railway in raising the value of a BCR by stressing connectivity, accessibility and key social inclusion factors as a determinable value in its calculation is a critical dynamic. In this respect the approach taken by the Scottish Government and Transport Scotland stands in sharp contrast to the Mott MacDonald approach for the Feasibility Study on the Aberystwyth to Carmarthen railway line.

8. Comments on the Mott MacDonald Feasibility Study

8.1 Methodology Used to Calculate Benefit/Cost Ratio (BCR)

Because the capital cost estimation was given to another consultant (Chandler/KBS), Mott MacDonald have estimated how much capital the project could afford to achieve a break-even BCR of 1.0. For the recommended hourly train service, the value of benefits used in this calculation is given in Table 34 of the Feasibility Study (page 182), under DS3 line (H) – “Cost Gap allowing for construction inflation”. The figure is £333 million. It is assumed that construction inflation has been added back to the discounted figure in line (G), so that it can be compared with the undiscounted capital cost estimation given by Chandler/KBS.

By dividing the £333 million figure by Chandler’s capital cost estimate of £775 million, a BCR of 0.43 is derived. However, Mott MacDonald’s report gives no explanation as to how the BCR has been calculated, nor does it provide a breakdown of the benefits evaluated to produce the “Cost Gap” figure of £333 million.

8.2 The Chandler/KBS Capital Cost Estimate

Chandler/KBS produced a total cost estimate of £775 million to be used in the Mott MacDonald report. Out of this total figure, only £326 million (direct construction costs plus land & compensation) has been directly estimated from bills of quantities or direct measurement. The remaining 58% of the capital cost estimate has been calculated based on arbitrary percentages or ad-hoc add-ons. Furthermore, it can be seen that, from a direct construction cost of £288 million (which accounts for the visible tangible assets once constructed), there is a huge mark-up of 268% to produce the estimated final project cost.

Apart from costs for design, project management and land purchase/compensation, there seems to be little justification or explanation for these additional costs. A figure of £276 million has been added as “*optimism bias*”. This is required by the Treasury for Network Rail projects. It is based on the historical record of Network Rail in failing to bring in rail infrastructure projects on time and within budget. However, most of these projects were of a far greater complexity than this project. With better design, specification and management of the project during design and construction, this figure seems excessive. Furthermore, under Treasury/DfT guidelines, this “*optimism bias*” could have been reduced from 66% to 18% had a *Quantitative Risk Assessment (QRA)* been carried out. This would have reduced the “*optimism bias*” from £276 million to £90 million, resulting in a reduced total project cost of £589 million, assuming the mean value remained unaltered after QRA.

There are a number of cost items under “*Employer Indirect and Other Project Costs*”, which appear to be payments to Network Rail. As Network Rail is wholly owned by Government, these are not net cash outflows, but internal Government transfers. The same argument can be applied to Chandler’s figure of £28.8 million for “*Overheads and Profit*”.

8.3 Comparison of the Chandler/KBS Capital Cost Estimate with Other Rail Projects

The Chandler/KBS capital estimate works out at a unit rate of £8.6 million per km. The only comparable project in the UK to this project is the Borders Railway in Scotland (section 7). This was completed within budget in 2015 for a cost of £294 million, managed by Network Rail. The route length is 50 km but there are long sections of double track, giving a total track length of 64 km, and there are seven stations (compared with five for this project). This gives a unit rate of £5.9 million per km, which if inflation were added to bring these costs to Mott MacDonald’s base year of 2017, would bring the unit rate to approximately £6.3 million per km. This is a substantial discount (27%) on the Chandler/KBS estimate, and if applied pro-rata to this project, would result in a capital cost estimate of approximately £570 million.

In 2018 the European Commission published a comprehensive study of rail construction costs throughout the EU. The report was entitled “*Assessment of Unit Costs (standard prices) of Rail Projects (Capital Expenditure)*”. Figure 2 on page 11 of that report gives unit cost ranges in millions of euros per kilometre under different types of conventional rail projects.

	Unit Cost (euro mil/km)			Unit Cost (£mil/km)		
	Mean	Max.	Min.	Mean	Max.	Min.
New Lines	8.2	9.5	6.9	7.4	8.6	6.2
Rehabilitation	4.4	7	1.8	4.0	6.3	1.6
Upgrades	6.1	8.7	3.5	5.5	7.9	3.2

Table 1 European Commission Report on Unit Rail Construction Costs

Table 1 summarises these figures, together with those costs converted to £millions per km. The same European Commission report also makes reference to an earlier study of unit rail costs in 2000 by Baumgartner. These give cost estimates of 2 million euros per km with a range of 1-3 million euros per km for “easy topography”. As the Carmarthen route has obviously all been flattened from the original railway construction, this category would apply. With inflation since 2000, this would give a maximum unit cost of £2.7 million per km.

Whilst it could be argued that the capital cost estimate provided by Chandler/KBS may be in line with Treasury guidelines for rail projects undertaken by Network Rail, it is apparent from evidence given above, that this results in estimates significantly above realistic figures in other countries, or even for the Borders Railway in Scotland.

A further current example is the new railway line being constructed in Laos by Chinese construction companies, which is nearing completion, and scheduled to be opened in early 2022. This is a 414 km. single track standard gauge electrified line with a train speed of 160 km per hour, constructed through very demanding topography. Nearly half the total length of the route (47%) has been constructed in tunnels (75 separate tunnels); there are 167 bridges (with 15% of the route on elevated viaducts) and 32 stations. The total cost is US\$6 billion (£4.6 billion at an exchange rate of £1=\$1.30). This equates to a unit cost of £11.1 million per km, which is only 29% higher than Chandler/KBS’s estimate for the Carmarthen-Aberystwyth project, where there is an order of magnitude difference in difficulty and complexity.

8.4 Consequence of Applying Network Rail Standards

Mott MacDonald have assumed that the track-bed profiles must conform with the latest Network Rail standards for new rail projects. They have re-profiled the existing track so that rock slope angles are reduced to 2:1 (63 degrees) and soil slope angles to 1:2 (27 degrees). From Mott Macdonald’s own calculations this will result in 1.2 million cu.m. of additional suitable fill being required to reduce the slope angle of existing embankments. It will also produce 3.8 million cu.m. of cut material, comprising both rock and soil from flattening the angle of all existing cuttings. Some of this excavated cut material may be re-used as fill, depending on relative locations of the fill requirements and sources of the excavated cut material. However, there would still be a large surplus of cut material to be disposed off-site. The cost implications of conforming with these Network Rail standards will be substantial.

Mott MacDonald have also followed the latest Network Rail guidance concerning *at grade* crossings. This means that any crossing of the rail line must be by an under-bridge or over-bridge. Whilst this makes sense where public roads are involved, the substantial additional cost for farm tracks with very limited frequency of use should be queried, when with modern technology it may be possible to use an alternative method to ensure safe crossing at grade.

8.5 Condition of Existing Track-bed and Associated Slopes

The Scoping Study by AECOM indicated that only 4 km out of a total length of 90 km has been lost to development. This would require some diversion of the track from the historical alignment. A whole new alignment and tunnel would be required between Llanbadarn and Llanfarian, at the Aberystwyth end of the line, as well as a new alignment and bridge to join Carmarthen station with Abergwili Junction. There would be minor diversions elsewhere. All new alignments would be constructed to current Network Rail standards. Costs for this work have been included in the Feasibility Study.

The historic problems with the sections of the line adjacent to the Ystwyth River, near Llanilar, and crossing Cors Caron, near Tregaron, have been addressed in the Feasibility Study. Solutions have been proposed and appropriate costs have also been included in the Feasibility Study.



Figure 10. Left; the railway track-bed across part of Cors Caron with the Cambrian Mountains in the background. Right: the south entrance to Pencader Tunnel. At 901m, this is the longest of the three original tunnels along the line and was opened on 1st April 1864

Apart from the short sections referenced in this chapter, the remainder of the track is in a satisfactory condition. Trains operated on this track for over 100 years and it is nearly 50 years since all operations ceased in 1973. The track-bed has been well compacted over time and the associated embankments and cuttings have been well established. The Geotechnical Report, which accompanied the Feasibility Study, did not reveal any significant evidence of slope failure or distress. In the event of minor slope problems along the existing alignment, it would be far cheaper to use appropriate remedial measures (e.g. rock bolting, retaining walls, soil nailing etc.) to locally rectify such problems.

It makes little sense financially to comply with Network Rail current standards for new rail projects, when the existing track profile is adequate for re-instating the rail line. Had the rail line not been shut down in 1973, Network Rail would have carried on to this day with the existing cuttings and embankments, possibly with some localised limited improvement works.

8.6 Population Figures Used to Calculate Train Journeys

The actual population figures used in the Feasibility Study are listed in table 22 on page 159 of the Feasibility Study. With the exception of the population figure given for Aberystwyth, figures for other stations agree with published population figures for those towns. The figure used by Mott MacDonald for Aberystwyth is significantly lower than the published figure. This is confusing; additionally in another part of the report, it states that student population in Aberystwyth is around 10,000 and 2,000 in Lampeter. The published figure of the population for the built-up area of Aberystwyth, which includes Waun Fawr and Penparcau, is 18,965 in the 2011 census, with the estimate for 2018 being 16,248. The actual number of students at Aberystwyth University is currently approximately 8,000.

Mott MacDonald's case for the project being non-viable rests on the low population density along the route. Figure 2 on page 16 of the Feasibility Study shows the weekly forecast journeys for six stations (including Aberystwyth but not Carmarthen) for the year 2024. It compares this with the journeys required to achieve a break-even BCR for a capital cost of £775 million. It also under-lays this graph with the populations of each station.

Mott MacDonald have assumed that train demand falls off almost completely if the station is not within walking distance. Figure 32 on page 139 illustrates a decay curve of demand against distance. Unfortunately, the axes of the graph in the Feasibility Study have not been annotated. However, table 9 on the same page gives figures indicating a demand of between 1% and 29% at a distance greater than 2 km. for a variety of towns, which they have used as a basis for estimating demand over the Carmarthen-Aberystwyth route. These demand figures have been taken from the *Passenger Demand Forecasting Handbook*. The Feasibility Study seems to take no account of demand from the immediate hinterland of each train station, if adequate parking were to be provided or there was a local on-call bus service to link with train departures. This seriously under-estimates the possible demand and is one major reason for the pessimistic conclusion reached in the Feasibility Study.

8.7 The Gwili Railway

A major omission from Mott MacDonald's Feasibility Study is firm proposals, and consequent costs, for how to deal with the Gwili Railway. This is a heritage standard gauge line, which operates on the original Carmarthen-Aberystwyth track-bed between Abergwili Junction and Danycoed via Bronwydd Arms. The operating length of the track is 7 km, although the Gwili Railway has purchased the whole track-bed as far as Llanpumsaint, comprising a total length of 13 km.

The Scoping Study by AECOM did identify the Gwili Railway as a major constraint to progressing the project. AECOM suggested a 3 km diversionary tunnel to by-pass the Gwili Railway, as there is probably insufficient room in the narrow Gwili river valley to accommodate the Gwili line in parallel with the re-instated Carmarthen-Aberystwyth line. Sharing the same track was considered to be technically and commercially very complex and, in all probability, it would not be feasible.

Chapter 3.8 (pages 91-94) of the Feasibility Study does comment on possible alternative options for solving the Gwili Railway problem. The option of a diversionary tunnel, proposed by AECOM, has been discounted on the grounds of cost, although no cost was estimated and it would have been useful to have a comparative cost figure for this option. Mott MacDonald have stated that due to the tunnel length (3 km) and depth below surface (nearly 100 m), a twin-bore tunnel would be required for emergency escape purposes. TLC agrees with this view. Mott MacDonald also agree with AECOM that parallel tracks or a shared track through the Gwili river valley are unlikely to be feasible. Mott MacDonald have concluded that the Gwili Railway Preservation Company should be either financially compensated or otherwise assisted in re-locating the heritage line to another suitable location. However, the Feasibility Study did not investigate any possible alternative locations nor provide any cost figures for such a re-location.

TLC's view is that the most suitable site for re-location of the Gwili Railway would be along the track-bed of the previous line between Carmarthen and Llandeilo. This branches off from the Carmarthen-Aberystwyth line at Abergwili Junction, which is the present southern terminus of the Gwili Railway. TLC considers this option to be preferable to the other possible re-location sites on the closed branch lines to Newcastle Emlyn or to Aberaeron for the following reasons:

- part of the Newcastle Emlyn line is already occupied by the narrow gauge heritage line, Teifi Valley Railway, and unless some agreement could be reached between

- the two heritage railway companies, removal of the Gwili Railway to this line would be complicated;
- the Aberaeron line is quite far removed from the Gwili Railway's present base;
 - as the Carmarthenshire County Council have invested funds in the Gwili Railway, it would be politically prudent to keep the railway in Carmarthenshire;
 - the southern terminus would remain at the same location as present, Abergwili Junction, and the distance to re-locate Gwili Railway assets to the new site would be relatively short;
 - the Gwili Railway could have a direct connection with the existing rail network, which would allow specialist steam excursions to run on the heritage line;
 - a joint new station could be built at Abergwili Junction to service both the Gwili Railway and, depending upon the exact location, to facilitate easy access to Glangwili hospital, which is very close-by, for patients/visitors from stations on the Carmarthen-Aberystwyth line.

It is suggested that approximately 13 km of the Carmarthen-Llandeilo track-bed would be purchased and transferred to the Gwili Railway. The project would also finance or undertake itself, as part of the contract for re-instating the Carmarthen-Aberystwyth line, the re-provisioning of all the Gwili Railway's assets to the new alignment.

TLC is aware of current proposals to convert the entire length of the track-bed of the former branch line between Carmarthen and Llandeilo to a cycle track. Cost estimates for this work are indicated at between £5 million and £8 million. This proposal would obviously compromise the ability to transfer the Gwili Railway to this same alignment. However, TLC recommends that the provision of a cycle path should be carried out in tandem with works to re-provision the Gwili Railway, provided there is sufficient width to accommodate both the railway track-bed and the cycle path. If this work were carried out as part of the same contract, it would save a significant amount of money and should satisfy both parties.

8.8 Freight

No reference has been made to the possible future use of the re-instated line to carry freight. In line with the Welsh Government's stated aim of moving freight from the roads onto rail, where possible, and also to reduce greenhouse gases, some investigation should have been carried out to determine possible future revenue from freight business. Bulk transport of petroleum products, timber and possibly milk are obvious targets to look at.

9. Traws Link Cymru's Proposed Modifications to Figures Used in the Mott MacDonald Feasibility Study

9.1 Additional Benefits from Increased Passenger Catchment Area

Analysis of figures from the Borders Railway in Scotland showed that passenger journeys exceeded forecasts by 22% in the first six months of operation and in the second year, there has been a further 9% increase in passenger figures over the first year. In the first six months of operations for stations at the southern end of the line (Tweedbank and Galashiels), the original forecasts grossly under-estimated actual numbers by a factor of 7 (39,546 forecast; 288,511 actual). This was attributed to passengers driving to the station and parking their cars from a wider catchment area, which had not been taken into account in the original feasibility study/business case.

