



Cynulliad National  
Cenedlaethol Assembly for  
Cymru Wales

## **Y Pwyllgor Deisebau**

Adroddiad Cwblhad

Crynodeb o ystyriaeth y Pwyllgor Deisebau ar P-03-120 RANT

**Hydref 2008**

## **Dyddiad cyflwyno'r ddeiseb**

10 Ebrill 2008

## **Dyfarnwyd yn dderbyniadwy**

25 Ebrill 2008

## **Ystyriaeth gychwynnol**

### **8 Mai 2008**

Ystyriodd y pwyllgor y ddeiseb am y tro cyntaf ar 8 Mai 2008, a chytunodd i:

- Ysgrifennu at y Gweinidog dros lechyd a Gwasanaethau Cymdeithasol i ofyn am wybodaeth ynghylch monitro Hapsite, a beth yw rôl Llywodraeth Cynulliad Cymru, os oes ganddi un, o ran darparu'r monitro hwn.
- Ysgrifennu at Ganolfan lechyd Cymru i ofyn am fwy o wybodaeth am y monitro.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod ar 8 Mai 2008, Atodiad 2 ar gyfer y llythyr a anfonwyd gan y Cadeirydd at y Gweinidog dros lechyd a Gwasanaethau Cymdeithasol ac Atodiad 3 ar gyfer y llythyr a anfonwyd at Ganolfan lechyd Cymru).

## **Ystyriaeth bellach**

### **25 Mehefin 2008**

Ystyriodd y pwyllgor ymateb a gafwyd gan y Gweinidog dros lechyd a Gwasanaethau Cymdeithasol, yn ogystal ag e-bost a gafwyd gan y deisebwyr ynghylch tystiolaeth ychwanegol, a chytunodd i ysgrifennu at y deisebwyr i ofyn iddynt ddarparu gwybodaeth ychwanegol i'r pwyllgor.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod ar 25 Mehefin ac Atodiad 2 ar gyfer yr ymateb a gafwyd gan y Gweinidog dros lechyd a Gwasanaethau Cymdeithasol).

### **2 Hydref 2008**

Ystyriodd y pwyllgor y wybodaeth a gyflwynwyd gan y deisebwyr a chytunwyd i gau'r ddeiseb oherwydd ei fod yn teimlo na allai fynd â hi ymhellach.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod ar 2 Hydref 2008).

## **Clerc y Pwyllgor Deisebau Hydref 2008**

## Atodiad 1

## Darn Perthansol o Drawsgriadau Cyfarfodydd y Pwyllgor Deisebau

**8 Mai 2008**

**Val Lloyd:** We move to the new petitions that we have received, of which there are three. The first is Rhondda Against Nantygwyddon Tip, which is before us again. It makes two requests: that Rhondda Cynon Taf County Borough Council resumes monitoring, and a request for another epidemiological study. Mike, I am sure that you have a sense of déjà vu, as have I, as we were on the Environment, Planning, and Countryside Committee.

**Michael German:** This is a two-part petition. With regard to the first part of the petition, does the Welsh Assembly Government have any responsibility for directing local authorities to do this sort of monitoring? I do not know the answer, but you might want to raise it in a letter to the Minister in order to find out. If it is only a local authority responsibility and there is no direction from the Welsh Assembly Government, then it is not quite within our remit.

**Val Lloyd:** I cannot remember. The results were released in 2002, and I was on the committee at the time. It is only recently that we destroyed the report. I think that it was the responsibility of the council. However, I think that we should clarify that first and then respond to the petitioner accordingly.

**Michael German:** The second is a matter for the Minister for Health and Social Services.

**Val Lloyd:** The Wales Centre for Health was set up as a result of the problems with the Nantygwyddon tip. It was set up almost as a direct result of this, although it also does other things.

**Michael German:** We could test whether there would be any merit in conducting another epidemiological study, by asking the Minister or the Wales Centre for Health.

