



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

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[The Petitions Committee](#)

04/04/2017

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd. Lle y mae cyfranwyr wedi darparu cywiriadau i'w tystiolaeth, nodir y rheini yn y trawsgrifiad.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included. Where contributors have supplied corrections to their evidence, these are noted in the transcript.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Gareth Bennett Bywgraffiad Biography	UKIP Cymru UKIP Wales
Mike Hedges Bywgraffiad Biography	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Neil McEvoy Bywgraffiad Biography	Plaid Cymru The Party of Wales
David Melding Bywgraffiad Biography	Ceidwadwyr Cymreig (yn dirprwyo ar ran Janet Finch–Saunders) Welsh Conservatives (substitute for Janet Finch–Saunders)

Eraill yn bresennol
Others in attendance

John Forsey	Priffyrdd, Trafnidiaeth ac Ailgylchu, Cyngor Sir Powys, Cymdeithas Llywodraeth Leol Cymru Highways, Transport and Recycling, Powys County Council, Welsh Local Government Association
Steve Wright	Cadeirydd, Cymdeithas Llogi Car Preifat Cofrestredig Chairman, Licensed Private Hire Car Association

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Kayleigh Driscoll	Dirprwy Clerc Deputy Clerk
Graeme Francis	Clerc Clerk
Sam Mason	Cynghorydd Cyfreithiol Legal Adviser

Kath Thomas

Dirprwy Glerc
Deputy Clerk

Dechreuodd y cyfarfod am 09:10
The meeting began at 09:10

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datganiadau o Fuddiant **Introduction, Apologies, Substitutions and Declarations of Interest**

[1] **Mike Hedges:** Bore da. Good morning, everyone. Can I welcome everyone to the meeting? I remind people that you're welcome to speak in Welsh or English. Headsets are available for translation of Welsh to English. There's no need to turn off mobile phones or other electronic devices but please ensure any devices are in silent mode. Apologies and substitutions: we've had an apology from Janet Finch-Saunders and David Melding is substituting. So, welcome, David.

[2] **David Melding:** My pleasure.

[3] **Mike Hedges:** That takes us on to—.

[4] **David Melding:** I do have a declaration of interest. Can I just put on the record that I have in the past backed calls for a Dinas Powys bypass or, certainly, for the investigation of the scheme to be completed?

[5] **Mike Hedges:** Thank you.

Deisebau Newydd **New Petitions**

[6] **Mike Hedges:** The first new petition is a 'Public Petition for the Dinas Powys By-Pass', which we received last week. The local authority's study of traffic in Dinas Powys is due to conclude in April. A bypass for Dinas Powys is not currently included in the Vale of Glamorgan local development plan. Until 2010, the Welsh Government had a grant programme for large-scale transport infrastructure schemes, but funding currently only appears available to smaller projects. Details have been made available. Possible actions: I think the one I would recommend is that we write to the Cabinet Secretary for Economy and Infrastructure asking whether the Welsh Government has had any involvement in the current study into the Dinas

Powys transport network and, if so, would he be able to update the committee once it's concluded, which is meant to be this month. Are we happy with that?

[7] **David Melding:** So, we'll write to the Minister and then, contingent on that reply, decide if any further action—

[8] **Mike Hedges:** Yes.

[9] **David Melding:** I would just say for the record that some of these schemes—and anyone who's driven on that road will realise why there are periodic calls for it—have gone on for 20, 30 years and I don't think this serves the public interest greatly. There does need to be definitive decision making, with that clearly explained, and I'm not sure that's ever happened. There's another study or there's some sort of consultation, the local authority holds a public meeting and then people feel slightly, I think, lost in the whole process. So, I'd suspect that what the petitioners are really focusing on at the moment is that they get full consideration. So, I think, as a first step, that's a good way to proceed, Chair.

[10] **Mike Hedges:** We will get a reply and then we'll decide what we want to do. If the Minister says the Minister has no involvement, then we will obviously write to the Vale of Glamorgan Council.

[11] **Gareth Bennett:** The Vale of Glamorgan Council—. It's kind of one of these things that seems to be falling between cracks, because the Vale haven't particularly pushed for the bypass themselves. Of course, we've got council elections coming up now, it might change, but they've tried to say, 'Oh, the problem is going to be at the Merrie Harrier junction, so, the actual bypass wouldn't resolve the traffic issues'. But, to be fair to the petitioners, they've actually done a detailed job and they've got their own proposals for that junction, for the Merrie Harrier junction. So, I think we need to do what we can to make sure it doesn't just fall between the Welsh Government saying, 'It's up to the council', and the council saying, 'Oh, the regional funding has stopped' and all the rest of it.

[12] **Mike Hedges:** Neil.

[13] **Neil McEvoy:** I just picked up on the issue of the local development plan and it just seems to be another plan that is just not fit for purpose. I think that's reflected in the fact that the petition is before us.

[14] **David Melding:** I think, certainly, the case in the last 20 years—you know, Barry has grown and, with house prices being what they are and Cardiff growing economically, Barry is increasingly seen as a very attractive place to live. Having lived in Barry myself, it's a very pleasant environment. But it's been somewhat unfashionable in certain quarters and I think that's turned a lot as people have been looking around for places where they may live if they can't afford to live in Cardiff directly. We've seen that in the developments around the Barry docks, which are fed pretty much on this route. There's a good train service, it has to be said, but it's the combination of these factors, and I think that's the type of thing that needs to be looked at in the regional transport plan. I'm sure, as you've said, this would be a good way of starting a process where this is discussed.

[15] **Mike Hedges:** What we normally do is we have something coming in and we write to the appropriate Minister to get that response and then we write back to the petitioners and, if there's not a meeting of minds, then we decide how to take it forward.

