

**Cynulliad Cenedlaethol Cymru
Pwyllgor yr Amgylchedd, Cynlluno a
Thrafnidiaeth**

**The National Assembly for Wales
Environment, Planning and Transport Committee**

**Ymchwiliad i Safle Tirlenwi Nantygwyddon
Investigation into Nantygwyddon Landfill Site**

**Cwestiynau 1-151
Questions 1-151**

**Dydd Mercher 23 Ionawr 2002
Wednesday 23 January 2002**

Aelodau o'r Cynulliad yn bresennol: Richard Edwards (Cadeirydd), Eleanor Burnham, David Davies, Geraint Davies, Sue Essex (Gweinidog dros yr Amgylchedd), Brian Gibbons, Helen Mary Jones, Tom Middlehurst, Karen Sinclair, Rhodri Glyn Thomas.

Swyddogion yn bresennol: Keith Bush, Swyddfa'r Cwnsler Cyffredinol; Dr Ruth Hall, Prif Swyddog Meddygol; David Worthington, Dirprwy Brif Gynghorwr Iechyd Amgylcheddol, Cynulliad Cenedlaethol Cymru.

Tystion: John Harrison, Asiantaeth yr Amgylchedd Cymru; Dr Sharon Hopkins, Cyfarwyddwr Iechyd Cyhoeddus, Awdurdod Iechyd Bro Taf; Pauline Jarman, Arweinydd Cyngor Bwrdeistref Sirol Rhondda Cynon Taf; David Lewis, Cyn Aelod o Gyngor Bwrdeistref y Rhondda; Syd Morgan, Cynghorydd, Cyngor Bwrdeistref Sirol Rhondda Cynon Taf; Dr Helen Phillips, Cyfarwyddwr Asiantaeth yr Amgylchedd Cymru; Mark Temple, Ymgynghorwr Meddygaeth Iechyd Amgylcheddol a Chyhoeddus, Awdurdod Iechyd Bro Taf.

Assembly Members present: Richard Edwards (Chair), Eleanor Burnham, David Davies, Geraint Davies, Sue Essex (Minister for Environment), Brian Gibbons, Helen Mary Jones, Tom Middlehurst, Karen Sinclair, Rhodri Glyn Thomas.

Officials present: Keith Bush, Office of the Counsel General; Dr Ruth Hall, Chief Medical Officer; David Worthington, Deputy Chief Environmental Health Adviser, National Assembly for Wales.

Witnesses: John Harrison, Environment Agency Wales; Dr Sharon Hopkins, Director of Public Health, Bro Taf Health Authority; Pauline Jarman, Leader of Rhondda Cynon Taff County Borough Council; David Lewis, Former Member of Rhondda Borough Council; Syd Morgan, Councillor, Rhondda Cynon Taff County Borough Council; Dr Helen Phillips, Director, Environment Agency Wales; Mark Temple, Consultant in Environmental and Public Health Medicine, Bro Taf Health Authority.

Dechreuodd y cyfarfod am 2.05 p.m.

The meeting began at 2.05 p.m.

[1] **Richard Edwards:** I extend a warm welcome to everyone. There are many people here today: Committee members, officials and members of the public. I remind everyone to switch off their mobile phones. If you have any difficulty in hearing the proceedings, the headphones for simultaneous translation also provide amplification.

I remind the Committee that we will not be meeting next Thursday, 31 January. I suspect that you will not be too sorry about that. A draft strategic work programme has been sent to members for comment by this Friday, 25 January. I am happy to meet any member who wishes to discuss that with me before then.

[1] **Richard Edwards:** Estynnaf groeso cynnes i bawb. Mae llawer o bobl yma heddiw: aelodau'r Pwyllgor, swyddogion ac aelodau'r cyhoedd. Atgoffaf bawb i ddiffodd eu ffonau symudol. Os cewch unrhyw anhawster dilyn y drafodaeth, gellir defnyddio'r clustffonau cyfieithu ar y pryd i chwyddo'r sain hefyd.

Atgoffaf y Pwyllgor na fyddwn yn cyfarfod ddydd Iau nesaf, 31 Ionawr. Yr wyf yn amau na fyddwch yn rhy drist am hynny. Mae rhaglen waith strategol ddrafft wedi'i hanfon at aelodau am sylwadau erbyn dydd Gwener, 25 Ionawr. Byddaf yn falch o gwrdd ag unrhyw aelod a hoffai drafod honno gyda mi cyn hynny.

Before we begin, I want to say a few words about today's meeting which, as you know, is given over entirely to the Nantygwyddon investigation. At the beginning of the meeting that we held in Treorchy on 12 December, I announced my ruling under Standing Orders Nos. 7.13 and 8.18 that the existence of certain current legal proceedings brought by a number of residents against a former operator of the Nantygwyddon site did not prevent discussion by the Committee of the independent investigator's report. I confirm that this ruling still stands and will apply to the whole of our consideration of the report, unless I announce otherwise. I remind members that they should not, however, refer directly to the proceedings.

I also need to say something about the nature of today's proceedings. This investigation has been entrusted to the Committee by the Assembly. We have had the invaluable assistance of the independent investigator whom we appointed, David Purchon, but the responsibility for reaching conclusions and making recommendations to the Assembly remains ours. In order to be fair and thorough in our investigation, we need to give proper consideration to the various responses to David's report. As part of that process, the Committee has invited a number of individuals and organisations to appear here today. We are very grateful to those who have agreed to attend and to answer questions. When questioning those who have attended today, we must observe the principle that all those who have taken part in this investigation are entitled to be treated consistently. The practice adopted by David Purchon when conducting his part of the investigation on behalf of the Committee has been to give witnesses an opportunity to give their own account of events, with his questioning being designed to seek elucidation from them where necessary. All such persons have attended

Cyn inni gychwyn, hoffwn ddweud ychydig eiriau am gyfarfod heddiw sydd, fel y gwyddoch, wedi'i gysegru'n llwyr i ymchwiliad Nantygwyddon. Ar ddechrau'r cyfarfod a gynhaliwyd gennym yn Nhreorci ar 12 Rhagfyr, cyhoeddais fy nyfarniad dan Reolau Sefydlog Rhifau 7.13 ac 8.18 nad oedd bodolaeth achos cyfreithiol cyfredol a gâi ei ddwyn gan nifer o drigolion yn erbyn cyn weithredwr safle Nantygwyddon yn rhwystro'r Pwyllgor rhag trafod adroddiad yr ymchwilydd annibynnol. Cadarnhaf fod y dyfarniad hwn yn dal i sefyll ac y bydd yn berthnasol i'n holl ystyriaeth ar yr adroddiad, oni chyhoeddaf fi fel arall. Atgoffaf aelodau na ddylent, fodd bynnag, gyfeirio'n uniongyrchol at yr achos.