**Val Lloyd:** It might be more reasonable to ask the Wales Centre for Health as it did the monitoring. It only finished it in 2006. The tip is not in use, so there will be a change in circumstances. It might well have determined that there is no need for monitoring now. So, it would probably be better to write to it on this issue. Are we content with that? I see that we are.

**Mr Sanchez:** May I just clarify something? Mike, you said that we should perhaps ask the Minister whether the Welsh Assembly Government has the power to direct local authorities to carry out monitoring. Do you want us—

**Michael German:** It was on hapsite monitoring, not the second part.

**Mr Sanchez:** So, we are writing to the Wales Centre for Health and to the Minister.

**Val Lloyd:** Yes. The Minister on the first issue, and the Wales Centre for Health on the second issue.

**Michael German:** Whoever the Minister for hapsite monitoring is. [Laughter.]

## **25 Mehefin 2008**

**Val Lloyd:** Next is a petition from Rhondda Against Nantygwyddon Tip. We have also had further comment on the Minister's letter from RANT. I was told at the start of the meeting that more communication has come in, and I would like to circulate it you. I think that it would be foolish of us to consider this without considering an e-mail that arrived overnight.

**Bethan Jenkins:** In the last paragraph of the Minister's letter, she mentions that there has not been significant community interest in this issue, but the fact that the campaign group involved has spent time on this and has thought about putting this petition forward is contrary to that position. In that respect, we have to do more work on this. I was not an Assembly Member at the time of the Purchon report, but perhaps we can have an update on this issue and invite the petitioners in to ask them why they believe the monitoring should continue and why they believe that the tip is still a threat to their health. We can then discuss the messages that we have had today. Given what we have received, I think that there are grounds to probe this further.

**Val Lloyd:** I am not certain that that would be the best approach, but we will obviously consider it. This was hugely investigated. I was on the committee at the time. It was an in-depth, independent investigation, and the recommendations made have been carried out. I do not want to dismiss this, so perhaps we could write to the petitioners to ask what has prompted their letter to us, to see whether anything specific has prompted it after all this time.

**Andrew R.T. Davies:** I concur with that. The ball keeps going back and forth over the net, and someone in the middle has to say, 'Enough is enough'. The petitioners have a clear view that is opposed to what is said in the Minister's letter. As a Petitions Committee, we need to have that side of the argument too in order to make an informed decision about where the petition goes from here. So, I would welcome the opportunity to, if you like, beef-up the e-mail that we have had that has taken issue with the paper that the petitioners have seen.

**Val Lloyd:** The second e-mail that we had this morning says that it appears that the civil service has repeated the Wales Centre for Health and the local health board view and not judged the issue independently, but the issue would be judged on the evidence received from the technical bodies. That is how all of us would have to do it, because we are not experts in all fields. So, I think that that is rather biased, now that I come to look at it. We should follow this up and write to the secretary, June Bacon, and ask her what evidence they have and what are the reasons for disputing it.

**Bethan Jenkins:** I concur with that, but in the independent American report, there was also recognition that the authorities had not received local residents' concerns fully, and that is in the public domain. So, I think that we should write to the petitioners and seek their views on that, because that does not concur completely with the Minister's position.

**Val Lloyd:** At the time, they were saying that they were right because they were totally ignored, but they were not ignored in the Purchon report. It was acted upon by the council immediately; it has been capped, and it has moved on and it has been monitored. However, we should ask the petitioners to give us this in writing.

**Kirsty Williams:** I concur with that. As the e-mail states, the secretary has not had a great deal of time to consider the information; it says that they are hoping to follow up with a more considered response. So, I do not think that we should take any action that would preclude the petitioners from giving us a more considered response, after which the committee would be in a much better position to judge a way forward. We should not take any action that would preclude the petitioners from taking the time to give us the information that they would like to share.