09:15

[16] Okay, the next one, 'School Buses for School Children', submitted with 1,239 signatures. There's a bit of confusion over the petition—its call for dedicated school buses for all school pupils argues pupils should not be required to travel by public transport, but it doesn't call for it to be free of charge. It also doesn't talk about the two or three mile limits that currently exist. We know that all dedicated buses must have a seat belt. The Cabinet Secretary states that pupils are entitled to dedicated at two miles at primary school, three miles secondary. The Cabinet Secretary says, beyond this, provision is a matter for local authorities, which isn't quite true, because there's also the Safe Routes to school, and if there's not a safe route—even if it's under two miles or under three miles—then it becomes a reason for them to provide, or a necessity for them to provide, transport. The Welsh Government has provided non-statutory guidance. The petitioner's raised additional comments about CRB/DBS checks not being required for drivers of public buses and have reiterated their call for pupils to be entitled to dedicated school buses. We could contact the petitioner to get some clarification on some of the points—whether she wants to reduce the distance from two and three miles, whether it's meant to be free or only free where it's free by law. So, if we can get that further information from her we can look at it again.

09:16

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[17] **Mike Hedges:** Updates on previous petitions—'Save TWF Services', submitted by Cymdeithas yr Iaith Gymraeg and first considered on 14 February. We wrote to the Minister for Lifelong Learning and Welsh Language for clarification on which local authority areas Cymraeg i Blant is currently working in and further details on how the national element of Twf is now being taken forward by the Welsh Government and to await the views of petitioners. We've had a response from both the petitioners and the Minister. The Minister's outlined the areas that it's covered. The petitioners have welcomed this announcement and stated that restoring these services across the country is positive news. They've also commented on the Government's long-term financial planning regarding increasing use of the Welsh language. The petitioners are happy, so, traditionally, when petitioners are happy, we close the petition. Are we happy to do that?

[18] We've got two to be taken together, 'Slaughter Practices' and 'CCTV in Slaughterhouses'. The Cabinet Secretary has asked for the publicly-appointed annual health and welfare framework group to consider the industry task and finish group report at a forthcoming meeting to assist her in consideration of whether CCTV is necessary in Welsh slaughterhouses. It's anticipated this will happen before the summer recess. The petitioner's raised concerns about significant flaws in the methodology of the task and finish group report, including the membership of this group, which primarily comprised of industry representatives. The petitioner has urged the Cabinet Secretary to consider the full range of evidence available before determining what actions are taken. I think we ought to send the most recent comments to the Cabinet Secretary and have an update from the Welsh Government when appropriate and come back to it.

[19] 'Support for the Control of Dogs (Wales) Bill'—this was submitted back in April 2013. The petitioners are awaiting a meeting with the Cabinet Secretary, which has obviously been cancelled due to the unavailability of the Cabinet Secretary. So, can we await that meeting to take place? Yes.

[20] 'Call in All Opencast Mining Planning Applications'—considered on 3 February 2015 by the previous committee. In February 2017, the committee

decided to write to the Cabinet Secretary for Environment and Rural Affairs to seek an update on the latest policy on this subject. We've received a response. The petitioner has provided further comments, which are also included in the papers for this meeting. We've had a debate on opencast mining back in April 2015, which mentioned this and others. We've had a reply from the Cabinet Secretary for Environment and Rural Affairs on the other petition recently received, and will be on the agenda for the committee's next meeting on 9 May. So, we could defer a decision until we have the two of them.

[21] **Neil McEvoy:** Yes.

[22] **David Melding:** Agreed.

[23] **Mike Hedges:** 'Establish Statutory Public Rights of Access to Land and Water for Recreational and Other Purposes'—last considered on 14 February; response from Cabinet Secretary on 7 March. The petitioner has also made further comments, which are included in the paper. Since it was first considered, various items of correspondence have been received, both in support of, and opposed to, the aims of the petition. We've had a number of letters and e-mails from people who are anglers—I'm sure you've all had as well, because I've had them in my capacity as the Assembly Member for Swansea East, as well as Chair of this committee.

[24] The Cabinet Secretary has informed the committee that she intends to consult on proposals to enhance the type and variety of land and water available for a wider range of outdoor recreation. There is no formal timetable for this consultation. The petitioner has submitted detailed comments in response, and expressed frustration with the length of time that it has taken to develop proposals for reform in this area. But I don't see how we can do anything further until the Cabinet Secretary does do something. We could write to the Cabinet Secretary with the further information we've had from the petitioner, and, hopefully—

[25] **David Melding:** It is a matter of real public interest. I'm sure I'm not the only Assembly Member who gets written to by canoeists and anglers on a regular basis.

[26] **Mike Hedges:** I'm sure every single one of us does, and there's not necessarily a meeting of minds—

[27] **David Melding:** No, indeed.

[28] **Mike Hedges:** —or a willingness to share, on either part.

[29] **Gareth Bennett:** I think it makes sense to send something to the Cabinet Secretary. Maybe that will speed things up. Because, at the moment, the worry is there isn't any timetable.

[30] **Mike Hedges:** Yes. We would just want to get it resolved; I think everybody does.

[31] 'TB testing of cattle'—considered on 21 March, and agreed to await the views of the petitioner's response to the letter from the Cabinet Secretary for Environment and Rural Affairs. The response of the petitioner's been received, and is included in the papers. A consultation on a refreshed TB eradication programme, which included proposals to move to six-month testing intervals for herds in high TB areas, closed in January. The Cabinet Secretary has stated that a substantial number of responses are currently being considered. A statement on a refreshed plan is due in early May.

[32] The Climate Change, Environment and Rural Affairs Committee has recently undertaken an inquiry into bovine TB, and is due to report in the summer term. The committee heard evidence from the Department for Environment, Food and Rural Affairs that six-monthly testing in high-risk areas had seen beneficial impacts in England. The petitioner outlined his concern with six-month testing, including increasing costs to farm businesses, increasing stress on cattle, health and safety implications for those carrying out the tests, and logistical problems.

[33] I suggest that we supply the petitioner's comments to the Cabinet Secretary for Environment and Rural Affairs, for her to take into account in her deliberations, and also make this available to the climate change committee. If they're looking at it, let's—

[34] **David Melding:** I'm a member of that committee. This is a very fast-moving area, both because of the consultation and the work that the committee has done. And there'll be a lot of public discussion on this in the next couple of months as well, I think, so these concerns will certainly be ventilated. And I'm sure the petitioner will be aware of these developments, but they should be encouraged, obviously, to follow them, and to use the normal processes that people have to influence the work that goes on in the

Assembly, via their Assembly Members, and contacting the Minister.