Mae angen imi ddweud rhywbeth hefyd ynghylch natur trafodaeth heddiw. Ymddiriedwyd yr ymchwiliad hwn i'r Pwyllgor gan y Cynulliad. Cawsom gymorth amhrisiadwy yr ymchwilydd annibynnol a benodwyd gennym, David Purchon, ond ein cyfrifoldeb ni o hyd yw dod i gasgliadau a gwneud argymhellion i'r Cynulliad. Er mwyn bod yn deg ac yn drwyadl yn ein hymchwiliad, mae angen inni roi ystyriaeth briodol i'r amryfal ymatebion i adroddiad David. Fel rhan o'r broses honno, mae'r Pwyllgor wedi gwahodd nifer o unigolion a chyrrff i ymddangos yma heddiw. Yr ydym yn ddiolchgar iawn i'r rheini a gytunodd i ddod ac i ateb cwestiynau. Wrth holi'r rheini sydd wedi dod heddiw, rhaid inni gadw at yr egwyddor fod gan bawb a gymerodd ran yn yr ymchwiliad hwn yr hawl i gael eu trin yn gyson. Yr arfer a fabwysiadwyd gan David Purchon wrth ymgymryd â'i ran ef o'r ymchwiliad ar ran y Pwyllgor oedd rhoi cyfle i dystion roi eu cyfrif hwy o ddigwyddiadau, gyda'i gwestiynau ef yn ymgais i geisio eglurhad ganddynt lle'r oedd angen. Daeth y bobl hyn i gyd atom yn wirfoddol, ac ymholgar ac nid gelyniaethus yw ffordd yr ymchwiliad hwn o fynd ati. Buasai a

voluntarily and the approach of the investigation is inquisitorial, not adversarial. Anything resembling a cross-examination would have been and would be inconsistent with the approach adopted throughout this investigation and would be open to the criticism that we were departing from the nature of the task set us by the Assembly. I therefore remind members to ensure that their questions follow the approach consistently adopted by this investigation so far.

The first item on the agenda is apologies, substitutions and declarations of interest. I have been noted of an apology by Val Lloyd. Brian Gibbons is substituting on her behalf. I was about to say that Karen Sinclair will be late, but she has just arrived. I ask members for any declarations of interest, in line with Standing Order No. 4.5.

[2] **Geraint Davies:** I am a pharmacist and a member of Rhondda Cynon Taff County Borough Council.

[3] **Richard Edwards:** Thank you. The second item on the agenda is additional evidence for the Nantygwyddon investigation. I welcome Mr David Lewis to the Committee. In a minute, I will ask him to introduce himself. First, I will explain the purpose of this item. At the meeting in Treorchy on 12 December, we agreed that those who had not previously given evidence to the investigation in person and in public be invited to do so. Invitations were sent out to those whom we knew would, or thought would, have something of relevance to say. Mr Lewis is the only person who has decided to give evidence in person, although members have also been sent a letter from Kevin Morgan, who is the former Chair of Rhondda Borough Council's environmental services committee. Mr Malcolm Jones was due to give evidence in person today but he is unwell.

byddai unrhyw beth tebyg i groesholiad yn anghyson â'r ffordd yr aethpwyd ati drwy gydol yr ymchwiliad hwn a byddai'n gwahodd y feirniadaeth ein bod yn pellhau oddi wrth natur y dasg a osodwyd inni gan y Cynulliad. Atgoffaf aelodau, felly, i sicrhau fod eu cwestiynau'n dilyn y dull a arddelwyd yn gyson gan yr ymchwiliad hwn hyd yma.

Yr eitem gyntaf ar yr agenda yw ymddiheuriadau, eilyddion a datganiadau buddiant. Fe'm hysbyswyd am ymddiheuriad gan Val Lloyd. Mae Brian Gibbons yma yn ei lle. Yr oeddwn ar fin dweud y bydd Karen Sinclair yn hwyr, ond mae hi newydd gyrraedd. Gofynnaf i aelodau am unrhyw ddatganiadau buddiant, yn unol â Rheol Sefydlog Rhif 4.5.

[2] **Geraint Davies:** Yr wyf fi'n fferyllydd ac yn aelod o Gyngor Bwrdeistref Sirol Rhondda Cynon Taf.

[3] **Richard Edwards:** Diolch. Yr ail eitem ar yr agenda yw tystiolaeth ychwanegol i ymchwiliad Nantygwyddon. Croesawaf Mr David Lewis i'r Pwyllgor. Mewn munud, gofynnaf iddo gyflwyno'i hun. Yn gyntaf, egluraf bwrpas yr eitem hon. Yn y cyfarfod yn Nhreorci ar 12 Rhagfyr, cytunwyd i wahodd rhai nad oedd wedi rhoi tystiolaeth i'r ymchwiliad yn bersonol ac yn gyhoeddus o'r blaen i wneud hynny. Anfonwyd gwahoddiadau at y rheini y gwyddem, neu y tybiem, a fyddai â rhywbeth perthnasol i'w ddweud. Mr Lewis yw'r unig berson sydd wedi penderfynu rhoi tystiolaeth yn y cnawd, er i'r aelodau dderbyn llythyr hefyd oddi wrth Kevin Morgan, cyn Gadeirydd pwyllgor gwasanaethau amgylcheddol Cyngor Bwrdeistref y Rhondda. Yr oedd Mr Malcolm Jones i fod i roi tystiolaeth yn y cnawd heddiw ond mae'n sâl.

I remind everyone that there will be a transcript of the proceedings.

Thank you for coming today, Mr Lewis. Please tell us, for the record, who you are and then speak for a maximum of five minutes before members ask questions.

Mr Lewis: Thank you, Chairman. I will preface my remarks by saying that, just before I came out this morning, I was very sorry to hear on the television news that this Committee was expected to make adverse criticism of the Environment Agency and the health authority. I think that that prejudices what the Committee does, and it is not in the spirit of what should be done, where we should be trying to work together to improve the quality of health provision. [*Interruption.*]

[4] **Richard Edwards:** Order.