**Val Lloyd:** That is a good way forward, because we can consider what they have to say.

**Kirsty Williams:** We should hold any action in abeyance until we have allowed the secretary to follow up this initial e-mail.

**Val Lloyd:** We will write to the petitioners along those lines.

## **2 Hydref 2008**

**Val Lloyd:** The next petition is that by the Residents Against Nantygwyddon Tip. We have given this petition quite a considerable hearing. The residents asked us to ask Rhondda Cynon Taf County Borough Council to resume HAPSITE monitoring and also requested that another epidemiological study be undertaken by the Wales Centre for Health. We all remember the original evidence regarding this matter during the first Assembly, when it was considered by the Environment, Planning and Transport Committee. I do not think that there is anything more that we can do. The local authority is responsible for the monitoring programme, and, from memory, from the evidence that we received last time and from what the Minister said, it has been investigated quite thoroughly and there was no evidence that pointed to a need for it to be reinvestigated. What are Members' views?

**Andrew R.T. Davies:** There has been an extensive dialogue here and the Minister has come back to us, as have various other parties. It is a question of fulfilling the petitioners' aspirations. Some of those aspirations cannot be fulfilled because they are not within the power of this institution, and, as the Minister pointed out, he cannot require the local authority to resume monitoring. Therefore, where can one go with this petition? From the evidence, it seems that we have explored all avenues.

**Val Lloyd:** The work has been reviewed by the Agency for Toxic Substances and Disease Registry and the local health board has also investigated the matter, so it has not gone unconsidered. I think that we should move to close the petition. Is that acceptable to Members? I see that it is.

## Atodiad 2

## Y Pwyllgor Deisebau

### Petitions Committee

Edwina Hart AM  
Minister for Health and Social Services  
Welsh Assembly Government  
Cardiff Bay  
CF99 1NA

Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-120

May 13 2008

#### **PETITION - RESIDENTS AGAINST NANTYGWYDDON TIP (RANT)**

The Committee considered this petition for the first time on 8th May. The petition calls for Rhondda Cynon Taff County Borough Council to 'resume Hapsite monitoring both within the local residences and on the landfill itself'. The petition also requests that a further epidemiological study be undertaken by the Wales Centre for Health in the Nantygwyddon area.

The Committee resolved to ask you whether you have the power to direct local authorities to carry out this sort of monitoring.

Regarding the request for further epidemiological studies, I shall be writing to the Wales Centre for Health Directly, and will copy the letter to you.

I look forward to your response.

Yours sincerely,

**Val Lloyd,**  
Chair, Petitions Committee



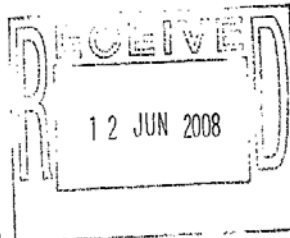
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**Edwina Hart AM MBE**

Y Gweinidog dros lechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

Our ref: EH/02451/08

Your ref:



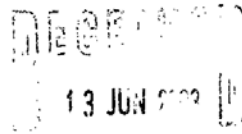
Llywodraeth Cynulliad Cymru  
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APB

*Dear Val*

11 June 2008

Thank you for your letter of 13<sup>th</sup> May 2008 regarding the Petitions Committee's query on whether I have the power to direct local authorities to resume Hapsite monitoring of the former Nant-y-Gwyddon landfill tip and the homes of local residents.

Section 83 of the Government of Wales Act (GOWA) does extend to local authorities and may be used in this case, albeit the power will be to enter into arrangements under which local authorities would be able to provide services to or exercise functions on behalf of Welsh Ministers. It will not empower Welsh Ministers to require the local authority to resume monitoring. As the power is permissive in nature it does not extend to directing a local authority to enter into an arrangement should it not wish to do so. In addition it must be established that either the services are in support of Welsh Ministers' functions, or the functions to be exercised are ones of the Welsh Ministers. It is unlikely that Welsh Ministers' functions under GOWA extend to this.