This scenario is very similar to this project and Table 2 shows the additional population that could be considered if an 8-10 km catchment zone were taken into account for each of the stations. The additional towns/villages included in the wider catchment areas for each station are shown in Table 5 in Appendix 11.1.

Station	Population		Additional population	Total population
	Mott report	2018 est.	within 8-10 km	Within 8-10 km
Aberystwyth	12,315	16,248	3,405	19,653
Llanilar	1,066	1,075	3,359	4,434
Tregaron	1,183	1,219	2,050	3,269
Lampeter	2,972	3,046	2,835	5,881
Llanybydder	1,596	1,596	2,518	4,114
Pencader	1,066	1,061	4,572	5,633
TOTAL	20,198	24,245	18,739	42,984

Table 2 Additional Population within 8-10 km of Stations

As can be seen from Table 2, by considering an 8-10 km catchment zone for each station, the population is double that used in the Mott MacDonald report. This wider catchment area is considered realistic for a rural area and would involve a car/bus journey of approximately 15 minutes. In figure 2 on page 16 of the Mott MacDonald report, the required weekly journeys to achieve a breakeven BCR with an assumed capital of £775 million are shown for each station. These are also converted into the required population required for each station. This same graphic can be used to estimate the equivalent populations required if a reduced capital expenditure (capex) of £560 million were to be used. These recalculated projections are shown in Table 3.

Station	Population req'd for	Population (2018 est.)	% increase pop. req'd for capex £560 mil	Population	% additional pop. Within 8-10 km
	capex of £560 mil			within 8-10 km	
Aberystwyth	19,061	16,248	17	19,653	21
Llanilar	1,613	1,075	50	4,434	312
Tregaron	1,789	1,219	47	3,269	168
Lampeter	4,062	3,046	33	5,881	93
Llanybydder	2,325	1,596	46	4,114	158
Pencader	1,457	1,061	37	5,633	431
TOTAL	30,307	24,245	25	42,984	77

Table 3 Comparison of Population Required for Capex of £560 million with Increase in Population

The figures in the above tables show that to achieve a break-even BCR with a capital expenditure of £560 million, it would require a population increase on Mott MacDonald's own figures of 50%, but if the 2018 estimate of population were used instead, this figure would reduce to 25%. The additional population from an 8-10 km catchment zone is 18,739. Thus, if 32% (6,063) of this increased catchment zone were to use the train that would be sufficient to give a break-even BCR on a reduced capital expenditure of £560 million. As demonstrated with the Borders Railway, this should be easily attainable, provided adequate, free and safe/secure parking facilities were provided at all the new stations

9.2 Revised Capital Cost Estimate

A revised capital estimate has been calculated by TLC taking into account suggested divergences from Chandler/KBS's estimate. This is shown in the following table (Table 4). The assumptions used to produce the figures contained in Table 4 are detailed in Appendix 11.2.

	£ millions
Direct Construction Works	
Railway Control Systems	27.6
Electric Power & Plant	2.8
Permanent Way	57.1
Telecommunication Systems	2.6
Buildings & Property	7.2
Civil Engineering	156.7
Enabling Works	16.1
	Direct Costs 270.1
Indirect Costs	
Site Investigation (3%)	8.1
Design (12%)	32.4
Comprehensive Feasibility Study & Business Case	8.0
Removal & Re-instatement of Gwili Railway	12.1
Project Management (8% total minus feasibility study)	29.9
Land Purchase & Compensation	38.2
Other Indirect Costs	12.9
	Indirect Costs 141.6
Total Direct & Indirect Costs	411.7
Contingency (35%)	144.1
TOTAL ESTIMATED CAPITAL COST (2017 terms)	555.8
Current Estimate in 2020 Terms (inflation @ 3.5% p.a.)	616.2

Table 4 Revised Capital Cost Estimate

An overall contingency of 35% has been allowed, which is less than the 66% “*optimism bias*” recommended by Treasury. However, TLC consider this level of contingency to be more reasonable for this project, which is significantly less complex than most of Network Rail's recent projects. It should be noted that for the Border Railways project, the actual working contingency used for construction was fixed at 8%.

The figures given are in comparable time terms to those contained in the Mott MacDonald study. However, to provide a current capital cost estimate for 2020 with assumed inflation rates of 3.5% per annum, this would rise to £616 million.

The revised capital cost estimate compares reasonably well with the actual cost figure for the Borders railway, once allowance has been made for the different route lengths, extra sections of double track and more stations.

10. Conclusions

This document has set out the case for the re-opening of the railway between Aberystwyth and Carmarthen. It is the contention of TLC that there is a compelling argument for reinstating this railway line, because of the economic, social and cultural benefits that it would bring to West Wales. But there is also a wider strategic objective. Not only would the rebuilt railway improve both inter- and intra-regional connectivity but, in due course, it could form the first stage in a new transport network along the western fringes of Wales that would link the north and south of the country without an eastward diversion into England. This western Rail Corridor would connect the industrial areas of South Wales via the Aberystwyth to Carmarthen line, to the rural heartland of Wales, and then northwards via the re-opened link from Afon Wen ultimately to Bangor and North Wales. The strategic imperative of binding Wales together as a nation by schemes such as this, will become even more important if the ramifications of leaving the European Union are to be fully addressed.

It is also important to stress that from an engineering perspective alone, the Feasibility Study concluded that the reopening of the Aberystwyth to Carmarthen line was a viable project, but on purely economic grounds a BCR of only 0.43 could be apportioned to the scheme. However, as we have shown in this document, expanding the catchment areas around each station, providing all new stations with secure parking, and synchronising local bus services to coincide with train timetables, passenger numbers would be significantly increased. This has certainly been the experience of the Borders Railway in Scotland, where passenger usage was significantly under-estimated because no allowance was made for passengers driving or travelling to stations from the immediate surrounding area.

It also appears that Chandler's capital cost estimate has been inflated by a number of ad-hoc add-ons, in addition to unnecessary earthworks to comply with current Network Rail standards for new projects, without any compelling geotechnical evidence to support this extra cost. A massive additional contingency in the form of the *optimism bias* has also been included; this is unreasonable for this project which is significantly less complex than other Network Rail projects where major problems were incurred. TLC's assessment, therefore, is that with an increase in passenger numbers, an enlargement of the population catchment area, and with a revised capital expenditure of around £560 million in 2017 terms or £620 million in 2020 prices (which is 20% less than in the Mott MacDonald Feasibility Study), the project would achieve a break-even BCR of 1.0, or even higher. It is not possible to be more precise with this estimate without further work to take full account of the expanded catchment areas, together with the suggested reduction in capital expenditure.

Whichever cost estimate is accepted, it is nonetheless evident that this will be an expensive project. But it bears comparison with the funds that have been allocated to some road-building schemes elsewhere in Wales, such as the Port Talbot Harbour Way (£107 million for only 4.8 km of carriageway), the Heads of the Valleys A465 upgrade (estimated cost of around £1 billion for 40 km of carriageway), and the projected but now abandoned 'Black Route' around Newport which, had it gone ahead, would have cost in excess of £1 billion. While these are undoubtedly important initiatives, they do little for the people of West Wales and their economic and social well-being. So it is not simply a matter of finance; there is the question of political will. It is TLC's hope and expectation that those whom we elect to represent us will appreciate the enormous benefits that a re-opened railway could bring to this part of Wales, and will do everything possible to bring this project to fruition.

11. Appendices

11.1 Population Figures for Enlarged Catchment Areas

Population statistics for towns or villages within a 8-10 km zone around the stations on the line are shown in Table 5

Towns	2011 census	Estimated in 2018
Aberystwyth		
Llanbadarn	656	662
Penrhynoch	1316	1298
Bow Street	1572	1445
Sub-total	3544	3405
Llanilar		
Llanrhystud	646	607
Llanfarian	1541	1489
Llangwryfon	596	583
Lledrod	662	680
Sub-total	3445	3359
Tregaron		
Llanddewi Brefi	640	636
Llangeitho	819	727
Pontrhydfendigaid	712	687
Sub-total	2171	2050
Lampeter		
Ystrad Aeron	596	612
Llanfair Clydogau	634	647
Llangybi	653	640
Cwmann	872	936
Sub-total	2755	2835
Llanybydder		
Capel Dewi	1293	1214
Llanwenog	1364	1304
Sub-total	2657	2518
Pencader		
Llandysul	2732	2641
Penrhiw-llan	521	522
Llanpumsaint	734	716
Llanllwni	638	693
Sub-total	4625	4572
TOTAL	19197	18739

Table 5 Population Figures for Settlements in Vicinities of Stations (Source: www.citypopulation.de)

11.2 Assumptions used for Revised Capital Cost Estimate

The capital cost estimate, which was provided by Chandler/KBS and has been included in Chapter 5, page 132, of the Feasibility Study, has been re-evaluated to change the make-up of the estimate. This revised estimate is shown in Table 4 on page of this report. The assumptions used in this revision are detailed in this appendix.

For the “*Direct Construction Costs*”, Chandler’s figures have been used, with the exception of “*Civil Works*”. Unfortunately, no further breakdown has been given for this cost, which Chandler have estimated at £174.1 million. This “*Civil Works*” figure is assumed to include the following:

- bridges;
- drainage & fencing;
- new tunnel and remedial work for existing tunnels;
- associated road works (including at Carmarthen end);
- surcharging/stabilisation work for Cors Caron;
- flood remedial works adjacent to Ystwyth River;
- new track alignments at Aberystwyth end and at other sites along the route;
- reducing the slope angle for existing cuttings and embankments.

It has been assumed, that by maintaining all existing slopes with some limited remedial works where necessary, a reduction of 10% could be made to Chandler’s figure of £174.1 million. This gives a revised estimate of £156.7 million, equivalent to a saving of £17.4 million. According to Mott’s figures given in their “*Earthworks Schedule*”, the quantities of earth and rock to be removed would be 3.8 million cu.m., with a fill requirement for the embankments of 1.2 million cu.m. This is a total of 5 million cu.m., which is equivalent to a cost of £3.50 per cu.m. with the saving assumed.

A comprehensive feasibility study and final business case would be required, and a very generous allowance of £8 million has been included for this. Site investigation costs, which would include bore holes, rock and soil testing, load testing etc., have been estimated at 3% of the direct construction costs. The percentages used to calculate costs for design and project management are the same as those used in Chandler’s estimate.

The Gwili Railway would have to be moved, and it has been assumed that this could be relocated on the old Abergwili Junction to Llandeilo track-bed. An allowance of £2 million has been made to purchase 13 km of the track-bed (equivalent to their existing ownership), with an allowance of £3.5 million for engineering works on the alignment. A pro-rata allowance of £4.4 million, based on the overall estimate for “*Permanent Way*” has been made for moving and re-laying the existing 7 km of track. An additional £2.2 million has been allowed for stations and other infrastructure. This gives the total estimated cost of £12.1 million.

An additional allowance of £12.9 million, calculated at 10% of indirect costs, has been included to cover other unforeseen costs during design and construction.

12. References and Websites

A Guide to the Wellbeing of Future Generations Act. 2019.

<https://gov.wales/sites/default/files/publications/2019-06/easy-read-a-guide-to-the-wellbeing-of-future-generations-act.pdf>

Aberystwyth and Ceredigion Population Data: <https://www.aberystwyth.org.uk/more/statistics.html>

AECOM Transportation. 2015. *Scoping study for full feasibility study for re-opening a heavy railway between Aberystwyth and Carmarthen.*

Arcadis. 2016. *Improving Strategic Transport Connections between Aberystwyth and Carmarthen. WelTAG Stage One: Strategic Case Report.*

BBC News (www.bbc.co.uk/news/uk-scotland-south-scotland-36416656)

Borders Railway Year 2 Evaluation. 2018. Transport Scotland.

Borders Railway Tourist Impact Revealed, <https://www.bbc.co.uk/news/uk-scotland-south-scotland-38802457>

Browne, J. 2005. *Rail freight multiple unit trial, Aberystwyth to Chirk, March 2005, Final Report.* Timber Transport Forum. 13th August 2019.

Cambrian News Reporter. *Railway amongst the most scenic in the World.* Cambrian News, 13th August 2019.

Campaign for Borders Rail. 2017. *Summary case for a new cross-border rail link.* Richardson & Son, Hawick.

Census data for Carmarthenshire County Council, 2011

https://www.carmarthenshire.gov.wales/media/2845/carmarthenshire_usual_resident_population.pdf

Ceredigion and Powys Collaboration A Vision for Growing Mid Wales, 2020. Ceredigion County Council, Aberaeron.

Champion, J. 2016. *Rail infrastructure planning in Wales.* National Assembly for Wales, Paper no. 16-042, Cardiff.

Department for Transport. 2013. *Accident and Casualty Costs (RAS60).*

Ernst & Young LLP. 2012. *Borders Railway Final Business Case: Final Version.* Transport for Scotland.

European Commission *Assessment of unit costs (standard prices) of rail projects (CAPital Expenditure) – Final report Contract No. 2017CE16BAT002*

Ferris, T. 2016. *Lost Lines of Wales – Aberystwyth to Carmarthen.* Graffeg, Llanelli.

Five ways new stations and lines are boosting the economy. 2020. Network Rail.

Forestry Statistics, Forecasts and Services. 2020. Natural Resources Wales (NRW)

Growing Mid Wales Partnership: Framework for Action. 2016. Powys County Council, Llandrindod Wells.

Growing Mid Wales: A Vision for Growing Mid Wales, Strategic Economic Plan and Growth Deal Roadmap. 2020. Powys County Council, Llandrindod Wells.

Holden, J. 2007. *The Manchester and Milford Railway.* 2nd edition. Oakwood Press, Lingfield, Surrey.

<http://www.citypopulation.de>

Iconic Wales Coast Path celebrates its fifth birthday. 2014. Natural Resources Wales,

Mayers, M. & Bamford, D. 2020. *Decarbonising Britain's railways needs urgent action – here's how it could be done.* AirQualityNews.com.

Mitchell, V. & Smith, K. 2011. *Aberystwyth to Carmarthen.* Middleton Press, Midhurst, Sussex.

Morgan, E. 2017. *Rural Wales – Time to meet the Challenge 2025.* Wales Rural Development Forum.

Mott MacDonald. 2018. *Aberystwyth to Carmarthen Rail Reinstatement: Feasibility Study.* Transport for Wales.

National Transport Finance Plan. 2015. Welsh Government.

Network Rail, 2016. *Welsh Route Study,* Network Rail.

Office of Road and Rail 2019. *Estimates of station usage.*

One Wales: Connecting the Nation – The Welsh Transport Strategy, 2008. Welsh Government.

Rail Freight Strategy, September 2016. Department of Transport, London.