Mr Lewis: In terms of my own background, I am currently a director of a charity called Valleys Furniture Recycling. Between 1992 and 1995 I was vice-chair of the Rhondda Borough Council environment committee and from 1995 to 1999 I was chair of the Rhondda Borough Council housing and environment committee in its last year, and subsequently chair of the Rhondda Cynon Taff County Borough Council environment committee. I am here by invitation of the Committee, and I am happy to be here. During and before my time, my immediate predecessor was Kevin Morgan, and that goes back a further eight years. His evidence has been given to you in writing.

Atgoffaf bawb y bydd trawsgrifiad o'r drafodaeth.

Diolch am ddod heddiw, Mr Lewis. Dywedwch wrthym, os gwelwch yn dda, er mwyn y cofnod, pwy ydych chi, ac wedyn siaradwch am bum munud ar y mwyaf cyn i aelodau ofyn cwestiynau.

Mr Lewis: Diolch, Gadeirydd. Fel rhagymadrodd i'm sylwadau hoffwn ddweud ei bod yn ddrwg iawn gennyf glywed, ychydig cyn dod allan y bore yma, ar newyddion y teledu fod disgwyl i'r Pwyllgor hwn feirniadu Asiantaeth yr Amgylchedd a'r awdurdod iechyd yn hallt. Yr wyf yn meddwl fod hynny'n rhagfarnu gwaith y Pwyllgor, ac nid yw yn ysbryd yr hyn y dylid ei wneud, lle y dylem fod yn ceisio cydweithio i wella ansawdd y ddarpariaeth iechyd. [*Torri ar draws.*]

[4] **Richard Edwards:** Trefn.

Mr Lewis: O ran fy nghefnidir fy hun, yr wyf ar hyn o bryd yn gyfarwyddwr elusen o'r enw Valleys Furniture Recycling. Rhwng 1992 ac 1995 yr oeddwn yn is-gadeirydd pwyllgor amgylchedd Cyngor Bwrdeistref y Rhondda ac o 1995 i 1999 yr oeddwn yn gadeirydd pwyllgor tai ac amgylchedd Cyngor Bwrdeistref y Rhondda yn ei flwyddyn olaf, ac wedyn yn gadeirydd pwyllgor amgylchedd Cyngor Bwrdeistref Sirol Rhondda Cynon Taf. Yr wyf yma trwy wahoddiad y Pwyllgor, ac yr wyf yn hapus i fod yma. Yn ystod fy nghyfnod i a chyn hynny, fy rhagflaenydd uniongyrchol i oedd Kevin Morgan, ac mae hynny'n mynd yn ôl wyth mlynedd eto. Mae ei dystiolaeth ef wedi'i rhoi ichi mewn ysgrifen.

Perhaps the most crucial years in the development of this case were 1996 and 1997. I would like to make a few remarks about those years, to clarify the timeline. The problem, I think, started in the summer of 1996, when fumes enveloped the neighbourhood and, instead of that particular problem being solved straight away, the emission of fumes from the tip—as it was soon found—continued for several months. By November of that year, there is a record of the complaints changing from complaints solely about smell to complaints about health also. During December, a circular letter was sent through Tonypany asking for accounts of health problems. At the beginning of January 1997—I think it was 14 January—a meeting was held in Tonypany, which I attended, and at which about 250 people were present. There was a mood of anger and concern there about perceived health problems. So the position changed quite sharply as the year changed from 1996 to 1997. Before that time, the complaints about the tip, with the exception perhaps of one instance in 1995 regarding flies, were very much the same as—in fact, were perhaps less than—the complaints received about the other disposal facilities then operating, namely the tips in Ferndale and Treorchy and the incinerator near Porth.

You have the written report from Kevin Morgan. Could I say too that Councillor Geraint Davies AM was also a member of that committee from 1983 onwards and could, in fact, be of some help to you. I said ‘committee’; I should say that he was a member of the council, but of course the council considered matters such as the compulsory purchase of land to make the tip. So I think that for that period you could well be aided by Councillor Davies.

Efallai mai'r blynyddoedd mwyaf allweddol yn natblygiad yr achos hwn oedd 1996 ac 1997. Hoffwn wneud ychydig o sylwadau am y blynyddoedd hynny, i egluro trefn digwyddiadau. Dechreuodd y broblem, yr wyf yn meddwl, yn haf 1996, pan lanwyd y fro â mygdarth ac, yn lle datrys y broblem arbennig honno'n syth, parhaodd y mygdarth i ollwng o'r domen—fel y canfuwyd yn fuan—am fisoedd lawer. Erbyn Tachwedd y flwyddyn honno, mae cofnod fod y cwynion yn newid o fod yn gwynion am yr arogl yn unig i gwynion am iechyd hefyd. Yn ystod mis Rhagfyr, anfonwyd cylchlythyr drwy Donypany'n gofyn am adroddiadau am broblemau iechyd. Yn nechrau Ionawr 1997—14 Ionawr, yr wyf yn meddwl—cynhaliwyd cyfarfod yn Nhonypany, yr euthum i iddo, a lle'r oedd rhyw 250 o bobl yn bresennol. Yr oedd teimlad o ddieter a phryder yno ynghylch problemau iechyd canfyddedig. Felly newidiodd y sefyllfa'n eithaf sydyn wrth i'r flwyddyn newid o 1996 i 1997. Cyn hynny, yr oedd y cwynion am y domen, ac eithrio efallai un gwyn yn 1995 ynglyn â chlêr, i raddau helaeth yr un fath ag—yn wir, efallai'n llai nag—y cwynion a geid am y cyfleusterau gwaredu eraill a oedd yn gweithredu ar y pryd, sef y tomenni yng Nglyn Rhedynog a Threorci a'r llosgydd ger y Porth.

Mae'r adroddiad ysgrifenedig gan Kevin Morgan gennyh chi. A gaf fi ddweud hefyd fod y Cynghorydd Geraint Davies AC yntau'n aelod o'r pwyllgor hwnnw o 1983 ymlaen ac y gallai, yn wir, fod o ryw gymorth ichi. 'Pwyllgor' a ddywedais; dylwn ddweud mai aelod o'r cyngor ydoedd, ond wrth gwrs fe ystyriodd y cyngor faterion fel pryniant gorfodol tir ar gyfer y domen. Felly yr wyf yn meddwl ar gyfer y cyfnod hwnnw y gallech yn wir gael cymorth gan y Cynghorydd Davies.