The Health and Social Care Bill is due to come into force in October 2009. This may offer the opportunity for Welsh Ministers to make Regulations on the monitoring of public health risks.

The potential impact of NYG site on the health of local people has been the subject of considerable professional investigation. The work was reviewed by the Agency for the Toxic Substances and Disease Registry (ATSDR) a specialist agency from USA. They concluded that the public health investigations appeared to be adequate and that epidemiological evidence did not support any relationship between

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exposure from the site and long term health conditions such as cancer and birth defects.

Another area of concern related to occasional unusual odours reported by local people, that they have attributed to emissions from the landfill site, and whether these may be harmful. The most likely source of such odours were volatile organic compounds (VOCs) which are known to be present in landfill gas. The Council commenced monitoring of VOCs in the homes of concerned residents in March 2002 using sophisticated equipment. VOCs are present in all our homes (e.g. paints, varnishes, cleaning products etc) and as expected monitoring detected a range of VOCs in all the homes studied. The range and concentrations found were similar to other studies in other locations and the monitoring was unable to attribute the VOCs to the landfill site. In any case, the concentrations of the chemicals were extremely low (typically a few parts per billion).

The Council asked the Local Health Board to provide an opinion on whether or not the levels of chemicals being recorded through the air quality monitoring programme were a risk to public health. The Health Protection Agency (HPA) and National Public Health Service (NPHS) conducted some of this work given its specialist nature. Based on current scientific information the following conclusions were reached:

- That the levels of chemicals found were consistent with those which we might expect to find in our homes.
- That for the chemicals for which we do have known levels of risk, the levels detected in the air quality monitoring are many, many times lower.
- There is no scientific evidence of any current or ongoing harmful effects on health.
- The remediation work that has been undertaken on the site has reduced the potential gas released from the site as it is fully covered and has an improved gas collection and flare system.

On the basis of the evidence and the action that had been taken, the LHB concluded that the Nant-y-Gwyddon site did not represent a risk to public health. The measures necessary to protect public health had been taken through the capping of the site and ongoing monitoring on and at the perimeter of the site has been maintained since. The Council and the LHB agreed that further public health investigations, including air quality monitoring in homes, was no longer justified and ceased in July 2006. This decision was communicated to RANT by the Local Director of Public Protection and the then Local Public Health Director at a meeting



in July 2006 and to the wider community by way of a newsletter sent to homes in September 2006. There has been no significant complaint or interest from the wider community since. Any deliberations on whether to reinstate community monitoring should carefully consider the potential harm that could be caused to the wider community by drawing attention to a perceived environmental risk, particularly when there is no scientific or public health evidence that any risk exists.

## Atodiad 3

## Y Pwyllgor Deisebau

### Petitions Committee

Prof. Mansel Aylward  
Wales Centre for Health  
14 Cathedral Road  
Cardiff  
CF11 9LJ

Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-120

May 13 2008

Dear Prof. Aylward

#### **PETITION - RESIDENTS AGAINST NANTYGWYDDON TIP (RANT)**

The Committee considered this petition for the first time on 8th May. The petition calls for Rhondda Cynon Taff County Borough Council to 'resume Hapsite monitoring both within the local residences and on the landfill itself'. The petition also requests that a further epidemiological study be undertaken by the Wales Centre for Health in the Nantygwyddon area.

The Committee resolved to ask that you consider the petitioners' request for further epidemiological studies in the Nantygwyddon area.

If you require any further background information about this petition, please contact the Clerk to the Committee, Stefan Sanchez on 02920 898505, [stefan.sanchez@wales.gsi.gov.uk](mailto:stefan.sanchez@wales.gsi.gov.uk)

I am copying this letter to the Minister for Health and Social Services.

I look forward to your response.

Yours sincerely,

**Val Lloyd,**  
**Chair, Petitions Committee**

CC. Edwina Hart AM, Minister for Health and Social Services