Spaven, D. 2017. *The Waverley Route. The Battle for the Borders Railway* (3rd edition), Argyll Publishing, Argyll.

Train Timber Transport Trial. 2005. Forestry Commission.

Tourism visitor figures boost attributed to Borders Railway. 2017. Scottish Borders Council, Kelso.

Transport Scotland, *Borders Railway Year 2 Evaluation.* Scottish Government.

Traws Cymru, T1 Service, <http://www.trawscymru.info/tl/>

UK Census Data, <http://www.ukcensusdata.com/ceredigion-w06000008/population-density-qs102ew#sthash.Nf9i6Q2X.dpbs>

Vientiane-Boten Railway, Laos, <http://www.wikipedia.org>

Wales Infrastructure and Investment Plan for Growth and Jobs. 2012. Welsh Government.

Welsh Assembly Government. *A487 and A470 Maintenance Costs*: Freedom of Information Request, June, 2020.

Welsh Language Results: Annual Population Survey 2001-2018. 2019. Welsh Government.

Welsh Route Study, March 2016. Network Rail.

Youle, R. 2019. *A plan for a £20 million railway station near M4 in Swansea*. WalesOnline, 6th February 2019.

Back cover: Train leaving Aberystwyth station



Traws Link Cymru

West Wales Rail Campaign

Ymgyrch Rheilffordd Gorllewin Cymru

September 2020

P-06-1366 Reinstate funding for Taf Valley Coaches 351 (Tenby to Pendine) and 352 (Tenby to Kilgetty) services.

Y Pwyllgor Deisebau | 13 November 2023
Petitions Committee | 13 Tachwedd 2023

Reference: SR23/6946-3

Petition Number: P-06-1366

Petition title: Reinstate funding for Taf Valley Coaches 351 (Tenby to Pendine) and 352 (Tenby to Kilgetty) services.

Text of petition: Taf Valley Coaches have successfully ran the 351 and 352 services since June 2016. They have been supported from Welsh Government funding to cover financial short falls. Sadly, this funding is now being withdrawn, making the services financially unsustainable. Additionally, an open top double decker bus, from a large national bus operator, can operate between Tenby & Saundersfoot on a commercial basis every day from Easter to end of Summer, directly impacting on the small family local business.



1. Background

While local bus services are deregulated, most of the statutory powers and responsibilities regarding the planning and procurement of local bus services currently rest with local authorities.

Although licensed bus operators are free to register any service they wish to operate on a commercial basis, local authorities have a duty under section 63(1) of the Transport Act 1985 to secure services to meet public transport requirements which would not otherwise be met through the commercial market (i.e. socially necessary services). Section 63(5) enables a local authority to enter a contract to pay a subsidy for services if the service would not otherwise be provided at all, or to a particular standard.

Bus funding

The Welsh Government has typically provided support to the bus industry through a number of funding streams including its Concessionary Fares Scheme and the Bus Services Support Grant (BSSG).

BSSG is administered by local authorities and divided into two funding mechanisms. Bus operators can claim a contribution towards their in-service operating costs, known as a Live Kilometre Support Grant allowing eligible operators to claim an amount for each “live” kilometre (i.e. delivering a bus service rather than, for example, returning to depot). This accounts for around two-thirds of the £25m allocated to the BSSG annually since 2013-14.

The remainder of the BSSG is used by local authorities to procure socially necessary bus services. Local authorities are also able to use funding from other sources, including their Revenue Support Grant (RSG), for bus services.

Covid-19 pandemic and emergency support

The pandemic had a massive impact on passenger numbers - the Welsh Government estimated that the use of public transport declined by 95% in the early days of the pandemic compared to the same period the year before.

The Welsh Government therefore provided additional financial support to the bus industry. Initially this emergency funding was known as the Bus Hardship Fund and then became the Bus Emergency Scheme (BES) from July 2020. BES remained in place in one form or other between July 2020 and July 2023. The

Welsh Government's [January 2023 draft budget paper](#) for the Climate Change Environment and Infrastructure (CCEI) Committee indicates that over £150m had been allocated for emergency bus support between 2020-21 and 2022-23.

Bus Transition Fund

The BES has now been replaced with the Bus Transition Fund for 2023-24.

Initially, the Welsh Government's 2023-24 draft budget included an allocation of £28m for 2023-24 for the BES (see the draft budget paper above). However, on 10 February, [the Welsh Government indicated](#) that this funding was being withdrawn following a three month transition period. In evidence [to the CCEI Committee on 1 March](#) the Deputy Minister for Climate Change, Lee Waters MS, explained that this was due to wider pressures within the Climate Change budget, particularly on rail.

On 23 May the Deputy Minister [made a further statement](#) giving an update on bus services. He said, "we have nearly reached a solution that will allow us to make further funding available to protect as much of the network as we can for the remainder of this financial year". However, he said the "challenge" is now to design a network "that can best serve passengers in the time we have available to plan, and within the funding that is available to us".

In June, the Welsh Government [issued a joint statement with local government and bus operators](#) announcing £46m to support the end of the BES and that a new Bus Transition Fund would replace it. The statement also said, "we will continue to work together to develop a longer-term sustainable funding model that bridges the gap to franchising."

Bus reform

Reference to the move to franchising above reflects the Welsh Government's plan to introduce a new Bus Services Bill. Unlike the previous Bill, withdrawn in 2020, which included franchising as one of a number of options for local authorities, the Welsh Government is proposing to replace the current deregulated bus model with a mandatory Wales-wide system of franchising with the Welsh Ministers as the franchising authority. The Bill [is expected to be introduced](#) in this Senedd term (i.e. 2023-24).

Further detail on these plans can be found in the Welsh Government's 2022 White Paper [One network, one timetable, one ticket: planning buses as a public service](#)

[for Wales](#). More detail can also be found in this October 2022 [Senedd Research article](#) on the White Paper.

The Welsh Government has also published [Bws Cymru: connecting people with places](#).

2. Welsh Government action

In his letter to the Chair, dated 19 October, the Deputy Minister highlights the emergency support provided to support bus services. He goes on to say:

I have asked Transport for Wales to work closely with local authorities...to identify and prioritise bus routes for continued support, and this will include a careful look at these two routes.

The Deputy Minister says this work will help prepare detailed plans for services in each region of Wales to aid the transition to the new system of franchising due to be introduced.

3. Welsh Parliament action

[A number of written questions](#) on emergency funding for bus services been tabled.

On 11 May the CCEI Committee [took evidence](#) from local authorities and representatives of the bus industry on the sustainability of bus services following the Deputy Minister's announcement (see background section of this brief). This evidence stressed the scale of the challenge in responding to the funding reductions, but also highlighted that discussions are on-going with the Welsh Government.

The Committee subsequently [wrote to the Deputy Minister](#). In his [response](#), the Deputy Minister provides further detail on the Bus Transition Scheme and states:

The Bus Transition Fund will be used as a further mechanism to support... the industry away from emergency funding to locally tendered services from April 2024. As a mid-term solution my Officials are also reviewing existing grant funding mechanisms such as the BSSG and other funding streams to provide a more stable and effective funding support package going forward.

P-06-1366 Reinstate funding for Taf Valley Coaches 351 (Tenby to Pendine) and 352 (Tenby to Kilgetty) services.

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.

Lee Waters AS/MS
Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-06-1366
Ein cyf/Our ref LW/02315/23

Jack Sargeant MS
Chair - Petitions committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

19 October 2023

Dear Jack,

Thank you for your correspondence of 22 September regarding 'Petition P-06-1366 Reinstate funding for Taf Valley Coaches 351 (Tenby to Pendine) and 352 (Tenby to Kilgetty) services'.

I was sorry to hear of the decision by Taf Valley Coaches to withdraw these two local bus services, especially given the additional funding we have provided since the start of the Covid pandemic to help local authorities and operators maintain local bus services. This including my latest award of £46m announced on 16 June ([Deputy Minister confirms majority of bus services will be protected thanks to £46m fund | GOV.WALES](#)) to the end of this financial year covering both the Bus Emergency Scheme and its replacement the Bus Transition Fund to prevent the wholesale cancellation of services. By the end of this financial year, we will have spent over £200m supporting the bus industry since the onset of the pandemic.

I have asked Transport for Wales to work closely with local authorities across Wales to identify and prioritise bus routes for continued support, and this will include a careful look at these two routes.

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Lee.Waters@llyw.cymru
Correspondence.Lee.Waters@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.

This work will help us to prepare detailed plans for improved bus services in each region to help us transition to the new system of bus franchising which I hope to introduce through the new Wales Bus Bill into the Senedd in 2024.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lee', is centered on a light gray rectangular background.

Lee Waters AS/MS
Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change

P-06-1368 The Welsh Govt should take steps to save the Environmental Information Regulations in relation to Wales

Y Pwyllgor Deisebau | 13 Tachwedd 2023
Petitions Committee | 13 November 2023

Reference: SR23/7092-1

Petition Number: P-06-1368

Petition title: The Welsh Govt should take steps to save the Environmental Information Regulations in relation to Wales

Text of petition: The pro bono student Environment Project of the School of Law and Politics, Cardiff University, has examined the Environmental Information Regulations 2004 and how they could be improved in Wales, producing a short report.

However, If the REUL Bill passes, it will 'sunset' all EU-derived subordinate legislation in 2023, including the 2004 Regulations.

The UK would be in breach of the Aarhus Convention.

The Welsh Government must use its powers to save the 2004 Regulations for Wales.

More details

The importance of the rights granted to the public by the Aarhus Convention (and hence by the 2004 Regulations) are summarised brilliantly in *Fish Legal v Information Commissioner United Utilities plc Yorkshire Water Services Ltd and the Secretary of State for the Environment, Food and Rural Affairs* [2015] UKUT 52 (AAC), at para 57:



"The Aarhus Convention...links environmental rights and human rights. It acknowledges that we owe an obligation to future generations. It establishes that sustainable development can be achieved only through the involvement of all stakeholders. It links government accountability and environmental protection. It focuses on interactions between the public and public authorities in a democratic context and it is forging a new process for public participation in the negotiation and implementation of international agreements...it is also a Convention about government accountability, transparency, and responsiveness..."

1. Background

1.1. Environmental Information Regulations 2004

The UK converted EU law to domestic law, referring to it as retained EU law (REUL), to minimise disruption when exiting the EU. REUL meant that pre-Brexit laws stayed in place to avoid gaps in important areas like product standards, animal welfare and environmental law.

The *Environmental Information Regulations 2004* (the '2004 Regulations') are REUL. They provide public access to environmental information held by public authorities. Under the 2004 Regulations:

- public authorities must make environmental information available proactively; and
- members of the public may request environmental information from public authorities.

The 2004 Regulations implement the European Council Directive 2003/4/CE on public access to environmental information (the EC Directive) in the UK. The EC Directive stems from an international agreement called the 'Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters', known as 'the Aarhus Convention'. The Aarhus Convention grants the public rights on access to information, public participation and access to justice in governmental decision-making processes on environmental issues. The UK is a party to the Aarhus Convention.

1.2. Retained EU (Revocation and Reform) Act 2023

The *Retained EU (Revocation and Reform) Act 2023* (the 'Act') became law on 29 June 2023.

During the Bill's passage the approach for dealing with REUL was significantly amended (after this petition was submitted). The sunset clause referred to in the petition, which would've automatically revoked the majority of REUL, was replaced by a list of 587 pieces of REUL that'll expire at the end of 2023.

This list is Schedule 1 to the Act. UK and Welsh Ministers could exempt REUL from Schedule 1, thus saving it, but were required to pass regulations to do so by 31 October 2023. The UK Government exempted four pieces of REUL from Schedule 1 before this deadline but the Welsh Government did not exercise its powers.

The 2004 Regulations referenced by the petition are **not** listed in Schedule 1, and so are **not due to expire** as a result of the Act.

While the 2004 Regulations continue to apply, they are subject to the following changes made to REUL by the Act:

- UK and Welsh Ministers have powers to preserve, amend, repeal and replace REUL and assimilated law more easily;
- The UK Government and Parliament can make changes in devolved areas without obtaining consent from the Welsh Ministers or the Senedd, potentially bypassing Welsh institutions;
- From 1 January 2024, REUL will be renamed "assimilated law";
- Changes to the domestic legal hierarchy include that the principles of supremacy and principles of EU law will be abolished after the end of 2023. Principles of EU law include legal certainty, equal treatment, proportionality, respect for fundamental rights and the precautionary principle.
- EU-derived rights, powers, liabilities etc will expire on 31 December 2023.

The UK Government committed to maintaining compliance with the UK's international obligations during the Bill's passage through the UK Parliament.

2. Welsh Government action

The Welsh Government opposed the Act from the start, believing that REUL works well and could be updated as needed. It said:

... our position is that retained EU law (REUL), like EU law before it, works well. We had no intention to repeal, revoke or amend REUL, particularly to an arbitrary deadline.

The Interim Environmental Protection Assessor for Wales wrote a report to the Welsh Government making recommendations regarding the Retained EU (Revocation and Reform) Bill. This was prior to the amendment which changed the sunset clause approach. The report conveyed the “serious concerns” from stakeholders that legislation could be “discarded” without proper assessment or stakeholder consultation. The report states this lack of consultation could constitute a breach of the Aarhus Convention by depriving the public of the opportunity to contribute to changes in environmental law. Overall, the Welsh Government agreed with the issues and concerns raised and said:

... we completely agree with the report that proper stakeholder consultation and engagement by the Senedd needs to accompany any significant changes in environmental legislation that would be brought about as a result of the Bill.

3. Welsh Parliament action

The Senedd voted to withhold consent to the Act twice, in March and June 2023. Senedd committees have already considered regulations made under the Act and will continue to monitor its operation.

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.

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-06-1368
Ein cyf/Our ref JJ/02668/23

Jack Sargeant MS
Chair - Petitions committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

13 October 2023

Dear Jack,

Thank you for your letter of 26 September in which you seek my views on the issues raised by petition P-06-1368 ahead of the Petition Committee's first formal consideration of it.

The Retained EU Law (Revocation and Reform) Act 2023 ("the Act") received Royal Assent on 29 June 2023. Schedule 1 of the Act sets out a list of subordinate legislation and retained direct EU legislation that will be sunset at the end of 2023. The Environmental Information Regulations 2004 are not included within the list and as such are not due to be sunset as a result of the passing of the Act.

Yours sincerely,

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@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.

P-06-1368 The Welsh Govt should take steps to save the Environmental Information Regulations in relation to Wales, Correspondence – Petitioner to Committee, 31.07.23

Dear Clerk to the Petitions Committee

I am writing in reference to [The Welsh Govt should take steps to save the Environmental Information Regulations in relation to Wales - Petitions \(senedd.wales\)](https://www.senedd.wales/petitions/2023-24/petition-06-1368).

I am the named Petitioner, acting for a group of students at Cardiff University's School of Land and Politics.