The central issue was an issue of health. Had it not been for the concern about health, Nantygwyddon would not be the concern that it is today, nor would it be before this Committee, I feel. The reason is that there is a strong and correct perception of poor health among the people of the neighbourhood of Clydach Vale and the tip. It is a perception that is true and common, not just to Clydach Vale, but to other places where these problems arise, for example Abercwmboi with its phurnacite plant, and Trecatti. It is also true of the whole range of wards in the northern Valleys.

I feel that the people in the Valleys think that it is not obvious, really, what is being done about this problem. Certainly, there is knowledge that poor health is linked to deprivation, but the chain which connects one to the other is not, at least to people's knowledge, being investigated as thoroughly as it should be. As a result, people set about seeking their own explanations because they feel that the authorities are not finding out why they suffer poor health. While I might not agree with members of Rhondda Against Nantygwyddon Tip in their conclusions, I admire the efforts that Mr Tree, especially, has made to investigate and to educate himself about the reasons for ill health, and his success, too, in finding a link to his previous employment with Purolite. He fought a battle for his fellow workers who were suffering from cancer and showed that there was a link. I also pay tribute to people like Mrs Bacon, Mr Wayman—and there are others whose names I do not have to hand at this moment. These people are sincerely seeking explanations for ill health.

Mater o iechyd oedd y prif fater. Oni bai am y pryder ynghylch iechyd, ni fyddai Nantygwyddon yn gymaint o destun pryder ag y mae heddiw, ac ni fyddai ger bron y Pwyllgor, dybiaf fi. Y rheswm yw bod argraff gryf a chywir o iechyd gwael ymhlith pobl bro Cwm Clydach a'r domen. Mae'n argraff sydd yn wir ac yn gyffredin, nid yn unig i Gwm Clydach, ond i lefydd eraill lle cyfyd y problemau hyn, er enghraifft Abercwmboi gyda'i gwaith ffwrnaseit, a Threcati. Mae'n wir hefyd am yr amrediad cyfan o wardiau yn y Cymoedd gogleddol.

Teimlaf fod y bobl yn y Cymoedd yn meddwl nad yw'n amlwg, mewn gwirionedd, beth sydd yn cael ei wneud am y broblem hon. Yn sicr, y mae gwybodaeth fod iechyd gwael yn gysylltiedig ag amddifadedd, ond nid yw'r gadwyn sydd yn cysylltu'r naill â'r llall, o leiaf hyd y gwyr pobl, yn cael ei hymchwilio mor drwyadl ag y dylai. O ganlyniad, aiff pobl ati i chwilio am eu heglurhad eu hunain oherwydd y teimlant nad yw'r awdurdodau'n canfod pam y maent yn dioddef iechyd gwael. Er nad wyf efallai'n cytuno ag aelodau Rhondda Against Nantygwyddon Tip yn eu casgliadau, yr wyf yn edmygu'r ymdrechion y mae Mr Tree, yn arbennig, wedi'u gwneud i ymchwilio ac i'w addysgu ei hun am y rhesymau dros afiechyd, a'i lwyddiant, hefyd, yn darganfod cysylltiad â'i waith blaenorol gyda Purolite. Ymladdodd frwydr dros ei gydweithwyr a oedd yn dioddef o gancr a dangosodd fod cysylltiad. Talaf deyrnged hefyd i bobl fel Mrs Bacon, Mr Wayman—ac mae eraill nad yw eu henwau wrth law gennyf ar y funud. Mae'r bobl hyn yn ddidwyll yn chwilio am esboniadau am iechyd gwael.

I feel that even now, five years on, people are still not confident. They certainly are not confident. They do not know what the risk is, or what level it is at, and there is no authoritative statement coming forward to say that there is no detectable risk or whatever from any authority, whether it be Rhondda Cynon Taff or an authority which would carry more credibility. Why is it that Mr Purchon has recommended that the tip be closed? The lack of an authoritative statement and Mr Purchon's decision, without explanation, add to or prolong the concerns and fears. As a result of closing the tip, we arrive in the current position whereby rubbish that would previously be tipped at Nantgwyddon is being taken past Bryn Pica in Aberdare, a perfectly suitable site, and on to Trecatti in Merthyr. We have the bizarre position that the partner of Councillor Syd Morgan, Rhondda Cynon Taff's cabinet member for rubbish, Jill Evans MEP—

[5] **Richard Edwards:** Mr Lewis, you have already spoken for seven to eight minutes. I would be grateful if you could wind up now. [*Applause.*] May I ask for peace and quiet from everybody? I know it is difficult, but please give everybody a fair hearing.

Mr Lewis: I was just saying that Councillor Morgan's partner is petitioning in Trecatti to have another investigation up there. It is bizarre, Chairman.

Teimlaf hyd yn oed yn awr, bum mlynedd yn ddiweddarach, nad yw pobl yn hyderus o hyd. Yn sicr nid ydynt yn hyderus. Ni wyddant beth yw'r perygl, nac ar ba lefel y mae, ac nid oes unrhyw ddatganiad awdurdodol yn dod ymlaen i ddweud nad oes perygl canfyddadwy neu beth bynnag gan unrhyw awdurdod, boed Rhondda Cynon Taf neu awdurdod a fyddai'n cario mwy o hygredd. Pam y mae Mr Purchon wedi argymhell y dylid cau'r domen? Mae'r diffyg datganiad awdurdodol a phenderfyniad Mr Purchon, heb eglurhad, yn ychwanegu at y pryderon a'r ofnau ac yn eu hymestyn. Yn sgîl cau'r domen, deugn at y sefyllfa bresennol lle mae sbwriel a fuasai o'r blaen wedi'i waredu yn Nantgwyddon yn cael ei gludo heibio i Fryn Pica yn Aberdâr, safle perffaith addas, ac ymlaen i Dreacati ym Merthyr. Mae gennym y sefyllfa hynod fod cymar y Cynghorydd Syd Morgan, aelod cabinet Rhondda Cynon Taf dros sbwriel, Jill Evans ASE—

[5] **Richard Edwards:** Mr Lewis, yr ydych eisoes wedi siarad am saith i wyth munud. Byddwn yn ddiolchgar pe gallech ddirwyn i ben yn awr. [*Cymeradwyaeth.*] A gaf fi ofyn am osteg gan bawb? Gwn ei bod yn anodd, ond os gwelwch yn dda rhowch wrandawriad teg i bawb.