[35] **Mike Hedges:** Yes, but if we send all their correspondence on to that committee, they can do with it as and what they will.

[36] **David Melding:** Well, I think it's worth the petitioner being told. This genuinely is receiving possibly a quite significant examination at the moment. It is an area of public policy that's, if not going to get changed, then is going to get adapted quite considerably, I expect.

[37] **Mr Francis:** We can write to the petitioner along those lines and inform them of those parts of—

[38] **David Melding:** Yes. It's definitely now is the time for them to get their views across, and it's kind of happening, really.

[39] **Mike Hedges:** And send everything we've had on to the committee as well. Okay.

[40] 'A Welsh Government Department for Europe Would Ensure a Clear, Strategic and Accountable Voice for Wales in Ongoing Negotiations'—considered for the first time on 11 October 2016, passed, with the petitioner's additional comments, to the External Affairs and Additional Legislation Committee, and asked them to consider raising the issue covered by the petition in their forthcoming scrutiny of the First Minister on the UK's withdrawal from the European Union. A response to the committee Chair was received on 8 March. The petitioner was informed that the petition would be considered by the committee but had not responded when papers to the committee were being finalised. Still not responded?

[41] **Mr Francis:** No.

[42] **Mike Hedges:** The Chair of the committee has provided information about the committee's evidence session with the First Minister and the Cabinet Secretary for Finance and Local Government, including on the capacity and resources within Welsh Government. The committee recently published its first report on the 'Implications for Wales of leaving the European Union'. The action is: we could await the views of the petitioner. We could send them a link to the report.

[43] **Mr Francis:** Yes.

[44] **Mike Hedges:** ‘Land & Access Lane Sale at Abercwmboi’ was considered for the first time on 14 February. We’ve written to the Cabinet Secretary for Economy and Infrastructure. A response from the Cabinet Secretary was received on 30 March. The petitioner also submitted further comments, which we’ve received. The Cabinet Secretary has confirmed that the access lane is an adopted highway that protects the route as a right of way. The petitioner met with a Welsh Government official in January to discuss the potential sale. It appears that several options for preserving the current usage of the lane for residents were discussed during that meeting. The petitioner remains concerned that the possibility of a fence being built alongside the lane would restrict the ability of residents to use their garages or rear gardens for parking. There appears to be little further that the committee can do until current discussions between the Welsh Government and the local authority are concluded. The committee could write to the Cabinet Secretary for Economy and Infrastructure to ask that he provides the committee with an update on that point. Happy with that?

[45] **David Melding:** Yes.

[46] **Mike Hedges:** ‘Petition to Protect our High Street’: first time on 14 February. Agreed to write to the Cabinet Secretary for Finance and Local Government to seek answers to the specific questions raised by the petitioner. Received a response. The petitioner was informed that the petition would be considered by the committee but had not responded when papers for the committee were being finalised.

[47] **Mr Francis:** No response.

[48] **Mike Hedges:** The Cabinet Secretary states that details were announced in a statement to the Assembly on 17 February. Local authorities will administer the scheme and ratepayers can contact their council to discuss support they may be entitled to. The Cabinet Secretary also provided a link to statistics on the rateable value of businesses in Wales. We await the views of the petitioners.

[49] Long-standing petitions—this is a list of these: ‘Public Inquiry into ABMU Health Board’, which was last considered March 2015. The petitioner considers the matter closed, so we close it.

[50] ‘Proposed Ban on the Use of e-cigarettes in Public Places’: last

considered June 2015. The petitioner responded to a request for comments and expressed his satisfaction with the new Public Health (Wales) Bill. Close it.

[51] 'Save our Services—Prince Philip Hospital': last considered February 2014. The campaign group that submitted it has now disbanded. The petitioner states that the health board has improved its approach in relation to consultation and that current service provision at Prince Philip Hospital appears to be working satisfactorily. So, close the petition.

[52] 'Save our Hospital Services': last considered February 2014, when consideration was put on hold due to a judicial review. The Chair wrote to the petitioner on 3 March 2017 and two further emails seeking a response have been sent. No response has been received, so close the petition.

[53] 'Save Prince Phillip Hospital A&E': last considered February 2014. The Chair has written to the petitioner on 23 February, and two further e-mails seeking a response have been sent. No response has been received. Still none. Close the petition.

[54] 'Against Health Cuts from the Residents of Pembrokeshire': last considered February 2014. Written to them in February 2017, and sent two further emails. No response has been received. Happy to close?

[55] 'Planting Trees to Reduce Flooding': last considered November 2015. Contacted the petitioner on 3 February 2017. Two further e-mails. No response has been received from the petitioner, so close it.

[56] 'Eating Disorder Unit in Wales': last considered September 2014, when the committee agreed to take a watching brief. The clerking team has recently sought to contact the petitioner, but the contact details held no longer appear to be active. So, close the petition.

09:30

[57] **Mr Francis:** On this one, at your request, Chair, we did contact Bethan Jenkins as well in the sense that she may have contact. We haven't heard back yet. So, we could hold that one for longer if preferred.

[58] **Mike Hedges:** Hold on until we—

[59] **David Melding:** That might be wise because it's regularly discussed in Assembly proceedings and Bethan has, you know, taken a very strong line on this and brought the whole issue to public attention.

[60] **Mike Hedges:** So, we'll hold back and see if Bethan can give us a means of contacting.

[61] 'Please make Senedd TV accessible to deaf people': last considered in October 2014. We tried to contact the petitioner. Again, can we contact the cross-party deaf group and see if they've got any means of making contact?

[62] **Mr Francis:** We can do, yes.

[63] **Mike Hedges:** 'Guarantee good support close to home for disabled children and their families': last considered in June 2013. Contacted the petitioner on 9 March and a further e-mail has been sent. There have been staffing changes in the organisation that submitted the petition—Scope. We haven't had a response yet, but we'll give them further time to respond.

[64] 'Secondary School Awareness of Self-Harm': last considered in January 2015. We contacted the petitioner 9 March and a further e-mail has been sent. No responses yet. Give them further time to respond?