I need to alert you that, since the Petition was opened, changes to the REUL Bill, now enacted as the Retained EU Law (Revocation and Reform) Act 2023, have, to an extent, taken the 'sting' out of the Bill as it was and the threat it poses to the Environmental Information Regulations 2004.

However, the petition remains a very useful exercise and I would hope the Committee can still consider it.

Particularly, it makes reference to a short report produced by the students, which deals with how the Environmental Information Regulations might be amended to improve them, by and for Wales.

In order to assist the Committee when it comes to consider this petition later this year, I attach that report and would commend the suggestions and proposals therein to the Committee.

Please do not hesitate to contact me if I can assist the Committee at any stage.

Yours faithfully

Guy Linley-Adams
Solicitor
Lecturer in Law



Pro Bono and
Employability

Pro Bono ac
Cyflogadwyedd

Cardiff University

Law Building
Museum Avenue
Cardiff, CF10 3AX
Wales, UK
Tel +44(0)29 2087 6705
www.cardiff.ac.uk/law-politics

Prifysgol Caerdydd

Adeilad y Gyfraith
Rhodfa'r Amgueddfa
Caerdydd, CF10 3AX
Cymru, DU
Tel +44(0)29 2087 6705
www.caerdydd.ac.uk/cy/law-politics

The Environmental Information Regulations 2004

**Report of the Freedom of Information sub-group of the
pro bono Climate and Environment Project of Cardiff
University's School of Law and Politics 2022/2023**

1. Introduction.

The Climate and Environment Project is a pro bono extra-curricular project for law students at the School of Law and Politics at Cardiff University.

The Project is not formally part of the assessment for any degree or professional course and the students volunteering on the Project range from second-year undergraduates to postgraduates to those on solicitor and barrister professional courses.

In 2022 into 2023, the Project sub-group on freedom of information, particularly in the environmental field, examined the Environmental Information Regulations 2004, the rights they underpin, from which European and international law and convention they derive, and how are they administered in the UK.

More particularly, the group considered and discussed how the 2004 Regulations could be improved in Wales.

The members of the FOI sub-group in 2022/23 were:

Amira Shazlin Binti Zulkifli
Ahanaf Taksin Ar-Rafee
Hann Qiang Liew
Asha Thirunavukkarasu
Max Pullen
Beulah Lee
Sarah Curran
Izabela Poniewierska
Maja Wojczak
Kian Nah
Olivia Thomas
Toby Clark

The group was assisted by Guy Linley-Adams, Lecturer in Law at the School of Law and Politics.

2. Background to the Environmental Information Regulations 2004.

The group examined how the Environmental Information Regulations 2004 provide for a right of access for the public to environmental information held by UK public authorities.

The 2004 Regulations came into force on 1st January 2005, under the authority then provided by the European Communities Act 1972, covering England, Wales and Northern Ireland. Scotland has its own Environmental Information Regulations (Scotland) 2004. The Regulations implemented European Council Directive 2003/4/EC on public access to environmental information. That Directive in turn has its origins in the Aarhus Convention.

The 2004 Regulations provide a right of access for the public to environmental information, upon request, subject to a number of exceptions, as well as requiring public bodies to make environmental information available proactively.

The group strongly supported the role the 2004 Regulations play, as part of the UK's implementation of its obligations as a party to the Aarhus Convention, in encouraging transparency from public authorities as part of a process of enabling the public to be informed about the environment and to participate in environmental decision-making from a position of knowledge.

3. The potential effect of the Retained EU Law Bill on the Environmental Information Regulations 2004.

The group was concerned at the potential effect on the 2004 Regulations of the Retained EU Law (Revocation and Reform) Bill ('the REUL Bill'), making its way through Parliament.

It was (and remains) unclear whether the Bill will be enacted in its current form, but what follows must be re-considered in the light of what is finally enacted.

However, as the REUL Bill stands, clause 1 will trigger the sunset of EU-derived subordinate legislation and retained direct EU legislation, unless otherwise saved, on 31st December 2023.

Clause 1 reads:

(1) The following are revoked at the end of 2023—

(a) EU-derived subordinate legislation;

(b) retained direct EU legislation.

(2) Subsection (1) does not apply to an instrument, or a provision of an instrument, that is specified in regulations made by a relevant national authority.

(3) The revocation of an instrument, or a provision of an instrument, by subsection (1) does not affect an amendment made by the instrument or provision to any other enactment.

(4) In this section "EU-derived subordinate legislation" means any domestic subordinate legislation so far as—

(a) it was made under section 2(2) of, or paragraph 1A of Schedule 2 to, the European Communities Act 1972, or

(b) it was made, or operated immediately before IP completion day, for a purpose mentioned in section 2(2)(a) of that Act (implementation of EU obligations etc), and as modified by any enactment.

The group expressed its general concern that the practical effect of the REUL Bill on the Environmental Information Regulations 2004 is that, unless the 2004 Regulations are later saved pursuant to the provisions clause 1(2), in the case of Wales, by the Welsh Government, the 2004 Regulations would cease to have effect in Wales at the end of 2023.

The group was clear that, quite apart from the wholly negative effect on the right of access to environmental information, that scenario would put the UK in clear breach of the Aarhus Convention.

The group did not consider that the Welsh Government should countenance the Environmental Information Regulations 2004 being allowed to fall as a consequence of the REUL Bill.

Recommendation 1

In the event that the REUL Bill is enacted in a form which would otherwise lead to 2004 Regulations ceasing to have effect in Wales as part of the planned ‘sunset’ of retained EU law, the groups recommends that Welsh Government should act swiftly to save the 2004 Regulations.

The group noted that information rights are not a reserved matter – and so are devolved to Wales.

Given the maturity of Welsh devolution, the group considered it appropriate for the Welsh Government to consider if it should, in addition to amending the 2004 Regulations, as they apply in Wales, per the Scottish model, create and appoint a dedicated Welsh Information Commissioner.

If the REUL Bill is to be enacted and lead to the Environmental Information Regulations 2004 ceasing to have effect within England, it would be incongruous for an Information Commissioner based in England to be hearing complaints from Wales, but not from within England.

Recommendation 2

In the event that the REUL Bill is enacted in a form which will lead to the 2004 Regulations ceasing to have effect in England as part of the planned ‘sunset’ of retained EU law, Wales should consider establishing its own Information Commissioner for Wales.

4. Problems with the Environmental Information Regulations 2004 and possible solutions.

The group considered that, especially if the Welsh Government finds itself required to save the 2004 Regulations shortly, it would be an effective time, almost 20 years since the 2004 Regulations were passed, to consider certain improvements to the 2004 Regulations. This would ensure they work better in practice, to enhance the right of the Welsh public to environmental information held by Welsh public authorities.

Such a progressive approach would be entirely in line with the position Wales has adopted on the environment, not least via the Well-being of Future Generations Act 2015, and the well-being goals for Wales.

Therefore, the group analysed real-world examples of problems that have arisen over the nearly 20 years since the 2004 Regulations came into effect, that the group considers the Welsh Government could now address, in order to make the systems work more effectively as providing timely and wider access to environmental information for the Welsh public.

These are:

- Ensuring public authorities respond (including to refuse) as soon as possible, and do not always default to responding at 20 working days.
- Preventing authorities from 'resetting the clock' by asking for clarification, but only at 20 working days
- Reducing time for internal review from 40 working days to 20 working days (as in Scotland)
- Requiring the Commissioner to accept a complaint if there has been no in-time response to an initial request.
- Limiting an applicant's obligation to requesting an internal review on one occasion only
- Improving proactive publication and public authorities learning from regular requests
- Learning from Commissioner Decisions to avoid using unlawful exceptions for the same type of information.
- Remedying the inability of public to take the lack of proactive publication to the Commissioner.
- Remedying public authorities' ability to raise different exceptions at refusal, at review, at Commissioner's investigation or at Tribunal.
- Addressing the use of private emails
- When 'harm' should be required and not required, when applying exceptions under Regulation 12

4.1 Ensuring public authorities respond (including to refuse) as soon as possible, and do not always default to responding at 20 working days.

The group considered that the effective right granted to the public by the Aarhus Convention would not be delivered without timely access to environmental information.

Even though the provisions of the 2004 Regulations require that a public authority has to respond as soon as possible to a request for environmental information, and no later than 20 working days after a request, there is no metric against which to measure what 'as soon as possible' means.

The group heard that the practical effect has been that there has been nothing to prevent public authorities from routinely, by default, taking the full 20 days to respond. There is a belief, for example in environmental NGOs, that some public authorities may even do this in what might be termed 'bad faith', particularly where the requested information may be considered to be controversial, or the authority concerned might prefer that the information were not released promptly.

The group considered that this problem - of taking 20 working days by default – could be addressed by requiring public authorities to issue an acknowledgment to any request, perhaps within 5 working days, providing, with reasons, an estimate of the time likely to be taken for a substantive response to be given.

This would enable any person requesting information to understand why up to 20 working days may be required to respond and would enable the matter to be raised in any request for internal review (per Regulation 11), or ultimately to be brought to the Commissioner (per Part 5 of the Regulations).

The group considered that this proposal would effectively balance the interests of the public requesting information and the resource demands for the public authorities involved.

Recommendation 3

The group proposes that public authorities should be required to acknowledge requests within 5 working days and, in that acknowledgement, give an estimate of the time that will be taken to respond substantively to the request. This can be achieved by an amendment to Regulation 5, adding a new Regulation 5(1A):

“5(1A) A public authority shall acknowledge the receipt of any request within 5 working days;”

4.2 Preventing authorities from ‘resetting the clock’ by asking for clarification, but only at 20 working days.

The group heard that under the 2004 Regulations, per Regulation 9, public authorities can effectively extend the period within which they must respond to a request by 20 working days, by asking applicants to clarify their request.

The group considered that while asking for such clarification may be entirely reasonable, this provision does potentially allow the ‘reluctant’ public authority to delay responding substantively to a request, by re-setting the 20 working days clock, by asking for clarification, but only after 20 working days have almost elapsed. Such practices dilute the public’s right to receive information in a timely manner.

The group therefore proposed a provision that would require public authorities to ‘triage’ requests received at an early stage, and if necessary, make a request for clarification within 5 working days. This would fit well with the proposed provision (above) under Regulation 5 on acknowledgment of requests.

Recommendation 4

The group proposes that public authorities should be required to seek any clarification that may be required from applicants on the requests made within 5 working days of receipt of a request. This can be achieved by an amendment to Regulation 9(2)(a), so that it reads:

“9(2) Where a public authority decides that an applicant has formulated a request in too general a manner, it shall - (a) ask the applicant no later than 5 working days after the date of receipt of the request to provide more particulars in relation to the request; and”

4.3 Reducing time for internal review from 40 working days to 20 working days (as in Scotland).

In examining the regimes in England and Wales, and in Scotland, the group noted that there is a mismatch between the time allowed for internal review for public authorities in different parts of the UK.

In Scotland, an internal review should only take 20 working days. In England and Wales, the law allows for 40 working days. The relevant UK and Scottish provisions are shown below:

“Representations and reconsideration

11.—(1) Subject to paragraph (2), an applicant may make representations to a public authority in relation to the applicant’s request for environmental information if it appears to the applicant that the authority has failed to comply with a requirement of these Regulations in relation to the request.

*(4) A public authority shall notify the applicant of its decision under paragraph (3) as soon as possible and **no later than 40 working days** after the date of receipt of the representations”.*

“Review by Scottish public authority

16.—(1) Subject to paragraph (2), an applicant may make representations to a Scottish public authority if it appears to the applicant that the authority has not complied with any requirement of these Regulations in relation to the applicant’s request.

*(4) The Scottish public authority shall as soon as possible and **no later than 20 working days** after the date of receipt of the representations notify the applicant of its decision”.*

The group considered that there can be no justification for a longer period to be allowed for in England and Wales, as opposed to Scotland. Welsh public authorities should be no less able to deliver a review in 20 days than their Scottish counterparts.

Recommendation 5

The group proposes a simple amendment to Regulation 11 of the 2004 Regulations (applying to Wales) to allow for a 20 working days maximum period for an internal review.

4.4 Requiring the Commissioner to accept a complaint if there has been no in-time response to an initial request.

The group considered the scenario, under the 2004 Regulations, of a public authority failing to respond at all to a request for information and note that there exists no mechanism to address in a timely manner the situation in which the public authority, to whom a request for information has been made, simply does not respond.

In line with the Regulations, if there is no response, the person requesting information has to request an internal review, before the matter can be taken to the Commissioner.

That is the practical effect of section 50(2)(a) of the Freedom of Information Act 2000, which, per Regulation 18, provides for the enforcement mechanism for the 2004 Regulations, and requires that a complainant to the Commissioner must have “exhausted any complaints procedure which is provided by the public authority in conformity with the code of practice under section 45...”.

In short, a complainant must have asked for an internal review by the public authority of its failure to respond, before the matter can be taken to the Commissioner.

The group noted that what this means in practice is that the ‘reluctant’ public authority can safely sit back and wait for a request for information to run past its 20 working days for the initial response, at which point the person requesting will need to make a request for internal review, which then gives the authority a further 40 working days to address the matter.

In effect, any public authority can therefore safely ignore a request unless an applicant ‘asks twice’, with those requests 20 working days apart.

If a public authority does not wish to provide information (for example, if the requested information is somehow embarrassing, or might be used to ‘fuel’ a legal challenge), it has a total of 60 working days minimum to respond substantively to any request, without fear of any sanction or referral to the Commissioner.

The group considered that such length of delay could be highly detrimental to the value of the requested information to an applicant. Moreover, that such an approach is possible at law undermined the purpose of initial 20 working day time limit for answering requests.

Recommendation 6

The group proposes that an amendment is required to allow an applicant to go directly to the Information Commissioner for a decision to prevent such abuse and uphold the right of access to environmental information in a timely manner, by inserting paragraph 18(1A) into Regulation 18:

18(1A) The enforcement and appeals provisions of the Act shall be read for the purposes of these Regulations such that section 50(2)(a) of the Act does not apply if a public authority fails to respond to a request within the time limits specified in Regulation 5.

4.5 Limiting an applicant's obligation to requesting an internal review on one occasion only.

The group examined a particular matter in relation to the requirement on applicants that they have gone through a public authority's internal review procedure before a matter can then be raised with the Commissioner.

In the case of the Friends of the Earth v DEFRA, Decision Notice IC-102916-C8Q5, 13th June 2022, the Commissioner sought to require Friends of the Earth to request an internal review from DEFRA on a second occasion, having initially complained about a lack of a timely response in a first internal review request. In that matter, Friends of the Earth in fact refused to go to a second internal review and, albeit reluctantly, the Commissioner agreed to deal with the matter by way of a Decision, despite advising Friends of the Earth to go for a second internal review on the substance of the matter.

The group considered that no applicant for information should be required by law or by the Commissioner to go to a second internal review because that would enable the 'reluctant' public authority to add further delay to a process of disclosure of information, undermining the right granted by the Aarhus Convention of timely access to information.