Mr Lewis: Dim ond dweud yr oeddwn fod cymar y Cynghorydd Morgan yn deisebu yn Nhreacati i gael ymchwiliad arall i fyny yn y fan honno. Mae'n hurt, Gadeirydd.

The other effect of closing Nantygwyddon is the cost. I would estimate that cost at about £2 million per annum for the residents of Rhondda Cynon Taff. I would question whether that is the best use of £2 million in terms of safeguarding the health of the people in the area. Could it be better used? Also, I think that if people had seen health investigations taking place earlier, there would be more trust in the authorities and we would be in a better situation than we are now.

[6] **Richard Edwards:** Can I ask you to wind up, Mr Lewis, please?

Mr Lewis: Right, I will turn finally—

[7] **Richards Edwards:** Can it be finally, please?

Mr Lewis: Yes. I turn to the situation in the early 1980s and the choice of that site. The situation in the early 1980s was that there was an incinerator in Dinas, which was pouring out fumes which were enveloping the local school because of the topography of the area. They were enveloping the local school, the local hospital and a number of streets in the area. Moreover, it was not functioning at an adequate temperature. At the same time, waste was being tipped at Ferndale and in Treorchy—in both places, far closer to residences than Nantygwyddon now is. There was a tremendous pressure to solve that problem and to find an alternative so that the incinerator could be closed down. There was no choice, this incinerator had to go. It was not functioning and it was likely to be sending out toxic fumes. It had to go. Ferndale and Treorchy were full. When officers set about looking for the alternative, the final alternative at which they arrived was Nantygwyddon. The criticism is that it is wet, it is windy, it is bleak. Certainly, it is inaccessible, and that, I think, was why it was not in the first tranche of sites—

Effaith arall cau Nantygwyddon yw'r gost. Amcangyfrifwn i mai rhyw £2 filiwn y flwyddyn i drigolion Rhondda Cynon Taf yw'r gost honno. Byddwn i'n cwestiynu ai dyna'r defnydd gorau o £2 filiwn o ran diogelu iechyd pobl yn yr ardal. A ellid ei ddefnyddio'n well? Hefyd, yr wyf yn meddwl pe bai pobl wedi gweld ymchwiliadau iechyd yn digwydd ynghynt, y byddai mwy o ymddiriedaeth yn yr awdurdodau ac y byddem mewn sefyllfa well nag yr ydym ynddi'n awr.

[6] **Richard Edwards:** A gaf fi ofyn ichi ddirwyn i ben, Mr Lewis, os gwelwch yn dda?

Mr Lewis: Iawn, fe drof yn olaf—

[7] **Richard Edwards:** A all hyn fod yn olaf, os gwelwch yn dda?

Mr Lewis: Gall. Trof at y sefyllfa yn yr 1980au cynnar a'r modd y dewiswyd y safle hwnnw. Y sefyllfa yn yr 1980au cynnar oedd fod llosgydd yn Ninas, a oedd yn arllwys mygdarth a oedd yn gorchuddio'r ysgol leol oherwydd topograffeg yr ardal. Yr oedd yn gorchuddio'r ysgol leol, yr ysbyty lleol a nifer o strydoedd yn yr ardal. Ar ben hynny, nid oedd yn gweithio ar dymheredd digonol. Ar yr un pryd, câi gwastraff ei waredu yng Nglyn Rhedynog ac yn Nhreorci—yn y ddau le, yn llawer nes at dai nag y mae Nantygwyddon yn awr. Yr oedd pwysau aruthrol i ddatrys y broblem honno a chanfod dewis arall er mwyn gallu cau'r llosgydd. Nid oedd dewis, yr oedd yn rhaid i'r llosgydd hwn fynd. Nid oedd yn gweithio'n iawn ac yn ôl pob tebyg yr oedd yn gollwng mygdarth gwenwynig. Yr oedd yn rhaid iddo fynd. Yr oedd Glyn Rhedynog a Threorci'n llawn. Pan aeth swyddogion ati i chwilio am y dewis arall, y dewis olaf y daethant ato oedd Nantygwyddon. Y feirniadaeth yw ei fod yn wlyb, yn wyntog, ac yn llwm. Yn sicr, mae'n anhygyrch, a dyna pam, yn fy marn i, nad oedd yn y grwp cyntaf o safleoedd—

[8] **Richard Edwards:** Are you nearing the end, Mr Lewis?

Mr Lewis: I am indeed, thank you, Chairman.

[9] **Richard Edwards:** I have been very indulgent. Another sentence and that is all.

Mr Lewis: Thank you. It is windy, but wind disperses the fumes. It is wet, but all of Rhondda is wet, and yes, it is bleak, but it was better than any alternative, especially as the only one identified was Cwmparc, which is a grade 1 site of special scientific interest. It is identified as being for a mountain park. Gas comes up in one area, and there is a whole raft of reasons and a whole history why Cwmparc was not a suitable alternative. Thank you, Chairman.

[10] **Richard Edwards:** May I have order in the public gallery, please? I understand that things will be said today with which you will disagree but, as a matter of courtesy, you must allow people to express their point of view, even if you disagree with it. Mr Lewis, please remain seated.

I need to put one fact on record. You referred to Geraint Davies, and I should point out that Geraint Davies has given evidence in public to the investigation. Before I ask members to ask questions of clarification, could you say a bit more about your own personal role in the history of this site? That did not come out very clearly, I thought, in your presentation.

[8] **Richard Edwards:** A ydych yn nesáu at y terfyn, Mr Lewis?

Mr Lewis: Ydwyf, yn wir, diolch, Gadeirydd.

[9] **Richard Edwards:** Yr wyf wedi bod yn oddefgar iawn. Brawddeg arall a dyna'r cwbl.