[65] **David Melding:** Yes, agreed.

[66] **Mike Hedges:** 'Medical Emergency—Preventing the introduction of a poorer Health Service for North Wales': last considered in October 2015. A short research paper on the current petition has been provided. The petitioner was contacted 20 March. No response has been received. Give the petitioner until the next committee?

[67] **David Melding:** Yes.

[68] **Mike Hedges:** 'Planning Control and the Welsh Language': last considered in October 2014. We contacted the petitioners. No responses yet. Give them until the next meeting?

[69] **David Melding:** Agreed.

[70] **Mike Hedges:** And that, I think, as far as they tell me, is the end of all the historical petitions.

[71] **Mr Francis:** It is, yes.

[72] **Mike Hedges:** So, I'm going to suggest that we get, for the next meeting, a list of the historical petitions by subject area, and we also make that list available to each subject committee, and if some of them want that to help with their work or want to get involved in it, then they can do. Otherwise, we will come back and start to make our way through those live petitions and, hopefully, engage in more of these inquiries, like the one we're doing on disabled people and transport.

[73] **Mr Francis:** Okay.

[74] **David Melding:** I think it's a very good idea to make available the historical ones in a list to the various subject committees, because, you know, we're encouraging outreach and public engagement and it would be, if nothing else, a good source of possible contact.

[75] **Mike Hedges:** I think that one of the greatest weaknesses of this institution is our silo mentality, not just at Government level, but at committee level as well. And I think that one of the things this committee ought to be able to do is work with all of the other committees. Now, there will be times when what we're doing will fit in with them and there will be times when it doesn't. But if it does, then it's an advantage for everybody. The one that I always think about is—this only happens because I happen to be on the Public Accounts Committee—the hospital food. The Public Accounts Committee spent a huge amount of time looking at this and trying to get progress on it, over several years, and the petition, sort of, feeds naturally into it. Thank you.

[76] **Mr Francis:** Do you want to take a five-minute break while the witnesses come in?

[77] **Mike Hedges:** Yes, we'll have a five-minute break. Thank you.

*Gohiriwyd y cyfarfod rhwng 09:33 a 09:53.
The meeting adjourned between 09:33 and 09:53.*

**Sesiwn dystiolaeth: P-05-710 'Sicrhau y gall Pobl Anabl Ddefnyddio
Trafnidiaeth Gyhoeddus Pryd Bynnag y Bo'i Hangen Arnynt'**
**Evidence Session: P-05-710 'Ensure Disabled People can Access Public
Transport As and When They Need it'**

[78] **Mike Hedges:** We now return into public session. Can I welcome Steve Wright from the Licensed Private Hire Car Association, and John Forsey, from the highways, transport and recycling department of Powys County Council? Can I welcome you both to the meeting? Thank you for coming along to help us with this inquiry. If I can start off by asking a couple of questions, then my colleagues will join in.

[79] What do you think of the quality and accessibility of taxis and private-hire vehicles for disabled users under the current licensing arrangements? Basically, is it working for disabled users?

[80] **Mr Wright:** I'll start if I may: clearly it's not. I've been involved in transport since 1967, in one way or another, and there are lots of good things—wheelchair accessibility and what have you—but there's still a lot to be done on the front line with regard to training and delivery for people at stations—all modes. In my last eight years I served on the Transport for London board and I worked alongside Baroness Tanni Grey-Thompson, a disabled person. Back in 1993, I gave evidence with Bert Massie of RADAR on disabled issues. Yes, things have come along and, yes, there is better provision but, at the front line, it doesn't happen and a lot of the points that Whizz-Kidz have made in the petition are very valid.

[81] **Mr Forsey:** I would echo that. I think there is a mixed provision across Wales. I think there are some local authorities that are pushing the boundaries a little bit. I think there's a lot that other local authorities could do to perhaps be a little bit more proactive in this area. There's actually quite a good opportunity.

[82] **Mike Hedges:** Do we need common national standards?

[83] **Mr Wright:** Yes. One of the things—. I spent three years giving quite a lot of evidence to the Law Commission, which was looking at England and Wales. I know that you're about to get devolved powers on this, but I actually think the principles that the Law Commission put in place were correct. I think, if we do get some national standards, the inconsistency between local

authority and local authority will improve. I think national standards are a good thing. I think, if the bar is set at a level, everybody can aspire to it, and the delivery for disabled people will become better.

[84] **Mr Forsey:** Again, we'd echo that. As local authorities and licensing authorities, we'd welcome a more consistent approach, and to replace the perhaps antiquated legislation such as the Town Police Clauses Act 1847, I believe it is. There is a desire, I think, for some form of consistency across Wales. How we roll that out across Wales and whether there's a single licensing authority, via the Welsh Government, monitored by local authorities more locally—. There is always going to be the issue, though, potentially, of the cross-border situation where we have England and Wales perhaps operating under different taxi licensing regimes. But generally there'd be a welcome approach from the local authorities in Wales.

[85] **Mike Hedges:** Because also you get people licensing in one local authority and doing the vast bulk of their work in another local authority. Powys was an example of where you had lots of Swansea taxi firms and private-hire firms licensing in Powys and working in Swansea.

[86] **Mr Forsey:** Absolutely. It's something we'd be keen to look at.

[87] **Mr Wright:** I would suggest that the cross-border issue is more prevalent than it's ever been because of technology enabling people to do things outside of their own area. I think there is a problem with that. Certainly, in London, where lots of people are licensed, drivers are popping up all over the place. I think the legislation doesn't need to be protectionist, but it does need to take account of local provision. Local provision, including disabled provision, will be harmed if people from outside that don't meet the regime's standards and requirements come into an area. It devalues it. I think the Secretary of State and, obviously, the devolved powers like yourselves and, indeed, people like the Greater London Authority, do need to get to grips with this. I think the cross-border issue is a particularly interesting aspect for you guys to look at.

[88] **Mike Hedges:** Moving on to devolution, David.