Recommendation 7

The group recommends amending Regulation 18 so as to require the Commissioner to issue a Decision if a complainant has made at least one request for internal review by a public authority.

Insert a new Regulation 18(11):

"For the purposes of these Regulations, section 50 of the Act shall be read as requiring the Commissioner to make a decision as to whether a public authority has dealt with a request in accordance with the requirements of these Regulations where a complainant to the Commissioner has made any representation to a public authority pursuant to Regulation 11. An applicant shall not be required to make more than one representation to a public authority under regulation 11".

4.6 Improving proactive publication and public authorities learning from regular requests.

Access to environmental information is recognised as a right under the Aarhus Convention, but the Convention also requires proactive publication of environmental information, obviating the need for specific requests to be made by the public.

Effective public participation in decision-making processes requires more proactive publication of environmental information. The more information in the public domain, the greater the public engagement, which can also lead to insights and ideas of great value to public authorities. Proactive publication would mean a greater level of access to information and as such would also support open-source research.

The group was generally very supportive of proactive publication.

Proactive publication also reduces pressure on public authorities having to process requests for information.

However, the group considered that experience suggests public authorities do not always learn from previous requests and start proactively publishing information that is regularly requested, or which they have been ordered by the Commissioner to publish.

The group suggested that information of any type or character that has been requested and provided on more than, say, three occasions by the public authority should be considered as a matter of law for future proactively publication.

Recommendation 8

In order to encourage more proactive publication, the group recommends an amendment adding a new subsection to Regulation 4(4)(c) requiring public authorities to ‘learn’ from repeat requests, such that Regulation 4 then reads:

Dissemination of environmental information

4.—(1) Subject to paragraph (3), a public authority shall in respect of environmental information that it holds—

(a) progressively make the information available to the public by electronic means which are easily accessible;

...

(4) The information under paragraph (1) shall include at least—

...

(c) information of any type or character that has been requested and provided on more than three occasions by a public authority or following decisions issued the Commissioner

4.7 Remedying the inability of public to take the lack of proactive publication to the Commissioner.

The group examined how, under the 2004 Regulations, and the enforcement and appeal provisions provided for under the Freedom of Information Act 2000, an applicant for environmental information cannot take the matter of a lack of proactive publication to the Commissioner.

The enforcement and appeal provisions of the 2004 Regulations are in effect, borrowed from the 2000 Act, by virtue of Regulation 18:

18.—(1) The enforcement and appeals provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of the Act but with the modifications specified in this regulation.

Section 50 of the 2004 Act, subsection 1, provides that a person can take a matter to the commissioner when “a request for information” has not been dealt with in accordance with, in this case, the 2004 Regulations.

However, when a person is taking issue with a lack of proactive publication, that would not be considered “a request for information” under section 50 of the Act.

The group considered that a person should be able to complain to the Commissioner and secure a Decision from the Commissioner if there is breach of the duty under the 2004 Regulations on proactive publication.

Recommendation 9

The group recommends an amendment with the effect that a person can complain if there is a breach of duty under the 2004 Regulations on proactive publication, by inserting a new Regulation 18(1)(A):

18(1A) The enforcement and appeals provisions of the Act shall be read for the purposes of these Regulations, such that a request for information as defined in section 50(1) of the Act, shall be taken to include circumstances in which a public authority has, in the opinion of the applicant or complainant, failed to comply with the duty under Regulation 4.

4.8 Learning from Commissioner Decisions to avoid using unlawful exceptions for the same type of information.

The group heard examples of how public authorities do not always appear to learn from previous Decisions from the Commissioner, or from Tribunal or higher Courts as to when, and to what information, they can and cannot apply exceptions provided for by Regulation 12.

These can be decisions made by the Commissioner either against the authority itself, or against other public authorities, in relation to when it is appropriate to apply particular exceptions under regulation 12 and when it is not.

This adds considerably to the time and trouble faced by applicants for information.

It is not resource-efficient for public authorities repeatedly to put applicants to the trouble of complaining to the Commissioner on points that the Commissioner has already addressed in previous Decisions. By repeating the same incorrect application of exceptions to requests, internal review and Commissioner investigations are triggered on points that have been addressed previously.

That can take many months.

Most importantly, the group considered that, in practical effect, reliance on exceptions to withhold information, where public authorities should already understand that such reliance is unlawful, undermines the right of the public to have access to environmental information in a timely manner.

Recommendation 10

The group recommends an amendment adding add a new subsection to Regulation 12 requiring public authorities to ‘learn’ from Decisions, Tribunal or higher Court rulings, by inserting a new Regulation 12(1A):

“A public authority may not refuse to disclose environmental information by applying any exception to disclosure under paragraphs (4) or (5) if the public authority should reasonably be aware from decisions of the Commissioner or judgments of the Tribunal or any higher Court that an exception does not apply to the environmental information requested”.

4.9 Remediating public authorities' ability to raise different exceptions at refusal, at review, at Commissioner's investigation or at Tribunal.

The group examined the effect of the case of *Birkett v DEFRA* [2011] EWCA Civ 1606 which ruled that a public authority could rely upon a different exception or exceptions in proceedings before the Commissioner and/or the Tribunal for refusing to disclose environmental information.

The group considered whether there should be a regulatory or statutory limit on the number of attempts that a public authority can make to involve the correct exception under Regulation 12.

The group noted, as the Tribunal stated in *Department for Business, Enterprise and Regulatory Reform v ICO and Friends of the Earth* (EA/2007/0072, 29 April 2008, that "it was not the intention of Parliament that public authorities should be able to claim late and/or new exemptions without reasonable justification otherwise there is a risk that the complaint or appeal process could become cumbersome, uncertain and could lead public authorities to take a cavalier attitude towards their obligations. This is a public policy issue which goes to the underlying purpose of FOIA".

The group noted that *Birkett* in effect means that different exceptions be applied (at refusal, at review, at the stage of investigation by the Commissioner and at Tribunal) giving a public authority four attempts to 'get it right'.

This is patently unfair to applicants.

The group proposed an amendment preventing the Commissioner from making a Decision applying exceptions not already raised by the public authority at the initial refusal or internal review stages. Two attempts at 'getting it right' was considered more reasonable for both the applicant and the public authority to ensure a balance between timely access to information, while ensuring the public authority still has an opportunity to revise its reasons for refusing to disclose information.

Recommendation 11

The group proposes an amendment to Regulation 18:

"18(1A) The enforcement and appeals provisions of the Act shall be read for the purposes of these Regulations such that the Commissioner may not make a Decision applying any exceptions under Regulation 12 that have not been raised reasonably by the public authority as part of its reconsideration under Regulation 11".

4.10 Addressing the use of private emails.

The group noted that use of private emails or other private 'channels' of communications has been an issue on a number of occasions recently and there has been increasing use of private email accounts by people working in public authorities for their work-related communications.

There is an increasing concern of the use of private emails by public bodies/authorities to avoid disclosure under freedom of information for work-related purposes.

However, information from private emails would be difficult to locate, which in turn, makes it practically very difficult to disclose.

The group noted the cases of Hillary Clinton, Suella Braverman and Matt Hancock and considered whether adding a new provision to the 2004 Regulations, expressly to include the use of private emails to hold or communicate information relating to the functions of a public authority within the definition of information susceptible to request under the regulations, might work.

Screening private communications may be considered in some circumstances to be too invasive.

However, the group considered that an amendment to the 2004 Regulations could provide that information to be disclosed should include any information that is received, held, stored or communicated through private communications channels, if it related to the functions of a public authority.

Recommendation 12

The group proposes an amendment to Regulation 12(4)(a), so that it reads:

“12(4) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that—

(a) it does not hold that information when an applicant’s request is received and, where there is reason to consider that private communications may contain that information, such search of private communications as can be made lawfully has been made”

4.11 When ‘harm’ should be required and not required, when applying exceptions under Regulation 12.

The group examined and noted that under regulation 12, which deals with the exceptions to the duty to disclose environmental information, the exceptions are divided into two groups per regulation 12(4) and regulation 12(5).

The exceptions provided for in 12(4) are what is known as absolute exceptions, whereas those in 12(5) apply only where the disclosure of the information requested would adversely affect the subject matter of the exception. If there is no harm, the exception cannot be applied.

In other words, Regulation 12(4) exceptions do not require harm to be shown by a public authority seeking to rely on them, whereas Regulation 12(5) exceptions do require harm.

The group considered that there is no logical reason why the exceptions provided for at Regulation 12(4)(d) and (e) should not also require there to be harm before the exception applies. There was nothing that logically means that information that is still in the course of completion (per Regulation 12(4)(d)) or information that is internal communications (Regulation 12(4)(e)) should not be disclosed if the disclosure of that information causes no **harm**.

Recommendation 13

The group therefore recommends that Regulation 12(4) and (5) are amended such that the current regulation 12(4)(d) and (e) appear as regulation 12(5)(h) and (i) respectively.

Use only Welsh names for places in Wales

Y Pwyllgor Deisebau | 13 Tachwedd 2023
Petitions Committee | 13 November 2023

Reference: SR23/7092-2

Petition Number: P-06-1369

Petition title: Use only Welsh names for places in Wales

Text of petition:

In a spirit of respect for Wales as its own nation with its own history and culture; and as a mark of acknowledgement concerning some of the cultural oppression that has historically been inflicted on Wales and her language and culture. English names might initially continue to be used by some out of habit but in all official avenues and in both spoken and written media, the original Welsh names for places in Wales should be used.

Following moves concerning the names of Eryri and Bannau Brycheiniog, we consider it an opportune moment to move to using only the Welsh names for places in Wales.



1. Background

The names of Welsh villages, towns and cities have developed over a period of two millennia. While the **majority of place-names in Wales are Welsh**, the origin of some place-names lie in English, French, Latin, Irish, Norse and Brittonic/British (evolving to become *Cymraeg* as we know it today).

Examples of some recognisable **Welsh only place-names** include Aberystwyth, Bangor, Tonypany, Penarth and Pontypridd. However, there are several examples of cities, towns and villages in Wales that have both a Welsh and English name.

Some of those places with Welsh and English names have very **similar spelling and pronunciation** in both languages. Places like:

- *Caerffili* - Caerphilly;
- *Caerdydd* - Cardiff;
- *Merthyr Tudful* - Merthyr Tydfil;
- *Treorci* - Treorchy.

Dr. Dylan Foster Evans expands on the evolution of Welsh place-names in this brief article - [*What's in a name?*](#) He notes that Cardiff, for instance, 'derives from the medieval Welsh *Caerdyf* (which also gives us the modern Welsh *Caerdydd*)'. He notes that linguists believe the name was likely 'coined in the British language, back when the Romans occupied Cardiff some 2,000 years ago'.

There are examples of English names such as Flint (*Y Fflint*), Wrexham (*Wrecsam*) and Caldicot (*Cil-y-coed*) that have been adopted by the Welsh rather than the other way around. Similarly, the original name for Biwmares was the Norman-French name - Beaumaris.

Other places in Wales have alternate names unrelated to each other. Examples include:

- Newport - *Casnewydd* (the Welsh meaning New Castle);
- Swansea (derived from the Norse meaning Svein's Island) - *Abertawe* (the Welsh meaning the Mouth of the River Tawe);
- Brecon (derived from Welsh Kingdom of Brycheiniog) - *Aberhonddu* (Welsh taken from River Honddu)
- Anglesey (derived again from Norse - *Ongul*), while the Welsh name *Môn*, was first recorded as Latin *Mona*.

There are examples of anglicised Welsh place-names gradually ceasing to be accepted or used, including Caernarvon (Caernarfon), Conway (Conwy), Portmadoc (Porthmadog) and Llanelly (Llanelli).

There are also places where there are ongoing disagreements over whether the Welsh spelling should be used exclusively or not, such in Varteg (Farteg) which has had some publicity in recent times.

2. The Place-names Standardisation Panel

The Welsh Language Commissioner, an independent body established by the Welsh Language (Wales) Measure 2011, is responsible for providing advice on the standard forms of Welsh place-names. A list of standard forms of the Welsh names of villages, towns and cities in Wales is available online for anyone wishing to use it.

The Commissioner established a panel of experts to work on and make recommendations on the standard form of Welsh place-names. The Commissioner's website notes that in forming its recommendations, 'the Place-names Standardisation Panel gives consideration to the **meaning, history and etymology of the place-names**, as well as their **current usage**'. The panel is also guided by the Guidelines for Standardising Place-names in Wales. Section 9 – *Dual forms* notes the following advice for the panel to consider:

If the difference between the Welsh form and the 'English' form consists of **only one or two letters**, the use of a **single form is recommended**, with **preference being given to the Welsh form**. This accords with the recommendations of the Ordnance Survey and the Highway Authorities. However, recognized variations should be acknowledged (Caeriw/Carew, Biwmares/Beaumaris, Y Fflint/Flint, Wreccsam/Wrexham).

3. Welsh Parliament action

The Senedd has considered several petitions in the last few years relating to Welsh place-names and Welsh house names. In 2021, a petition calling on the Senedd and other bodies to start referring to Welsh cities and towns by their Welsh names was submitted, receiving 108 signatures. The petitioners called on public bodies to start using Welsh terms and place-names to "increase Welsh language use".

The Committee heard from the Welsh Language Commissioner's office during its meeting on 7 March 2022 in relation to the petition. One of the issues highlighted during the session was that responsibility for deciding on Welsh place-names sits with more than one organisation. Moreover, there is no specific legislation in Wales for standardising Welsh place-names. The Deputy Commissioner at the time stated that:

there is room for us to carry out a review of the situation in Wales and to find solutions that are appropriate to our circumstances. One of the things that I think is extremely important is that we do get that clarity. It's clear to me in Wales that there is quite a bit of confusion. Now, you don't have to have legislation to deal with confusion, but I do think that very often we fail—. Although there is hard work done, we are failing to deliver to the utmost of our ability the work of promoting and safeguarding these names because of uncertainties in this area.

While the Deputy Commissioner didn't call for a move towards legislation in this area, she did consider a review of the issue would be timely.

During the first half of 2020, a similar petition was submitted which called for reverting to the Welsh language spelling of place-names. The specific action the petitioners called for was:

Wales has many place names which have needlessly been Anglicised, and have often been replaced by Anglicised forms for no good reason. [...] I, and the undersigned, therefore petition the Welsh Assembly to take action and change these Anglicised forms of Welsh names - throughout Wales - and restore their original Welsh spellings.

The Petitions Committee of the 5th Senedd considered the petition in June 2020. The petition gathered 1,096 signatures.

During the second half of 2020, a petition calling for legislation to prevent people from changing Welsh house names was submitted to the Senedd. This petition gathered 18,103 signatures, and was debated in Plenary on 20 January 2020. The previous Minister for Mental Health, Wellbeing and the Welsh Language stated during the debate:

I have to admit that this is an issue that I am concerned about, but there are practical problems that we need to look at... I'm happy to see whether it's possible for us to do something on a statutory basis as well.