Mr Lewis: Diolch. Y mae'n wyntog, ond mae gwynt yn gwasgaru'r mygdarth. Y mae'n wlyb, ond mae'r Rhondda i gyd yn wlyb, ac ydyw, y mae'n llwm, ond yr oedd yn well nag unrhyw ddewis arall, yn enwedig gan mai'r unig un a nodwyd oedd Cwmparc, sydd yn safle o ddiddordeb gwyddonol arbennig gradd 1. Mae wedi'i ddynodi ar gyfer parc mynydd. Daw nwy i fyny mewn un man, ac mae llw o resymau a hanes cyfan pam nad oedd Cwmparc yn ddewis addas. Diolch, Gadeirydd.

[10] **Richard Edwards:** A gaf fi alw am drefn yn yr oriel gyhoeddus, os gwelwch yn dda? Deallaf y dywedir pethau heddiw na fyddwch yn cytuno â hwy, ond, fel mater o gwrteisi, rhaid ichi ganiatáu i bobl fynegi'u safbwynt, hyd yn oed os anghytunwch ag ef. Mr Lewis, arhoswch yn eich sedd os gwelwch yn dda.

Mae angen imi gofnodi un ffaith. Cyfeiriasoch at Geraint Davies, a dylwn nodi fod Geraint Davies wedi rhoi tystiolaeth yn gyhoeddus i'r ymchwiliad. Cyn imi ofyn i aelodau ofyn cwestiynau er eglurhad, a allech ddweud ychydig mwy am eich rôl bersonol chi'ch hun yn hanes y safle hwn? Nid oedd hynny'n glir iawn, dybiais i, yn eich cyflwyniad.

Mr Lewis: I was vice-chair of the environmental services committee of Rhondda Borough Council from 1992 to 1995. Then, from 1995 to 1999, I was chairman of the Rhondda Borough Council's housing and environment committee in its final year, and then chair of the environment committee of Rhondda Cynon Taff.

[11] **Richard Edwards:** Now, questions of clarification. Rhodri Glyn.

[12] **Rhodri Glyn Thomas:** Clarification, indeed. I am totally bemused about what you were trying to achieve through your evidence. Are you suggesting that—

[13] **Richard Edwards:** Please, Rhodri, questions of clarification.

[14] **Rhodri Glyn Thomas:** That is what I am asking.

[15] **Richard Edwards:** I do not want aggressive cross-examination, in fairness—

[16] **Rhodri Glyn Thomas:** I had not intended to be aggressive.

[17] **Richard Edwards:** Okay. I am just pre-empting you then.

[18] **Rhodri Glyn Thomas:** I can assure you, Richard, that if I want to be aggressive, you will be aware of that fact. The point I was asking was this: are you simply saying that building a landfill tip on the top of a mountain was a good idea? That seemed to be the impression you were giving, and you were trying to mitigate that throughout your evidence. Are you saying that that was a good judgment on behalf of the people who opened that landfill tip where they did?

Mr Lewis: Yr oeddwn yn is-gadeirydd pwyllgor gwasanaethau amgylcheddol Cyngor Bwrdeistref y Rhondda o 1992 hyd 1995. Wedyn, o 1995 hyd 1999, yr oeddwn yn gadeirydd pwyllgor tai ac amgylchedd Cyngor Bwrdeistref y Rhondda yn ei flwyddyn olaf, ac wedyn yn gadeirydd pwyllgor amgylchedd Rhondda Cynon Taf.

[11] **Richard Edwards:** Yn awr, cwestiynau er eglurhad. Rhodri Glyn.

[12] **Rhodri Glyn Thomas:** Eglurhad, yn wir. Yr wyf wedi drysu'n llwyr ynghylch beth yr oeddech yn ceisio'i gyflawni drwy'ch tystiolaeth. A ydych yn awgrymu fod—

[13] **Richard Edwards:** Os gwelwch yn dda, Rhodri, cwestiynau er eglurder.

[14] **Rhodri Glyn Thomas:** Dyna beth yr wyf yn ei ofyn.

[15] **Richard Edwards:** Nid oes arnaf eisiau croesholi ymosodol, er tegwch—

[16] **Rhodri Glyn Thomas:** Nid oeddwn wedi bwriadu bod yn ymosodol.

[17] **Richard Edwards:** Iawn. Dim ond achub y blaen arnoch yr wyf, felly.

[18] **Rhodri Glyn Thomas:** Gallaf eich sicrhau, Richard, os byddaf eisiau bod yn ymosodol, y byddwch chi'n ymwybodol o hynny. Y pwynt yr oeddwn yn ei ofyn oedd hyn: ai'r cyfan yr ydych yn ei ddweud yw fod creu tomen dirlenwi ar ben mynydd yn syniad da? Yr oedd yn ymddangos mai dyna'r argraff yr oeddech yn ei rhoi, ac yr oeddech yn ceisio cyfiawnhau hynny drwy gydol eich tystiolaeth. A ydych yn dweud fod hynny'n benderfyniad da ar ran y bobl a agorodd y domen dirlenwi honno yn y fan lle y gwnaethant?

Mr Lewis: I will try to answer all your questions. The reason I spoke about health was because the terms of reference refer to the response to the health fears in the area. I referred to the current situation where rubbish is being taken all the way from Nantygwyddon to Trecatti because terms of reference 4 and 5 refer to the future of Nantygwyddon and also to the future of waste management. As to the rest of your question—I tried to answer the first part, this is the second or third part of your question. Am I suggesting that it was a good site? I am not. If I were to encapsulate it in two words, I would say that it was the least worst site. I can expand on that, if the Chairman wishes.

[19] **Richard Edwards:** No.

[20] **David Davies:** I will try to ask a couple of very simple questions. At the risk of being controversial—

[21] **Richard Edwards:** No. Points of clarification, please. We do not want controversy.

[22] **David Davies:** Okay. Given your position, is it true that two Labour councillors who spoke out about this were deselected?

[23] **Richard Edwards:** Sorry, that question is not relevant, David.

[24] **David Davies:** I will ask another question then. Can you throw any light on what happened to the files that related to European Union grants—

[25] **Richard Edwards:** That, again, is not really relevant; not to this.