[89] **David Melding:** Thank you, Chair. As you've already alluded to, we do get powers, under the Wales Act 2017, over licensing and regulation. Those powers, I think, will come into effect in April of next year, so we've got a year. I wonder, do you think there should be a consultation process and a

thorough review of all this, with the aim of considerably improving the current system? Because, I think, Mr Wright, you referred to your past experience in Parliament, when the debate was very much focused there with looking at these sorts of issues. So, how ambitious should we be and how, initially, should we go about it? Would you start with a consultation with the industry?

[90] **Mr Wright:** Absolutely. I think that's always the best place to start. I think it's—. I'm aware that consultations—. In the London Assembly, last week, they said that, 'We mustn't make consultations tick-box exercises.' If consultations are done properly and stakeholders—like the disabled, like the trade, like the local authorities—are thoroughly engaged, you get the right outcome. So, for me, a thorough, well-worded, well-structured consultation is the absolute way to start the process.

[91] **Mr Forsey:** Again, I echo my colleague's views there. One of the benefits we feel as local authorities is, where there is consultation, there will be perhaps more of an impetus for the Welsh Government to listen to the local views that Welsh local authorities are putting forward. We feel that consultation is paramount—to engage with all stakeholders, to start to create legislation that's absolutely relevant and appropriate, and perhaps a little bit futureproofed as well, going forward.

[92] Coming from a transport background as well, I think there are opportunities. For example, in Powys, I buy in roughly the services of around about 150 taxis a day. Now, perhaps through the Learner Travel (Wales) Measure 2008, there's an opportunity to tie all this in together in terms of training and delivering the most appropriate outcomes for passengers.

10:00

[93] **David Melding:** You've mentioned cross-border issues and training a couple of times, so presumably those would be very much central to the consultation. But are there other areas that we would focus on, if we were really trying to improve public policy in this area?

[94] **Mr Wright:** I was on the GoSkills industry training board for a long amount of time, which covered the whole of the UK back in the day I was on it, and we did get some NVQs and various other things, but because of the patchwork quilt of local authorities, the actual training is delivered in a very different—. You know, different standards mean different levels of training. I

actually think, if you get to the national standards, then you can get a national framework for training. Then, you can get a national framework for getting the bits and pieces in the street, like the step access, that the ramps come down and the bus can actually park by the—. All the way across the piece, you can do that. So, I think you're absolutely on the right track there of really getting down to getting this cross border—getting the standards national. You absolutely need local control. Localism is the right way to do this, but it needs to map into national standards, national training and national delivery. So, from my point of view, I would say that's the way to go.

[95] **Mr Forsey:** Again, taking the mixed-bag approach to licensing in the authorities in Wales, after doing a quick little bit of research, I think there's about three or four local authorities in Wales that mandate that, in order to gain a licence, you have to follow some form of disability training. That could be a BTEC in the professional standards for taxi drivers. Ceredigion, for example, use a condensed version of the MiDAS training, which again helps deliver outcomes in terms of securing passengers properly into their vehicles and just creating that awareness around DDA issues as well.

[96] You're absolutely right in terms of accessibility, in terms of taxi ranks in towns. It's a bit of a dilemma for local authorities, in that it could be taking up valuable car-parking space for the traders, yet we need to recognise the value that taxis do have for people who have no other means of transport. So, there's a mixed bag that we need to consider in terms of the legislation, in terms of the infrastructure, and the licensing perhaps.

[97] **David Melding:** And to extend it a bit further: we do have a general consultation aimed at improving standards across the industry, not necessarily just focusing on accessibility issues for disabled people, although that would probably be a substantial part of any consultation. Should we be looking at improving standards more widely? How would we go about this consultation?

[98] **Mr Wright:** Well, what I would suggest is that a lot of the hard miles have been done by the Law Commission. Obviously, the Law Commission, as a neutral body as opposed to a Government body, has looked in depth, but I think technology has moved on. Therefore, another good look-see by your own Assembly would be a good way to do things. You know, things change. Apps have now come in.

[99] **David Melding:** So, this is capturing Uber and the like, is it?

[100] **Mr Wright:** That's right. Things have changed. There are things about that system that are good, but there are things about it that are awful as well. And the regulation is rather—. The loopholes have been exposed in the regulation. So, the regulation needs to be firm, it needs to work, and it needs to deliver—not just for the disabled community, but for the community at large. At the end of the day, the travelling public are the winners if it's done properly. At the moment, when you've got people who can exploit regulation, use their tax offshore and all the rest of it to avoid paying tax in the UK, it's not right. It actually undermines the people who are doing it properly. So, it's very important to get your consultation process right and to focus on those things.

[101] **Mike Hedges:** Thank you.

[102] **David Melding:** And you definitely think this is the approach, in terms of looking at the regulations and standards and having those enforceable benchmarks, rather than a less severe, non-regulatory approach? Or could we combine them? How would you react to that?

[103] **Mr Wright:** Well, personally, when I went along to see my first Government Minister in 1993, he said to me, 'We're for deregulation, but actually there's a balance.' With regard to public safety and transporting people around, you do need to have regulatory control. I think you need to balance very carefully not red-taping the industry with allowing it to work and deliver the best service possible. So, I think there's the balance to find there, and I'm sure that you'll do that through your consultation.

[104] **David Melding:** And Mr Forsey, you perhaps have experience of how—through the best intentions—you can out-regulate people from the market, which doesn't exactly help local people, necessarily.

[105] **Mr Forsey:** Absolutely. I've been involved with the voluntary bus quality standard consultation that the Welsh Government are trying to—. It's not without its challenges. It's about striking the right balance and making sure we deliver the right outcomes. It's a question of how far do we want to take the consultation and how far does the Welsh Government want to legislate or regulate. For example, is there an opportunity to look at something that is quite close to a lot of rural authorities in Wales—community transport and how that is regulated and controlled and how they fit into this mix? To my mind, I'm absolutely clear that taxi licensing is a

form of public transport, and, if we're going to apply good-quality standards to buses, perhaps there should be a similar consistent quality to other forms of transport that complement the bus and the train networks, such as community transport and taxis.