But, I have to say, I'm not sure if it's possible, but I'm more than happy to see if we can move further in this area.

In 2018, a [petition calling on the Senedd to protect and promote Welsh place-names](#) was submitted. It gathered 431 signatures. The specific action the petitioner called for was:

Increasingly historic Welsh place names and house names are being replaced by English names. This kills the local culture and one of the elements which makes Wales unique... Old Welsh place names/building names should be protected by law; and new developments should have a mandatory Welsh name in order to preserve our unique culture and language.

A year earlier, Dai Lloyd MS won the ballot to propose a Member's bill: [Development of the Protection of Welsh Historical Place Names Bill](#). A [Plenary debate](#) was held on 15 March 2017.

The Welsh Government did not support the bill, and it did not receive leave to proceed.

As part of its 2017 inquiry into the [Historic Environment](#), the Culture, Welsh Language and Communications Committee (of the 5th Senedd) considered the List of Historic Place Names of Wales. It stated that the Welsh Government should keep the matter under "active review and should be willing to introduce further protection for historic place names if the current list does not prove effective".

4. Welsh Government action

The previous Welsh Government [outlined its activity](#) in this area in response to the petition in 2018 [calling on the Senedd to protect and promote Welsh place-names](#). It noted that, following the passing of the [Historic Environment \(Wales\) Act 2016](#), the Welsh Government introduced a statutory list of historic place names, and that:

Statutory guidance requires local and National Parks authorities and Natural Resources Wales to take account of the list when their functions involve naming or renaming places. This includes the naming or renaming of streets, properties and other places, either directly or by another party. The intention is that the operation of the list and the

statutory guidance together will lead to a reduction in the number of formal changes to historic property names.

However, the Welsh Government noted:

...these measures stop short of providing formal protection for historic place names. Detailed consideration was given to providing statutory protection for historic place names during the development of the 2016 Act.

In response to the petition calling to revert to the Welsh language spelling of place-names, the Minister for the Welsh Language at the time noted that:

The Welsh Language Commissioner is responsible for providing advice to individuals and organisations on the standardised forms of place names in Wales. The Commissioner's List of Standardised Welsh Place-names is a useful online resource, which can be searched or downloaded to find the standardised names of villages, towns and cities in Wales...

However, the Commissioner's role is to suggest forms and spellings for place-names, rather than to enforce them.

Responding to the last petition calling on the Senedd and other bodies to start referring to Welsh cities and towns by their Welsh names, the Minister for Education and Welsh Language noted that:

Welsh place names are currently the subject of close attention from the Welsh Government, with several processes ongoing in order to collect evidence for policy developments.

The Minister concludes by referring to the Welsh Government's Programme for Government Commitment, stating that:

I know that people feel strongly about Welsh place names, be they the names of houses, geographic features, towns or villages, and they are included in our Cooperation Agreement with Plaid Cymru because we as a Government want to make a real difference

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-06-1369
Ein cyf/Our ref JMEWL/01620/23

Jack Sargeant MS
Chair - Petitions committee
Senedd Cymru
Cardiff Bay
CF99 1SN

16 October 2023

Dear Jack,

Thank you for your letter, dated 26 September, requesting my views on the petition which calls for the use of only Welsh names for places in Wales.

Safeguarding Welsh place names is an important part of the Welsh Government's work, with our [Programme for Government 2021-26](#) stating that we will 'act to protect Welsh language place names' and the [Cooperation Agreement](#) with Plaid Cymru stating that we'll 'act to ensure that Welsh language place names in the built and natural environments are safeguarded and promoted for future generations'.

Thus far, our focus has been on the wealth of names we have for topographical features, land and property, including farms and housing. Many of these names are historic in nature. By focusing on these areas, it becomes evident how complex are the factors which impact on place names, with different issues to be taken into consideration in relation to different types of names. This is equally true of settlement names. The names of villages, towns and cities in Wales, for instance, have developed over hundreds, if not thousands, of years, and though the majority of names for settlements in Wales have their origins in the Welsh language, a number of them also have their roots in English, French, Latin, Irish or Norse.

Things get more complicated when a town or city has different names in Welsh and English. Every town, village or city has its own unique history, and that history will have influenced how its name or names have taken root, developed and changed over the course of centuries. In some instances, it isn't always clear what the "original" name of a given settlement is.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

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

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@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.

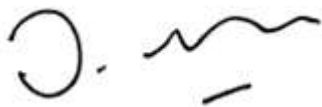
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

In previous correspondence to you on a similar topic, I alluded to the example of Cardiff – the modern Welsh name for the city, *Caerdydd*, comes from the mediaeval Welsh form, *Caerdyf*, which in English has developed into the modern spelling of *Cardiff* (*with the Welsh 'f' (or v) becoming 'ff' in English*). In this case, therefore, it would be difficult to determine which of its modern names is truer to its old form. By discarding the modern English name, for instance, one could argue that we would be erasing the connection with the city's mediaeval Welsh name. What I've learned when dealing with place names is that each individual name has a unique history.

In some examples, where the pronunciation of the Welsh and English names for a town or city is so similar that there's a strong argument for having only one spelling, I think it can make sense to stick with the Welsh spelling. In these cases, I would support the principle promoted by the Welsh Language Commissioner, namely that we should aim for one spelling when there are only a few letters of difference between the Welsh and English versions. In this context, our policy on [Welsh Language Linguistic Infrastructure](#) notes the need to promote and emphasise the status of place-names which have been standardised, and to raise awareness of the List of Standardised Welsh Place-names which is maintained by the Commissioner. But these are very often local issues – we've seen in the past how changing only one letter in the name of a town or village, or adding a hyphen in order to standardize orthography, can lead to strong disagreements in local communities. I therefore continue to believe that we need to find a way of reflecting the wider range of perspectives and implications which exist.

The petition refers specifically to the cases of Eryri National Park and Bannau Brycheiniog National Park. These are independent organisations which have conducted exercises to get to know what local people think about their suggestions for renaming. For instance, during the two years before rebranding, Bannau Brycheiniog National Park Authority held conversations with volunteers, residents, visitors and businesses about their identity and about what it means to be a national park. This included a stakeholder reference panel, a citizen's assembly and a brand consultation process. I believe that thorough engagement and open public discussion would be necessary for any decisions of this kind, as it goes to the heart of local democracy and how people see themselves.

Yours sincerely,



Jeremy Miles AS/MS

Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Save overnight minor injuries provision at Nevill Hall Hospital in Abergavenny

Y Pwyllgor Deisebau | 13 Tachwedd 2023
Petitions Committee | 13 November 2023

Reference: SR23/7092-3

Petition Number: P-06-1370

Petition title: Save overnight minor injuries provision at Nevill Hall Hospital in Abergavenny

Text of petition: Aneurin Bevan University Health Board has set out plans to close its Minor Injuries Unit at Nevill Hall Hospital overnight. This will mean that between 1am and 7am in the entire health board area, there will be just one open Minor Injuries Unit - at the Royal Gwent Hospital in Newport.

This change would significantly increase travel times for residents in Blaenau Gwent, Monmouthshire, Torfaen and parts of Caerphilly. The change would make the Royal Gwent and the Grange even busier.

The health board has opened a consultation on the proposal: <https://abuhb.nhs.wales/about-us/engagement/public-engagement-consultation/current-opportunities/provision-of-minor-injury-unit-services-8-week-engagement/>



1. Background

Nevill Hall hospital in Abergavenny provides care to residents of Gwent and South Powys, and currently offers a 24 hour, seven days a week, nurse-led Minor Injury Unit.

In September 2023 Aneurin Bevan University Health Board announced a “12-week Engagement” on the provision of Minor Injury Unit (MIU) services. The health board’s briefing document says a recent evaluation of MIU demand identified key patterns of activity across sites, and “highlighted a significant imbalance between opening hours and patient demand across the MIUs”. It found that very few patients attend Nevill Hall hospital (NHH) MIU between 1.00am and 7.00am:

Between 1 April 2022 and 31 March 2023, there were 400 attendances to NHH MIU (approximately one patient per night) during these hours. By contrast, there were 1,530 attendances to RGH MIU (approximately four patients per night) during the same hours

The health board says in response to these findings, it has considered a number of options for future service provision, with the aim “to ensure optimal matching of capacity to demand and develop the most robust and sustainable model for the future”.

The health board’s preferred option is to make permanent the current temporary opening hours at Ysbyty Ystrad Fawr (YTT) (7.00am to 1.00am, seven days per week), and to introduce the same opening hours pattern at NHH. If adopted, MIU service provision would be:

- Royal Gwent Hospital - Open 24 hours, seven days per week
- NHH - Open 18 hours from 7.00am to 1.00am seven days per week
- YYF - Open 18 hours from 7.00am to 1.00am seven days per week
- Ysbyty Aneurin Bevan (YAB) - Open from 9.00am to 7.00pm Monday to Friday (excluding bank holidays)

The engagement period runs until 5.00pm on Friday 1 December 2023. Responses will be collated into an engagement report which will be shared with the Llais Gwent Region (the body that has replaced Community Health Councils) to identify whether a final decision can be made or whether further actions are required.

The health board says subject to further discussions with Llais, it may wish to enter a period of formal consultation, in which case it would once again invite views.

2. Welsh Parliament action

In Plenary on 18 October 2023, Peredur Owen Griffiths MS raised the issue with the Minister for Health and Services about the proposed changes and asked:

Given that minor injury units are seen as a key component in a strategy to ease pressure on A&E departments, is it not a retrograde step, and will this make the Grange University Hospital an even longer and more frustrating experience for anyone visiting their A&E department and heap more pressure on the staff working there?

The Minister answered:

[...] it's obviously something that I know the health board has considered very seriously. But the fact is, in relation in particular to the Abergavenny minor injury unit, on average, there was one patient there overnight. Now, in these financial pressurised situations, it's very difficult to justify that on the basis of value for money. And that is one of the reasons why, certainly, they have moved to close that facility, and to move people to and encourage people to go to the new Grange hospital, where in fact we've put significant investment, and will be making significant additional investment in future years. We've put an extra £3.5 million capital funding to establish a same day emergency care centre, for example, in the Grange.

3. Welsh Government response

The Minister for Health and Social Services noted in her response to the petition that the health board is responsible for the planning and delivery of healthcare services on behalf of its local population.

The Minister said she's aware that following a recent evaluation of minor injury unit (MIU) services, the health board identified an imbalance between opening hours and patient demand across the units, and:

In recognition of the low overnight patient demand at some sites (on average one patient between 1am and 7am at Nevill Hall Hospital), the

health board is seeking to ensure that this valuable staff resource is used as effectively as possible and that clinical teams can maintain their skills.

The Minister said she would encourage all interested parties to engage in the process and that no decision will be made by the health board until after the formal public engagement process has concluded in December.

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-06-1370
Ein cyf/Our ref EM/02621/23

Jack Sargeant MS
Chair - Petitions Committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

15 October 2023

Dear Jack,

Thank you for your letter of 2 October regarding Petition P-06-1370 Save overnight minor injuries provision at Nevill Hall Hospital in Abergavenny.

As you know the health board is responsible for the planning and delivery of healthcare services on behalf of its local population. I am, however, aware that following a recent evaluation of minor injury unit (MIU) services within the health board area, the health board has identified an imbalance between opening hours and patient demand across the units. In recognition of the low overnight patient demand at some sites (on average one patient between 1am and 7am at Nevill Hall Hospital), the health board is seeking to ensure that this valuable staff resource is used as effectively as possible and that clinical teams can maintain their skills.

The health board commenced a formal public engagement process on 11th September, which will run until 1st December, and I would encourage all interested parties to engage in that process. More information can be found at:

[Provision of Minor Injury Unit Services 12-week Engagement - Aneurin Bevan University Health Board \(nhs.wales\).](#)

No decision will be made by the health board until after the formal public engagement process has concluded in December. If the current proposals were implemented, minor injury services would continue to be maintained at Nevill Hall Hospital in Abergavenny for 18 hours a day, seven days a week between 7.00am and 1.00am, and at Ysbyty Aneurin Bevan in Ebbw Vale for 10 hours between 9.00am and 7.00pm Monday to Friday. Minor injury services will continue to be provided at the Royal Gwent Hospital in Newport on a 24-

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

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

Gohebiaeth.Eluned.Morgan@llyw.cymru
Correspondence.Eluned.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.

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.

hour basis, and the Grange University Hospital continues to provide 24/7 emergency department services for any more significant injuries or medical conditions.

I hope this is helpful.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "M. E. Morgan".

Eluned Morgan AS/MS

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



Jack Sargeant MS
Chair
Petitions Committee
Senedd Cymru
Cardiff
CF99 1SN

Wednesday 1st November 2023

Dear Jack,

Re: Petition P-06-1370 Save overnight minor injuries provision at Nevill Hall Hospital in Abergavenny.

Thank you for opportunity to share some views on the above petition ahead of your committee's discussions on 13th November.

I proposed this petition together with my ward colleague Cllr Jayne McKenna because we worry about the impact the overnight closure of the minor injuries unit will have on local residents, on existing pressures at The Grange and because of fears this is the thin end of the wedge.

In recent years in Monmouthshire we have seen health services repeatedly cut back and centralised. We've recently lost Accident & Emergency services at Nevill Hall in Abergavenny to be centralised at The Grange, even though the hospital didn't even have planning permission to be an all-access A&E unit.

Last year our ambulance stations in Monmouth and Parkwall near Chepstow were downgraded, while paramedics in Monmouth continue to operate out of a leaking portacabin while the neglected former station continues to deteriorate and decay.

In March, Aneurin Bevan University Health Board announced the temporary cessation of maternity services at Nevill Hall, centralising the service at The Grange. Disappointingly, this has now been made permanent, meaning there is now no maternity provision in our county.

This is on top of the loss of primary healthcare services, including most recently the loss of GP provision in the Gilwern area.

I requested that health board bosses answer questions in a council committee about their plans and it was clear that this closure is being considered not to improve patient care but as a kneejerk reaction to the health board's £160million mid-year budget overspend.

*County Councillor Richard John, Leader of the Opposition /Arweinydd yr Wrthblaid
Monmouthshire County Council, County Hall, Usk, Monmouthshire NP15 1GA
Cyngor Sir Fynwy, Neuadd Sir, Brynbuga, Sir Fynwy NP15 1GA
E-mail/E-bost: richardjohn@monmouthshire.gov.uk
Tel/Ffôn 01633 644219*

Under these plans the Royal Gwent in Newport will be the only overnight Minor Injuries Unit in the entire health board area for residents in Monmouthshire, Newport, Torfaen, Blaenau Gwent and Caerphilly. I entirely understand that specialist services should be centralised, but services like minor injuries units, which play an important role in triaging patients and reducing pressure on Accident & Emergency units are vital.