Mr Lewis: Ceisiaf ateb eich cwestiynau i gyd. Y rheswm y siaradais am iechyd oedd oherwydd fod y cylch gorchwyl yn cyfeirio at yr ymateb i'r ofnau iechyd yn yr ardal. Cyfeiriais at y sefyllfa bresennol lle caiff sbwriel ei gludo'r holl ffordd o Nantygwyddon i Drecati oherwydd fod pwyntiau 4 a 5 yn y cylch gorchwyl yn cyfeirio at ddyfodol Nantygwyddon a hefyd at ddyfodol rheoli gwastraff. Ynghylch gweddill eich cwestiwn—ceisiais ateb y rhan gyntaf, felly ail neu drydedd rhan eich cwestiwn yw hon. A wyf yn awgrymu ei fod yn safle da? Nac ydwyf. Pe bawn i'n ei grynhoi mewn dau air, dywedwn mai dyma'r safle lleiaf gwael. Gallaf ymhelaethu ar hynny, os dymuna'r Cadeirydd.

[19] **Richard Edwards:** Na.

[20] **David Davies:** Ceisiaf ofyn un neu ddau gwestiwn syml iawn. Os caf fentro bod yn ddadleuol—

[21] **Richard Edwards:** Na. Pwyntiau er eglurhad, os gwelwch yn dda. Nid oes arnom eisiau dim byd dadleuol.

[22] **David Davies:** Iawn. Gan gofio'ch safle chi, a yw'n wir y dadetholwyd dau gynghorydd Llafur a siaradodd allan ynglyn â hyn?

[23] **Richard Edwards:** Mae'n ddrwg gennyf, nid yw'r cwestiwn hwnnw'n berthnasol, David.

[24] **David Davies:** Gofynnaf gwestiwn arall felly. A allwch fwrw unrhyw oleuni ar yr hyn a ddigwyddodd i'r ffeiliau a oedd yn ymwneud â grantiau'r Undeb Ewropeaidd—

[25] **Richard Edwards:** Nid yw hynny, eto, yn berthnasol mewn gwirionedd; nid i hyn.

[26] **David Davies:** Can you tell us whether or not it is the case there were nine or so other choices for landfill sites and that this one went to the top of the list? If so, can you tell us why it was put at the top of the list and why it was the least worst option?

On your point on wind dispersing the fumes, is it not the case that the wind would disperse fumes into the areas surrounding the landfill site?

Mr Lewis: What was the question before the one on wind dispersal?

[27] **David Davies:** The one about the records, which I know I cannot ask, although it would be interesting to know the answer to it.

[28] **Richard Edwards:** It was on the choice of site.

Mr Lewis: The choice of site. By the way, this goes back before my time—a considerable distance before my time. The choice of site took place in the late 1970s and early 1980s and I joined the council more than 10 years after that. It would be best dealt with by Kevin Morgan's written response and perhaps Geraint Davies's memories. However, I can remember the time. As well as Cwmparc, I can remember some of the other sites. There was Fernhill, which is in Councillor Davies's ward, and Mardy. They were all coal tip sites. I think that, in a number of cases, there were problems with access. I think that one of the attractions of the Cwmparc site was that an access road had been driven in there at an earlier time when the national coal board had tried to tip waste there but had been fought off by the local residents, who at that time did not want the tipping of coal waste, nor subsequently of domestic waste there. Your second question was?

[26] **David Davies:** A allwch ddweud wrthym a yw'n wir ai peidio fod rhyw naw dewis arall ar gyfer safleoedd tirlenwi ac yr aeth hwn I ben y rhestr? Os felly, a allwch ddweud wrthym pam y'i rhoddwyd ar ben y rhestr a pham mai hwn oedd y dewis lleiaf gwael?

Ynglyn â'ch pwynt am y gwynt yn gwasgaru'r mygdarth, onid yw'n wir y byddai'r gwynt yn gwasgaru'r mygdarth i'r ardaloedd o amgylch y safle tirlenwi?

Mr Lewis: Beth oedd y cwestiwn cyn yr un am wasgariad y gwynt?

[27] **David Davies:** Yr un am y cofnodion, y gwn na chaf ei ofyn, er y byddai'n ddiddorol gwybod yr ateb iddo.

[28] **Richard Edwards:** Cwestiwn am y dewis safle ydoedd.

Mr Lewis: Y dewis safle. Gyda llaw, mae hyn yn mynd yn ôl cyn fy amser i—cryn bellter cyn fy amser i. Dewiswyd y safle tua diwedd y 1970au a dechrau'r 1980au ac ymunais â'r cyngor dros 10 mlynedd wedi hynny. Gellid ateb hyn orau gan ymateb ysgrifenedig Kevin Morgan ac efallai atgofion Geraint Davies. Fodd bynnag, gallaf gofio'r adeg. Yn ogystal â Chwmparc, gallaf gofio rhai o'r safleoedd eraill. Yr oedd Glyn Rhedynog, sydd yn etholaeth y Cynghorydd Davies, a Maerdy. Safleoedd tomenni glo oeddent i gyd. Yr wyf yn meddwl, mewn sawl achos, fod problemau gyda mynediad. Credaf mai un o atyniadau safle Cwmparc oedd fod ffordd fynediad wedi'i thorri i mewn yno ar adeg gynharach pan oedd y bwrdd glo cenedlaethol wedi ceisio gwaredu gwastraff yno ond bod y trigolion lleol wedi llwyddo i'w gyrru i ffwrdd, gan nad oedd arnynt bryd hynny eisiau gwaredu gwastraff glo yno, na gwastraff ty wedyn. Eich ail gwestiwn oedd?

[29] **David Davies:** It was on the point about the wind dispersing the fumes. The point is, surely, that the wind is going to disperse the fumes into the surrounding areas, which are residential—

[30] **Richard Edwards:** I do not want to have a debate on this.

[31] **David Davies:** Okay.

[32] **Richard Edwards:** I am not at all clear that Mr Lewis has information that is really relevant to—

Mr Lewis: I could give a quick answer, Chair, which is that the complaints from residents around Nantygwyddon were almost invariably made at times of still air.

[33] **Helen Mary Jones:** I have a couple of points, Mr Lewis. First, in your evidence, you suggested that the perception of ill health—which you acknowledge is a correct one—is tied into people looking for explanations for health problems that they do not perceive as being properly investigated either by yourselves, as the council, or by the health authority or whoever should have been investigating them. That is an interesting suggestion. If that is the case, could you give us some idea—and, obviously, it will be a subjective view—as to why the nature and volume of the complaints changed around 1996 to 1997, as you mentioned in your evidence? If those complaints arise from a background concern about health in our poor communities—and we know there are high levels of ill health in our poor communities—how do you account for that change in 1996 to 1997?