[106] **David Melding:** It's an area often overlooked, I think, community transport in this whole accessibility area. It's one thing to improve how to get on to a bus, but, for a lot of people, that's not feasible in the first place and they will need more bespoke services, and they need to be captured. Thank you, I thought those answers were very helpful, Chair.

[107] **Mike Hedges:** That was very helpful. Neil.

[108] **Neil McEvoy:** Thanks—really interesting. Maybe I should declare an interest in being a Cardiff councillor as well. When you mentioned the local authorities, I just wondered which ones were more proactive than others and where you see the gaps, really.

[109] **Mr Forsey:** The city and county of Cardiff, which mandates disability training and BTEC, Rhondda Cynon Taf, Bridgend, and Ceredigion, I think, are the four that I've been made aware of. I think there's a lot of scope for other local authorities to perhaps catch up with those four, specifically on this issue. There are amendments to the Equality Act 2010 that mean, if you have a disabled-access vehicle registered with a local authority come 6 April this year, it will become an offence if the taxi driver discriminates. So, hopefully, it may resolve some of the issues that Whizz-Kidz were referring to, in that taxi drivers were refusing to take people in wheelchairs. Hopefully, that may start to address the issue. I don't think it's going to completely resolve it. It may start to address it.

[110] **Neil McEvoy:** Yes. So, do you think training across the board—mandatory training—would help?

[111] **Mr Forsey:** Absolutely. In my mind, I think there's an opportunity if local authorities looked at it holistically, in terms of, if we're the licensing authority, we're also buying in large numbers of transport, especially for learners with special educational needs and more rural transport. There's an opportunity there to mandate some quite specific and appropriate training across the board for a taxi licensing company, which shouldn't be too onerous either.

[112] **Neil McEvoy:** Yes. Do you think the same, Mr Wright?

[113] **Mr Wright:** Yes. If I could cover training, because I was the first company in the UK to get a national training award and Investors in People, so I'm quite focused on training and the needs of training. I think the important thing about training and the resource for training is there is grant money available for a certain amount of courses. Training should be modular. It's no good training a private-hire driver who hasn't got a wheelchair ramp in the back of the vehicle to be able to use a hoist. It really does need to be modular and appropriate and fit for purpose.

[114] One of the things that tends to happen with training, at times—and it's not a good thing—is everybody's trained to do everything, rather than focusing on the people who do a specific job, whether it be bus, train, taxi or private-hire vehicle. If the training is modular, it's effective, and the resource is used better, and any grant money that's available is also spread amongst those who need it. So, you know, you wouldn't need to teach a private-hire driver who probably takes—. I remember Bert Massie saying this to me: not everybody's in a wheelchair. Many, many disabled people are blind, have an assistant dog, or whatever. You need to focus on training those—what to do with an assistant dog, where to put it in the stairwell, et cetera, et cetera, et cetera—and not train them up in how to get a wheelchair into the back of a taxi. So, it's very important, training; it's absolutely integral to what you're seeking to achieve, but it absolutely needs to be modular and fit for purpose for the job that it's trying to achieve.

[115] **Neil McEvoy:** Okay, thanks.

[116] **Mike Hedges:** The other problem that disabled people have is that, quite often, they want to do short journeys and there are some taxis that aren't very happy to do short journeys. We had a case in Carmarthen fairly recently where a taxi driver refused to take a lady a short distance. She needed to travel that way due to her health problems. Have you come across those sorts of problems and have you got any solutions to them?

[117] **Mr Wright:** Well, that's unacceptable as far as I'm concerned. Having run a cab company that started with two cars and ended with 100 cars, I had about 2,000 drivers working for me and believe you me, some of them don't like short journeys. But they don't like short journeys per se—they'd all like to be going to the airport or on a tour of the world and making as much money as possible. But it comes with the turf in the industry that you have to

do all jobs. You are there as part of public transport, and as part of public transport you're providing a service. You're providing a service for everybody in the community, including the disabled, including special needs and including the hospitals and everybody else, and you need to be there for everybody.

[118] I must say, it's not just on disabled journeys. Drivers don't like short journeys because they think that they've lost out on the big one. But, that is something that, with regulatory power, should be dealt with. If a driver is reported for refusing a disabled person, they should be suspended in my view. Some sort of disciplinary action should take—. It's not acceptable. If you're in the industry, you can't cherry-pick what you want to do. That's my view on that.

[119] **Mike Hedges:** Thank you very much.

[120] **Mr Forsey:** Absolutely. You know, taxi companies come into business and you've got to take the rough with the smooth. Coming from a fairly small town in mid Wales, I would suspect that most of the journeys undertaken by our taxi companies are relatively short journeys, with the occasional cream of going off to the airport. Again, it's that expectation—if I'm going to show up and present myself to a taxi, I want to be carried. It doesn't matter where I want to go. That's where the customer wants to go.

[121] **Mike Hedges:** Thank you. Gareth.

[122] **Gareth Bennett:** Just carrying on on that issue of the short journeys, it's interesting that Cardiff is one of the authorities that has better practices for training and disability issues, because in the evening the short journeys do become an issue with people trying to get home after a Saturday night out, for instance. It has been a bone of contention reported in the paper, the *South Wales Echo*, continually over the last couple of years—there's been a major issues with girls, single girls, not being able to get a taxi for a short journey back to where they live from the city centre. Oddly, the taxi association has become embroiled in it because the guy who was running the taxi association was one of the people accused of not taking people for short journeys. So, obviously I can't comment on that case, but it perhaps illustrates the difference between things that are written down as good practice and the practice that gets pursued by the taxi drivers. So I wondered what you thought about that.

[123] **Mr Forsey:** I just wonder whether there is an opportunity here for those situations—I know it's very difficult to prescribe now, but there's perhaps an opportunity for some amendment or something to car-sharing legislation. If you've got young, vulnerable people on a Saturday night, who've perhaps had a little bit too much to drink, but they need to get home safely, perhaps through technology, I don't know how, but we could pool these young people together and make a number of shorter journeys a bigger journey, especially within a city environment. It doesn't just apply to a city environment. In a rural environment, we have the towns where people will fall out of the hills and come into the main town for a bit of a night out, but then they have the same trouble with getting home. It's that critical mass issue as well. There are issues that could be addressed, perhaps through some form of new, modern legislation.