It makes no sense for patients from Abergavenny, other communities in northern Monmouthshire, Blaenau Gwent, southern Powys and elsewhere to travel all the way to the Royal Gwent potentially passing Nevill Hall and the Grange.

One of the arguments the health board is making in favour of the overnight closure is that very few patients attend Nevill Hall MIU overnight but at the same time the health board is saying that the Grange is under pressure because some patients are turning up there when really they should be going to MIU and that the Grange should be for immediately life or limb threatening conditions.

The other point that's been raised is that this decision isn't going to put lives at risk - try telling that to any parent who's taken their child to an MIU in the dead of night with a rash, unsure whether it's hand, foot and mouth or meningitis.

Last week, Monmouthshire County Council passed the following motion with cross party support:

This Council:

Opposes plans set out by Aneurin Bevan University Health Board to end overnight cover at the Minor Injuries Unit at Nevill Hall Hospital in Abergavenny and calls on the administration to work constructively with ABUHB and neighbouring local authorities to ensure that outcome.

I'm grateful for advanced sight of the Minister's comments on the issue, but note that she expresses no view on the proposals, which is disappointing given that health boards account to the Health Minister alone for decisions on service delivery.

Having seen other health services cut back in recent years, we are concerned this latest cut is the thin end of the wedge. We have already received support for our campaign from the public as well as our local MP, constituency and regional Senedd Members, but would very much welcome the support of the Petitions Committee.

Thank you in advance for considering this petition. If you require any further information, please do not hesitate to contact me.

*Yours sincerely,
Richard*

**Richard John
Leader of the Opposition
Monmouthshire County Council**

*County Councillor Richard John, Leader of the Opposition /Arweinydd yr Wrthblaid
Monmouthshire County Council, County Hall, Usk, Monmouthshire NP15 1GA
Cyngor Sir Fynwy, Neuadd Sir, Brynbuga, Sir Fynwy NP15 1GA
E-mail/E-bost: richardjohn@monmouthshire.gov.uk
Tel/Ffôn 01633 644219*

P-06-1373 Stop Welsh Government Wasting £4 million on Skyline private development Kilvey Hill, Swansea

Y Pwyllgor Deisebau | 13 Tachwedd 2023
Petitions Committee | 13 November 2023

Reference: SR23/7092-6

Petition Number: P-06-1373

Petition title: Stop Welsh Government Wasting £4 million on Skyline private development Kilvey Hill, Swansea

Text of petition:

The plans for a skyline involve privatising a public open space for a project of very uncertain success. The shareholders of this private firm will benefit from this large injection of cash but there is a risk of major environmental damage with no guarantee of success in the long term.

It means the loss of a much used local nature amenity. Better action: Use existing plans to conserve and enhance the biodiversity of this wild part of Swansea. A big cash grant for no certain benefit is unwise.

Toxic pollution from Swansea's heavy metal industrial past turned our hill into a barren wasteland until in the 70's a partnership of our council and the university began its slow transformation into a pine woodland, the only species that could thrive. Involvement of the local community and schools began then and has continued till today with a volunteer group helping NRW rewild the woodland so that native species and creatures are now thriving.

We are proud our woodland is known as the finest example of regenerated urban woodland in Wales and it has a special place in the hearts of local people for enjoyment of a green lung for the city's Eastside. It is also an outdoor classroom for local schools. If money is to be spent, let's have woodland management, trails, maintained paths, rangers, none of which we've had for 25 years!



1. Background

The petition relates to proposals from Skyline Enterprises Limited (Skyline) to create a new leisure development that will be located at the Landore Park and Ride Facility extending up to Kilvey Hill.

Skyline describes itself as “an international tourism company delivering real fun to global communities”. Headquartered in New Zealand, Skyline has sites in Queenstown and Rotorua (New Zealand), Calgary and Mont Tremblant (Canada), Sentosa (Singapore), Busan and Tongyeong (South Korea) and soon to be Kuala Lumpur (Malaysia).

The development proposals consist of several elements including, a gondola cable car from Hafod Morfa Copper Works, three luge rides, a zipline and sky swing, new mountain bike trails, and walks and picnic areas.

In a recent Wales Online article regarding a planned protest against the development, a spokesperson from Skyline is quoted as saying:

“Our proposals for Kilvey Hill celebrate the hill and its wildlife alongside providing a fun new attraction for the residents of Swansea and its visitors. We recognise the value and importance of the site in ecological terms and, for this reason, instructed Welsh consultancy firm, EDP, back in 2018, to start ecological survey work. That work has continued to date and has informed the preparation of our proposals. Critically, our objective is to enhance the overall biodiversity of the site and to allow for the better management of these in the long term through our involvement.

“If our application is successful, Skyline will be investing circa £34million into the development of the site and we are already seeking local partners to assist with food and beverage retail at the proposed attraction and in the construction of the scheme. Local planning, environmental and engineering firms have already been appointed to develop the application proposals.

"Skyline has built recognised world class facilities like this across the globe in in New Zealand, Canada and Singapore. We believe Kilvey Hill is an excellent opportunity for our eighth site and we are committed to its

sensitive development, as we have been with all our other sites. We held several public consultation events in March this year and community support was very strong. We look forward to further engagement with the people of Swansea as the planning application progresses.”

2. Welsh Government action

The Welsh Government’s response to the petition comes from the Deputy Minister for Arts, Sport and Tourism. The response confirms that the Welsh Government has agreed to provide £4 million of financial support for the £34 million overall venture, which is forecast to deliver “up to 100 full-time equivalent roles”. A Welsh Government response to a Freedom of Information request, dated June 2023, states that £1 million of the total £4 million package of financial support is repayable.

The proposed investment in Skyline was examined by the Welsh Industrial Development Advisory Board (WIDAB) before the Ministerial decision was taken to support the project was made. WIDAB provides advice to the Minister for Economy on issues relating to the Welsh Economy. Central to WIDAB’s role is providing advice on individual projects requesting support of over £1 million from the relevant schemes within the Economy Futures Fund.

In the response, the Deputy Minister also addresses the environmental considerations associated with the project:

I can advise that the local planning authority is required to consider the application in line with national planning policy, which includes environmental considerations. Skyline has completed topographical, environmental and ecology surveys before applying for funding.

The Welsh Government has set out clear pathways and policy frameworks in Planning Policy Wales (PPW) 11 for the planning system to respond to negative environmental trends and cycles and deliver better sustainable outcomes. PPW11 sets out a strong framework for the protection of trees, woodlands, and hedgerows, requiring compensatory planting by developers where woodland or trees are removed as part of a proposed scheme. This is in addition to protection afforded by Tree Preservation Orders which are also administered by local authorities.

Skyline holds a New Zealand-led Qualmark Gold Award for its sustainable practices.

New buildings will achieve a BREEAM Excellent standard where required. A pre-condition of support requires Skyline to independently audit its environmental performance at Swansea through an external accreditation scheme, such as Green Key or equivalent.

In summary, our investment approach for the Skyline project aims to balance the environmental and economic considerations of the project and ensure that our funding is linked to clear targets being achieved.

3. Comment from local Member of the Senedd

The proposed Skyline development sits in the Swansea East constituency of Mike Hedges MS. He is quoted in an article on the [Nation.Cymru website](#) from April of this year as saying:

“£4 million is an awful lot to pay for 100 jobs – that’s £40,000 per job, which are likely to be low paid and, in the main, seasonal.

“Is it a good use of public money? I would say no.

“If you’ve got that money to invest, I’d much prefer to see it being invested in ITC (information and computer technology) and life science companies who provide high value jobs and will boost the economy.”

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.

Dawn Bowden AS/MS
Dirprwy Weinidog y Celfyddydau, Chwaraeon a Thwristiaeth
Deputy Minister for Arts, Sport and Tourism



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-06-1373
Ein cyf/Our ref DB/00706/23

Jack Sargeant MS
Chair - Petitions committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

26 October 2023

Dear Jack,

Thank you for your letter of 10 October about petition P-06-1373 concerning the Skyline project at Kilvey Hill.

I am responding as this is a project the Welsh Government is supporting from my Arts, Sport and Tourism portfolio.

The Skyline project in Swansea is being proposed by a private developer, Skyline Enterprises Limited, a New Zealand based company, that owns and operates seven existing destination attractions in New Zealand, Canada, and Asia.

This project is to create a European hub and flagship attraction at Kilvey Hill, Swansea. The project will create a destination 'Skyline' attraction. The signature activities are a gondola cable car from Hafod Morfa Copper Works, three luge rides, skyswing and a zipline with an attraction offering food and drink at the summit of Kilvey Hill.

Taking key concerns from the petition text, I have addressed each point in turn.

Project success

When making investment decisions we consider many factors, and we continually seek to get the optimum value from each of our project investments.

The investment decision-making process is scrutinised by the Wales Industrial Development Advisory Board (WIDAB), who review and make recommendations on projects.

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Dawn.Bowden@llyw.cymru
Correspondence.Dawn.Bowden@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 proposed investment in Skyline was examined by WIDAB <https://www.gov.wales/welsh-industrial-development-advisory-board> before the Ministerial decision to support the project was made.

The investment into the Skyline project is forecast to deliver, over an agreed period, up to 100 full time equivalent roles and induce significant private sector investment. In addition, the project will impact indirectly within the economy through construction, wage and visitor spend, and supply chain effects.

Funding

Grant awards are set against targets being achieved by the Skyline project and are phased throughout. The request to the Welsh Government is for support of £4m, which is part of the £34m overall venture. The funding award is also subject to a series of conditions including planning permission approval and confirmation of land purchases.

Environment

I can advise that the local planning authority is required to consider the application in line with national planning policy, which includes environmental considerations. Skyline has completed topographical, environmental and ecology surveys before applying for funding.

The Welsh Government has set out clear pathways and policy frameworks in Planning Policy Wales (PPW) 11 for the planning system to respond to negative environmental trends and cycles and deliver better sustainable outcomes. PPW11 sets out a strong framework for the protection of trees, woodlands, and hedgerows, requiring compensatory planting by developers where woodland or trees are removed as part of a proposed scheme. This is in addition to protection afforded by Tree Preservation Orders which are also administered by local authorities.

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New buildings will achieve a BREEAM Excellent standard where required. A pre-condition of support requires Skyline to independently audit its environmental performance at Swansea through an external accreditation scheme, such as Green Key or equivalent.

In summary, our investment approach for the Skyline project aims to balance the environmental and economic considerations of the project and ensure that our funding is linked to clear targets being achieved.

Yours sincerely,



Dawn Bowden AS/MS
Dirprwy Weinidog y Celfyddydau, Chwaraeon a Thwristiaeth
Deputy Minister for Arts, Sport and Tourism

P-06-1373 Stop Welsh Government Wasting £4million on Skyline private development Kilvey Hill, Swansea, Correspondence – Petitioner to Committee, 08.11.23

Subject: Submission of Petition Report and Survey Findings on the Skyline Development at Kilvey Hill

REF: P-06-1373

For the attention of Members of the Petitions Committee

I, Neil Jones, submitted the petition referred to above on behalf of [Swansea Friends of the Earth](#)(1). Thank you for offering the extension for this to be read by the committee. There has been extensive community consultation and involvement by volunteers in the absence of Council engagement.

[Swansea Skyline](#) (2) is primarily a complicated large, prominent outdoor and weather-dependent development on Kilvey Hill involving two miles of concrete go-kart track, illuminated until 11 p.m, with sound systems, 24-hour lighting and a licenced bar on the summit. Committee members must not be confused by the name and publicity into thinking it is primarily a zip wire project. It will also include gondolas, a sky swing, service areas, car parks, food truck stands, and luge/skylifts.

Reference: [Figure 1 Korea Luge \(Go Kart track\) Skyline pic](#) and [Figure 2 Vista view of the proposed skyline project site](#)

Recognised designations of Kilvey Hill:

[Site of Importance for Nature Conservation](#)(3) whilst being Wales's largest urban forest with a [Nationally Designated Quiet Area](#)(4), [WOM21 Open Access Area](#)(5). [The Open Spaces Society](#)(6) has condemned the development.

In light of the letter in response to the petition, [231026 Deputy Minister for A,S & T to Chair.pdf](#) We submit our petition report and survey findings regarding the Skyline development at Kilvey Hill. These documents reflect substantial community concerns, supported by data collected by Swansea Friends of the Earth and [Kilvey Community Woodland Volunteers](#)(7). Extensive information on Kilvey Hill and the Skyline project is available here: <https://www.facebook.com/savekilveyhill>(8).

Community Involvement and Concerns:

A rigorous survey of 245 residents conducted by [Kilvey Community Woodland Volunteers](#) revealed deep-seated concerns and anger about the proposed use of public funds for the Skyline project: 90% of participants expressed unease about potential environmental degradation, increased noise, traffic, and loss of green space, all of which could adversely affect personal well-being. In particular, additional comments by 185 participants revealed anger at the lack of community consultation. Results here:

[qual-survey-231107.pdf](#) [quant-survey-231107.pdf](#)

Petition Support and Significance:

The petition, "Stop Welsh Government Wasting £4 million on 'Skyline' private development Kilvey Hill, Swansea," gathered 3,051 signatures, confirming the community's strong connection to Kilvey Hill. A significant portion of support originates from Swansea East and West, communities directly impacted by the development.

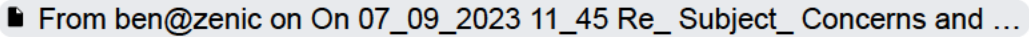
[Figure 3 Bar chart of Swansea petition numbers](#). See the [Full petition breakdown report of raw data](#).

Economic Sustainability:

The Skyline Swansea project's claim of creating [100 permanent jobs](#)(9) is challenged by the reality that these are likely to be job hours, not FTEs, and are dependent on achieving a projected visitor count of

450,000 per year. This figure is a massive decrease from an initial over-estimate of 750,000 visitors, which did not meet the company's own benefit-cost ratio (BCR) targets to finance the creation of these jobs, with an individual cost of £125,000 per long-term full-time job hours, Skyline Swansea is now dependent on £12.4 million of public funds and loans. Additional financial backing is presumed to be procured through loans guaranteed by a 125-year lease agreement, which includes public land, with the only security being the limited guarantee of [SKYLINE SWANSEA LIMITED \(Company No. 14320214\)](#)(10), directed by [Geoffrey McDonald](#)(11) and [Nigel Vernon Short](#)(12), who also have ties to adjacent businesses [1](#)(13) [2](#)(14) and the [Swansea City Deal](#).

This financial approach raises concerns about safeguarding of public money and land, especially when considering the opaque nature of the project's financial details and the [Welsh Industrial Development Advisory Board's](#)(15) reliance on non-public [KADA reports](#)(16). These concerns are magnified by recent Welsh tourism data, confirming a decline in business across various sectors, inconsistent with the optimistic projections of the Skyline project.