[124] **Mr Wright:** I think, certainly, a ramping up of training to tell drivers that it's not acceptable, is the starting point, but that then needs to be backed up with the risk of losing your licence if you don't take people. For me, it's a bit of carrot and stick here. Drivers are drivers. They all want to do the long jobs, but it's not acceptable—you're public transport, you can't be in and out of it when it suits you. If you're in there, if you're available for hire, there should never be, 'I can't take this person because of—.'

[125] **Gareth Bennett:** I think there might be an issue in Cardiff. I'm slightly speculating, but there might be an issue whereby the drivers association has probably become a sort of unofficial trade union for the taxi drivers. So, it might be that the council, as the licensing authority, doesn't want to come down too heavily on the taxi association. Obviously, good relations need to be maintained, but on the other hand, as the licensing authority, surely they have a responsibility to uphold the standard. So, is that another balance that has to be struck?

10:15

[126] **Mr Wright:** Well, as somebody that runs a trade association, it would be absolutely unacceptable for me to be saying, 'Drivers who work for my operators don't want to do certain jobs.' I would not have any alignment whatsoever with any trade body that wasn't prepared to do its piece as a part of the public transport system. At the end of the day, it's not negotiable for me.

[127] **Mr Forsey:** The ever-present issue of reducing resources within the

local authorities, and how we apply the monitoring of the licensing regime, at the moment, I think, it's very reactive to customer complaints. Perhaps we need somehow, working a bit smarter, to be more proactive working in this new regulated industry.

[128] **Gareth Bennett:** Thanks for your answers. They were good and helpful. But, my fault, I did take us slightly away from the disabled issue because there was that general issue of short journeys. The disabled group that came in, they particularly were highlighting a problem that sometimes they feel they have to wait longer to get a taxi, and in some cases, appointments get messed up because of late arrivals. Could anything be done in particular to alleviate those problems?

[129] **Mr Wright:** I picked that out from the slides that I've read through and studied as one of the more difficult things to resolve. At the end of the day, we had specialist vehicles within our private-hire fleet that I ran, and if—. The being instantly available is not easy. If you try to make every single vehicle wheelchair accessible, for example, that wouldn't help blind people and people that want a low seat and not to have to climb. There are various trade-offs, and the one thing that's not easily resolved by regulating or any other method is guaranteed fast provision. Now, I would suggest that if you've got an appointment, or you've got various things to do, do what we all do: if we're going on holiday, we don't book it five minutes to flight time, do we? A little bit of pre-booking would help, and I think that's advice for the people. That way, they get a good spread of private-hire vehicles and taxis that can do the various different jobs. Some are special needs, some are blind people, and some are deaf people. We used to take all sorts of disabled people, and I think, in fairness to the trade, a little bit of notification will get you the vehicle that you want. It's not difficult to book half an hour in advance.

[130] The one thing I think you can't expect from this whole slide that they ask for is an instant service, because they do have different needs from normal passengers. You try to do and provide everything you can for them, but if you pre-book, you will actually find that you should always get the vehicle that you want and it should arrive on time. I had a lot of disabled passengers that used us, used our private-hire company, and we got to the relationship with them of, 'We don't want to let you down. If you're going to the doctor's, if you're going to the hospital, if you're going to the clinic, if you're going to a special function, let us know, we'll make sure we'll get the drivers in for you.' So, I think there's a little bit of self-help on that particular

one, but most of the other things are resolvable with regulation and training. That's the difficult one to answer.

[131] **Gareth Bennett:** Yes, I appreciate that there is going to be a limited number of vehicles, perhaps, they can use. I guess, in reality, they probably know that pre-booking is a good idea, but on some occasions, I suppose something arises and you can't always pre-book, but I take on board that you're not going to get an instant service. I wondered what you thought about when a taxi fleet gets fitted out for various disabled users—should there be guidelines as to what proportion of taxis are wheelchair friendly, what proportions of taxis in a local authority area are friendly to the blind, et cetera? What would your views on that be?

[132] **Mr Forsey:** We have a relatively small number of wheelchair-accessible vehicles that we know about within the fleet within my local authority. I suspect that's varying again across Wales. However, it strikes me that I suspect there are taxis available—wheelchair-accessible taxis—that are available in certain parts of Wales, at certain parts of the day, that aren't available. What do I mean by that? I think there are examples where local authorities are buying in wheelchair-accessible vehicles to take learners with special needs, for example, to school. The taxi company may take the view that they've earned enough money there, 'Thanks very much, I don't want to be out on a Friday and Saturday night.' Quite how we encourage or regulate or make those vehicles available throughout the day for a longer period of time is a challenge. However, to my mind, that's part of the public transport provision, especially for people who have disability problems. That perhaps could be a bit of a wasted resource, and again I come back to my point about the local authorities, the licensing authority and the school transport bit, and how we all work together. Social services will have a role in this as well, to try and make these vehicles, perhaps, more available.

[133] **Mr Wright:** From my perspective, obviously having run a fleet, in the industry that I'm in, as a private-hire operator, most people are self-employed. So, which drivers would you choose to tell, 'Well, you 10, out of the 100 I've got, have this type of vehicle'? It just doesn't work, applying it. I think it's difficult to do that. There aren't many owned fleets. It's a bit of a myth that the taxi operator owns all the vehicles. It isn't that way; it's usually the driver who owns the vehicle. Therefore, it's a real job to quota them into this amount of vehicle and that amount of vehicle. It's very difficult to do that. So, I don't think that's the solution.

[134] I think there is a level that's found, and I think that level is assisted by incentives through Government or elsewhere to get specialist vehicles. I think if you encourage people—. What some drivers will say is, 'Well, if I get a specialist vehicle, it actually is going to cost me an extra £3,000 or £4,000 to get the testing, the wheelchair fittings done, seatbelt anchorage points, and all those sorts of things. There's no extra money for doing this, so if I can get some sort of subsidy, I'm the type of person who would like to do this.' And I think there are more subtle ways, rather than mandating that 10 per cent of the fleet should be wheelchair accessible or specialist needs. I think there's a subtle way of doing it.