Welsh Government's "[Tourism Barometer: Summer Wave 2023](#)(17)" indicates a tourism downturn, with only 46% of attractions reporting an uptick in visitors – a figure that conflicts with Skyline's projections. Moreover, top attractions like [Zip World Forest](#)(18), with 223,500 visitors in 2019, and Cardiff Castle, despite its advantageous location in the capital near an international airport, currently do not achieve such high visitor numbers [Cardiff Castle](#)(19) 2021 (372,606). Coupled with Swansea's current hotel capacity constraints, this paints a bleak picture of the project's hoped-for influx of visitors, Please also see this email  sent to Mike Hedges and Senned members containing evidence that The Skyline project's financial viability is in question due to concerns about [escalating costs](#)(21), significant [gambling involvement and bypassing government rules](#)(22), problems [paying back subsidies](#)(23) and doubts about meeting visitor projections, raising doubts about its longer-term financial sustainability.

Further, a cause for concern was raised by an article about a recent environmental and community disaster with a Skyline Queenstown development that should raise alarms about care and due diligence within the company. See image [Figure 4: Landslide at Queenstown site](#) and full ([article](#)(24))

The economic viability of the Skyline project is uncertain, demanding a reassessment of its sustainability and a commitment to transparent public investment, especially in the context of recent tourism statistics.

Environment, Well-being and Educational Value:

Kilvey Hill is a special and unusual natural space for mental and physical health, a role supported by Welsh government-funded research. The potential loss or fragmentation of this space could have negative impacts on community health and well-being. Over 60 community groups, mainly volunteer groups, regularly use the hill.

In 2018, the [welfare value](#)(25) for Kilvey was £599,497 on the basis of 147,810 visits. In comparison, Singleton Park is worth £785,666 on the basis of 337,429 visits per year. It shows that the Council risks losing a considerable well-being asset.

The well-being of future generations is a cornerstone of Welsh policy, mandating the preservation of green spaces and the promotion of nature-based well-being practices. Major research over 10 years with 2.3 million adults in Wales ([Geary et al., 2023](#))(26) documents the mental health benefits associated with proximity to green spaces, with these effects amplified in socio-economically deprived areas. The Swansea region, particularly the less-affluent East, shows a correlation between green space availability and health outcomes ([Dobbs, 2003](#))(27).

Kilvey Hill, as a natural sanctuary, plays a vital role in community health and well-being, offering a place for social interaction and nature-connected activities. Welsh government-funded research ([Simons, 2023](#)) (28) supports this, revealing the positive impact of time spent on Kilvey Hill in reducing stress and enhancing mental well-being. This space is integral not only for therapeutic and educational purposes but also as a green refuge that sustains the community's social fabric.

With the current user mix of the hill, this project runs the risk of reducing multiple access overall. Swansea's definitive paths map indicates the east side is the most deprived and has few paths and bridleways as defined by [Swansea council](#)(29). Recent cuts to bus services in the area due to the withdrawal of funding from the Welsh government compounds this deprivation, [29th October 2023 Service Changes | First Bus](#)(30) Lack of public transport will increase the need of the Hill for recreation and health-related activities.

Furthermore, the areas on Kilvey Hill, outside of the proposed lease area, will not be maintained by Skyline, i.e. paths and bike tracks, as stated by Swansea Council in the FIO request, if the Skyline project is awarded a 125-year lease.

The potential loss of space and degradation of Kilvey Hill due to disruptive development will undermine the well-being benefits currently provided. This is in direct contradiction to Welsh government policies that prioritise nature-connectedness and sustainable community health frameworks.

PWW Policy Concerns & Call for Review – Skyline Swansea Project

There are significant policy concerns regarding the Skyline Swansea project, as outlined in the detailed analysis attached [[Attachment Link](#)]. [The Planning Policy Wales \(PPW\)](#)(document emphasises the conservation of quiet areas. As the Kilvey Hill area is designated as a national quiet area or is similarly protected due to its tranquillity, the policies outlined in PPW 11 regarding the management of noise and the conservation of quiet spaces are relevant. Page 133 suggests that the policy document provides guidelines to protect such areas from developments that could significantly increase noise levels and disrupt the tranquillity of the area.

The project's projections for visitor numbers and job creation are too ambitious. They don't align with sustainable development duties or the Well-being of Future Generations Act (2015), particularly in terms of economic viability, public investment transparency, and community engagement (PPW, Edition 11, sections 1.11, 1.15, 2.12, 2.28, 2.6, 2.7, 2.8, 1.3, and 1.16). There are also serious issues with the environmental impact, public access, and the project's compatibility with climate change objectives and financial risk assessments.

Request for Re-evaluation:

We request a re-evaluation of the [Welsh Industrial Development Advisory Board's](#)(31) report on the proposed Skyline Development.

We want a better, more collaborative approach to find a sustainable path for Kilvey Hill that respects both community desires, environmental imperatives and the well-being of the community in this area of high deprivation.

We await your response and are ready to provide further information or engage in dialogue as needed.

Yours sincerely,

Neil Jones
Biodiversity Campaigner
Swansea Friends of the Earth



Documents:

- 231026 Deputy Minister for A,S & T to Chair.pdf
- qual-survey-231107.pdf
- quant-survey-231107.pdf
- Petition results Summary_ P-06-1373 Stop Welsh Government Wasting £4million on Skyline private dev...
- From ben@zenic on On 07_09_2023 11_45 Re_ Subject_ Concerns and Queries Regarding the Skyline ...
- Comprehensive Assessment of Potential PWW Failures_ Skyline Swansea Project.pdf
- Figure Images Document.pdf
- planning-policy-wales-edition-11_0.pdf
- A numbered list of references Skyline petition.pdf

Initiate an early Senedd election

Y Pwyllgor Deisebau | 13 Tachwedd 2023
Petitions Committee | 13 November 2023

Reference: SR23/7092/8

Petition Number: P-06-1375

Petition title: Initiate an early Senedd election

Text of petition: After continued failings from Mark Drakeford and his Labour party we request an early election for the chance to vote on a new governing party in Wales. Examples of Welsh Labour failings are their handling of the Covid pandemic, their running of Welsh vocational education systems and also their most recent farce: the new 20mph speed limits being introduced in Wales. The Welsh economy is floundering and change needs to happen. Time for a new leader in the Senedd.



1. Background

1.1. Ordinary general elections

Section 3 of the Government of Wales Act 2006 (“GoWA”) provides for ‘ordinary’ general elections to be held for the Senedd on the first Thursday in May every five calendar years.

The ordinary general election is prohibited from being held on the same day as a UK parliamentary general election, and Welsh Ministers are therefore provided with the power to vary the date of the Senedd general election to avoid such a clash.

The Senedd’s Presiding Officer also has a power under section 4 of GoWA to vary the date of an ordinary general election by up to one month before, or one month after, the first Thursday in May.

The Senedd Cymru (Members and Elections) Bill, which is currently going through stage one scrutiny in the Senedd, would decrease the length of time between Senedd ordinary general elections from five to four years.

1.2. Extraordinary general elections

As set out in section 5 of GoWA, there are two circumstances where ‘extraordinary’ general elections can be held for the Senedd:

- In the event that at least two-thirds of the total number of Members vote in favour of a motion that the Senedd is to be dissolved; or
- In the event that the Senedd is unable to appoint a First Minister within 28 days of either a general election or the office of First Minister becoming vacant (for example, by the Senedd resolving to no longer have confidence in the First Minister or the First Minister tending their resignation).

If either of these circumstances were to occur, the Presiding Officer would be required to propose a day for the holding of an extraordinary general election.

If an extraordinary general election is held within six months of the next scheduled ordinary general election, that ordinary general election would not

Title:

need to be held. For example, if an extraordinary general election was held after 7 November 2025, the next scheduled ordinary general election on Thursday 7 May 2026 would not be held.

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.

Agenda Item 4.1

P-06-1356 Introduce comprehensive safety measures at the A477 'Fingerpost' junction

This petition was submitted by Elliott Morrison, having collected a total of 10,310 signatures.

Text of Petition:

On Saturday 13 May 2023 Ashley Thomas Rogers tragically lost his life at the A477 'Fingerpost' junction travelling towards Pembroke. His death marked the third fatality on that stretch of road within the space of 12 years. Further, there have been innumerable near misses on what is known locally as a 'black spot' for road traffic accidents. Enough is enough. This petition calls upon the Welsh Government to do the right thing and prioritise human life over trivial budgeting pressure.

Senedd Constituency and Region

- Carmarthen West and South Pembrokeshire
- Mid and West Wales

P-06-1356 Introduce comprehensive safety measures at the A477 'Fingerpost' junction - Correspondence from Interested Third Party to Committee, 17.10.23

Dear Mr Sargeant

I have been given your email address by Samuel Kurtz as I wrote to him asking if I could forward the video to you that the Motorcycle Action Group representative did for me whilst I have been campaigning for a safer junction after the latest fatality on May 13th. I will forward it under separate cover as I am not terribly confident on a computer. This was simply a video taken once over a few minutes at this tricky, confusing junction. Can I point out that both vehicles that nip across from the left (Pembroke Dock direction) - the Fiat 500 and possibly a Kia/Hyundai type of vehicle both SHOULD HAVE GIVEN Way as it is the right of way for the vehicles pulling out from the A4075 across the Trunk Road carriageway. However this hardly ever happens in the correct manner - it ends up being a free-for all scrabble when the Main Road becomes clear - hence all the accidents and fatalities that have occurred here. I have a business in Pembroke and used to use this junction twice a day. The traffic coming from Pembroke direction backs up as the trunk road is so busy until someone gets impatient and shoots across in front of the traffic on the trunk road - which can be legally driving down that road at 60mph. As you can see from the video sometimes they just pull out straight in front of oncoming vehicles that sometimes have to attempt an emergency stop. This has resulted in so many accidents at the junction - most do not appear to be recorded - as unless the Police are involved there appears to be no database. Also of course 4 fatalities that I know of over the years. 2 fatalities in the past 12 years since the so called improvements!! Just one of the awful injuries was a man having to be air lifted to hospital a few years ago who was unable to walk for 12 months and unable to walk unaided for 5 years. Please note the sort of 'holding pen' in the middle of the road ends up with traffic coming from Pembroke stacked up side by side - sometimes up to 6 vehicles squashed in side by side and squeezed behind each other trying to pull out to join the traffic heading East towards Carew. This holding pen is not a bad thing as before traffic ended up being stuck out in the carriageway however it is not used properly and too many people try to get into it making visibility to pull out to head towards Carew very difficult. I think impatience just takes over as people want to get on their way. Half of the fatalities have been motorcyclists because they are so much more vulnerable when a vehicle pulls out - they do not have the protection of a metal cage around them.

Can I also point out Mr Sargeant that this junction is the only junction used by all the refinery tankers, it is used by many workers at the Power Station and the refinery and also is the only junction used by all the Military traffic and personnel going to Castlemartin Range. Also it will shortly become even busier when the multi million pound Council backed Visitor Centre opens in Pembroke as it is the main junction used by tourists.

I hope this gives you some background information that you will need to make your decision. Incidentally the 10,001 signatures were achieved in 36 days showing the strength of feeling from the local community and visitors.

With kindest regards

Dear Mr Sargeant

Incidentally I meant to mention that I am not affiliated to any Political party - I got involved in all this because 12 years ago when the Nash Fingerpost junction was 'improved- I contacted the Highways and Transport office to say it was still incredibly dangerous and confusing and there would be more fatalities.

Sadly I did not pursue a safer junction then and sadly I was proved correct. Ashley Rogers who lost his life at the Junction on May 13th 2023 was a family friend (our daughters first ever boyfriend) - they weren't together anymore but as a family we have stayed in touch with Ashley and his family. He was due to be married 3 weeks after he was killed and he left behind an 18 month old son.

So my passion for forging ahead with the Petition and all the meetings I have had with the Powers- that- be stems from the fact that I know this junction needs to be made safer - preferably with a roundabout as per Carew and Sageston.

Thank you for your time in reading my emails.

6th July 2023

Jack Sargeant MS
Chair, Petitions Committee
Senedd Cymru
Cardiff Bay
Cardiff
Wales CF99 1SN

Centrica plc
Millstream
Maidenhead Road
Windsor
SL4 5GD
www.centrica.com

By email: petitions@senedd.wales



Petition P-06-1326 The Senedd should scrutinise the prepayment meter scandal in Wales

Thank you for your letter of 6 June, following on from my appearance at the Committee on 15 May, regarding the conduct of prepayment meter installations through the warrant process. I'm pleased to provide additional information to the Committee in relation to the steps we are taking to bring our debt collection work in-house.

As you know, following our investigation into the conduct of prepayment meter installations, we decided that British Gas would permanently cease all warrant-related work with third party contractors such as Arvato and, as and when PPM warrant installations resume, this work will be carried out in-house. This will give British Gas direct oversight and accountability of the key processes, from recruitment and training to oversight and management of work being undertaken.

While our work to prepare for this change in approach is ongoing, it is being guided by clear and rigorous policies, procedures and controls; including robust recruitment processes and background checks to ensure front line staff have the essential skills and experience appropriate for this sensitive work.

We will build on our existing 'British Gas Policy and Standards on Ability to Pay Relating to Customers in Payment Difficulty' which includes detailed policies and procedures relating to installation of prepayment meters under warrant, including, for example:

- A requirement that British Gas and its customer representatives must deal with each customer on a case-by-case basis in understanding the individual customer's ability to pay, and in reaching agreement as to how the customer will pay for their future energy consumption and any outstanding balance.
- British Gas must ensure that there are adequate processes and systems in place to enable customer representatives to contact customers at the earliest opportunity in order to identify whether a customer is in payment difficulty. This means proactively contacting customers using, as appropriate, a variety of contact methods.

Our approach is also underpinned by our licence requirements as well as voluntary codes of conduct, including the newly introduced Ofgem Code of Practice and the Energy UK Vulnerability Commitment. We have also recently met, and are in ongoing discussion, with the Enforcement Conduct Board.

We are placing a particular emphasis on effective and ongoing training with a focus on recognising and responding to customers with vulnerabilities (both physical and mental) and customers in financial difficulties. The training itself will be undertaken directly through our in-house learning and development teams, creating a highly skilled workforce that will work across this sensitive area.

More widely, as well as bringing our enforcement work in-house, we also introduced parity between the cost of energy for PPM customers and the cost of energy for direct debit customers, i.e. earlier than the date mandated by Ofgem. In addition, we continue to support customers with a £10 million fund to directly support PPM customers who are in debt by providing a non-repayable credit up to £250. This fund has already helped over 50,000 PPM customers this winter. In addition to these commitments, we will work with others in the sector, and beyond, to push for better data sharing in relation to customers who are either physically or financially vulnerable, on an industry-wide basis, drawn from sources such as the Department of Work and Pensions and HM Revenue and Customs, as well as third sector organisations.

I hope that this information is both helpful and reassuring to the Committee; and, please let me know if you would value any further information at this time.



Chris O'Shea
Group Chief Executive