[135] **Gareth Bennett:** And there are none of these subsidies existing at the moment, then.

[136] **Mr Wright:** Well, you can get subsidies from the local authority. I'm more experienced in London, but I don't know what's available through a council. I mean, obviously, money does go—certainly from London councils—out to Dial-a-Ride and various other people to provide various bits and pieces and special needs stuff, and of course there is work as well. Councils also procure and have the opportunity through their procurement to say, 'Well, you've got a better chance of this contract if 25 per cent of your vehicles are wheelchair accessible.' There's a sort of subtle way of doing it without mandating it on fleets.

[137] **Gareth Bennett:** Right, okay. Yes, that sounds like a good idea—to use the carrot rather than the stick.

[138] **Mr Wright:** Correct. I think it's a good way.

[139] **Gareth Bennett:** There's an issue to do with the possibility of phasing in the introduction of a requirement for 100 per cent vehicle accessibility, but that might actually be what we've just dealt with.

[140] **Mr Wright:** Can I just come in on that point? Certainly, I have to lean on my London experience. It's a bit unique because it's 32 boroughs, and it's a 10 million—8 million to 10 million—population. And the way it works is to have the privilege of being hailed on the street, you need to be a wheelchair-accessible vehicle. I came in a vehicle—. I beta tested the system today; I got a taxi from the hotel down here, rather than a bus. I thought, 'Well, I'll give them a whirl and see how we get on', and it was fine, and I said, 'You've got wheelchair accessible', 'Yes, we've got that.' And I think if the taxi has that

wheelchair-accessible capability mandated, it works, and the private hire, as Bert Massie said in evidence to the transport committee, he actually said, 'Well, we need private hire to be not wheelchair accessible, because of the different seat levels and the different needs and the different types of passengers that you take.' He was very keen to point out that not everybody's in a wheelchair. He was in a wheelchair, but he said, 'I speak for everybody', and we have to look at the disabled across the spectrum, rather than just one group of disabled people. So, I think when you're going to possibly mandate wheelchair accessibility, you create quite a few problems, and you actually inadvertently discriminate against other disabled people.

[141] **Mr Forsey:** I think Mr Wright here has presented a perfect example of how the consultation—we referred to consultation earlier—how wide it needs to go, because there will be disabled people, there will be blind people, there will be other user groups that all need to be consulted, because they will all have a view, and what we wouldn't want to do, through unintended consequences, is to apply something that doesn't help another part of the sector.

[142] **David Melding:** You're aiming for consistent availability, really, aren't you?

[143] **Mr Wright:** Correct. Absolutely.

[144] **David Melding:** To achieve that, obviously you need careful consideration.

[145] **Mike Hedges:** I'll take on the last question from me, it's: are the taxi ranks designed correctly? Should more be done to make them not just wheelchair useable? Buses have those raised kerbs to make it easier to go on, although you do have cars parking now that does away with it. You also have the situation that you have some that are not necessarily situated—. Not just for people who are in a wheelchair, but others who have difficulties—people who are blind, I mean. Some of them don't have that, sort of, raised area where their stick tells them when they have come to the end of the kerb, and that sort of thing. So, do you think more needs to be done to make taxi rank designs more suitable? Because far too often, in my experience, what happens is they find the parking bit of the land, they put 'Taxis Only' on it, and then it's okay for 90 per cent of the population.

[146] **Mr Wright:** You're absolutely right. On my journey with the Transport

for London board, as I say, I worked with Baroness Tanni Grey-Thompson and we decided to make a public transport journey to the Victoria coach station. Lo and behold, the bus couldn't get the ramp out to the kerbside in Victoria, which is right in the middle of central Westminster in London. It's the same with the ramps and what have you: they do need to be designed. At the end of the day, what we did on the underground was that part of the underground platform was at a raised level for a roll-on, roll-off, and it's the same with taxi ranks: you don't have to do the whole streetscape—100m of it; you only need to do little things to make a taxi rank far more accessible and far more user-friendly for the blind, for the disabled, for the wheelchair users. Yes, it costs money, of course, but it would complement—. The fact that if you mandate the wheelchair accessibility, it would complement that.

[147] **Mike Hedges:** Thank you.

[148] **Mr Forsey:** Absolutely. I think this comes back down to a consistent standard across Wales. I mean, personally, I don't see why somebody in Cardiff should be treated any differently in terms of their accessibility to a taxi than somebody who lives in Powys or Wrexham. It's about trying to get that consistency of approach. Yes, capital funding to develop taxi ranks, et cetera, is always going to be a challenge for local authorities, but through grants such as local transport funding, for example, there may be opportunities to develop to complement existing public transport provision as well. For wheelchair users to have accessible bus services, potentially, they will probably want to get to a taxi to complete their journey if they're going to visit a friend or a hospital or something. I think we just need to take a bit more of a collective view over how we design taxi ranks to complement the other forms of public transport as well, and to give that consistency.

[149] **Mike Hedges:** Are there any other questions? If not, can I thank you very much for coming along? You've certainly helped inform our discussions, which will take place at our next meeting with the Minister. Thank you. It's been very enlightening. Thank you.

[150] **Mr Forsey:** Thank you very much.

[151] **Mr Wright:** Thank you very much. It's been an honour to come.

[152] **Mike Hedges:** Thank you.

10:28

**Cynnig o dan Reol Sefydlog 17.42(ix) i Benderfynu Gwahardd y
Cyhoedd o Weddill y Cyfarfod
Motion under Standing Order 17.42(ix) to Resolve to Exclude the
Public from the Remainder of the Meeting**

Cynnig:

Motion:

*bod y pwyllgor yn penderfynu that the committee resolves to
gwahardd y cyhoedd o weddill y exclude the public from the
cyfarfod yn unol â Rheol Sefydlog remainder of the meeting in
17.42(ix).*

*accordance with Standing Order
17.42(ix).*

Cynigiwyd y cynnig.

Motion moved.

[153] **Mike Hedges:** Can I move us back into private session for a few minutes?

Derbyniwyd y cynnig.

Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 10:28.

The public part of the meeting ended at 10:28.