[29] **David Davies:** Yr oedd ar y pwynt ynghylch y gwynt yn gwasgaru'r mygdarth. Y pwynt yw, siawns, fod y gwynt yn mynd i wasgaru'r mygdarth i'r ardaloedd cyfagos, sydd yn ardaloedd trigiannol—

[30] **Richard Edwards:** Nid oes arnaf eisiau cael dadl ar hyn.

[31] **David Davies:** Iawn.

[32] **Richard Edwards:** Nid wyf yn glir o gwbl fod gan Mr Lewis wybodaeth sydd mewn gwirionedd yn berthnasol i—

Mr Lewis: Gallwn roi ateb cyflym, Gadeirydd, sef fod y cwynion gan drigolion cylch Nantygwyddon bron yn ddieithriad wedi'u gwneud ar adegau pan oedd yr aer yn llonydd.

[33] **Helen Mary Jones:** Mae gennyf un neu ddau o bwyntiau, Mr Lewis. Yn gyntaf, yn eich tystiolaeth, awgrymoch fod yr argraff o ieched gwael—y cydnabyddwch ei bod yn gywir—ynghlwm wrth y ffaith fod pobl yn edrych am esboniadau am broblemau ieched nad ydynt yn gweld eu bod yn cael eu hymchwilio'n briodol gennych chi, fel y cyngor, na chan yr awdurdod ieched neu bwy bynnag ddylasai fod yn ymchwilio iddynt. Mae hynny'n awgrym diddorol. Os mai felly y mae hi, a allech roi rhyw syniad inni—ac, yn amlwg, barn oddrychol fydd hi—ynghylch pam y newidiodd natur a nifer y cwynion oddeutu 1996 i 1997, fel y sonioch yn eich tystiolaeth? Os yw'r cwynion hynny'n codi o bryder cefndirol am ieched yn ein cymunedau tlawd—a gwyddom fod lefelau uchel o ieched gwael yn ein cymunedau tlawd—sut yr ydych yn esbonio'r newid hwnnw yn 1996 i 1997?

Tying in with that, I would like to explore something that you touched on but did not have time to go into in any detail. In the time that you can speak for, which, as I understand it, is between 1992 and 1999—and I would not ask you to go back before that because, as you say, that would be indirect evidence—do you believe that the tip was properly managed and did the committee have any concerns about its management at any time? I will not ask you to go into the issues about the changeover to the local authority waste disposal company, which was not in your hands because it was a Westminster decision, but I would like to hear a bit more about that. In your evidence, you mentioned that people did not feel that their health issues, once they were raised, were being assessed. Between 1996 and 1999, why do you think that those health impact assessments were not undertaken, and what efforts did the authority make to ensure that they were? You said plainly in your evidence that those health impact assessments were not undertaken. Could you explain why that did not happen? Finally, on a factual point, on what do you base your assessment of the cost of the closure of Nantygwyddon to domestic waste?

Mr Lewis: Why did perceptions change between 1996 and 1997? There was a trigger, and the trigger is well known.

[34] **Helen Mary Jones:** It is not known to me, Mr Lewis. Would you like to share it with us?

Yn gysylltiedig â hynny, hoffwn ymchwilio i rywbeth a grybwyllwyd gennych ond na chawsoch amser i fynd i mewn iddo mewn unrhyw fanylder. Yn y cyfnod y gallwch chi siarad drosto, sef, yn ôl yr hyn a ddeallaf, rhwng 1992 a 1999—ac ni ofynnwn ichi fynd yn ôl cyn hynny oherwydd, fel y dywedwch, tystiolaeth anuniongyrchol fyddai hynny—a gredwch fod y domen wedi'i rheoli'n briodol ac a fu gan y pwyllgor unrhyw bryderon ynghylch ei rheolaeth ar unrhyw adeg? Ni ofynnaf ichi fynd i mewn i'r materion cysylltiedig â'r newid drosodd i gwmni gwaredu gwastraff yr awdurdod lleol, newid nad oedd yn eich dwylo chi gan mai penderfyniad San Steffan ydoedd, ond hoffwn glywed ychydig mwy am hynny. Yn eich tystiolaeth, sonioch nad oedd pobl yn teimlo fod eu pryderon iechyd, unwaith yr oeddent wedi'u codi, yn cael eu hasesu. Rhwng 1996 a 1999, pam yn eich barn chi na wnaethpwyd yr asesiadau effaith iechyd hynny, a pha ymdrechion a wnaeth yr awdurdod i sicrhau y caent eu gwneud? Dywedasoeh yn blaen yn eich tystiolaeth na wnaethpwyd yr asesiadau effaith iechyd hynny. A allech egluro pam na ddigwyddodd hynny? Yn olaf, ar bwynt ffeithiol, ar beth y seiliwch eich asesiad o gost cau Nantygwyddon i wastraff ty?

Mr Lewis: Pam y newidiodd argraff pobl rhwng 1996 ac 1997? Yr oedd ysgogydd, ac mae'r ysgogydd yn hysbys i bawb.

[34] **Helen Mary Jones:** Nid yw'n hysbys i mi, Mr Lewis. A hoffech ei rannu gyda ni?

Mr Lewis: The trigger is well known; it is hydrogen sulphide. It was produced as a result of a decision taken to co-dispose calcium sulphate waste with domestic waste. The domestic waste reduced the calcium sulphate, with the production of hydrogen sulphide, which caused the tip to outgas, producing those smells—the rotten egg smells, together with the characteristic tip sweet acid smells or sickly acid smells. So it was the decision to co-dispose calcium sulphate and domestic refuse.

On the second question concerning the management, yes, there were concerns about the management. They increased and resulted eventually in the removal of the management and its replacement by Amgen Rhondda Limited. On the health impact assessments, I do not think that I referred to health impact assessments. Could you—

[35] **Helen Mary Jones:** You did not actually use that term; you said that the community felt that their health concerns had not been properly investigated. I apologise that I then used the technical term, ‘health impact assessment’. However, you clearly mentioned that people felt that those concerns had not been investigated. I suppose that I am seeking an account of why that did not happen and what role, if any, did the authority, during your time, play in either undertaking such investigations or in trying to ensure that the proper authorities did?

Mr Lewis: Mae’r ysgogydd yn dra hysbys; hydrogen sylffid ydyw. Fe’i cynhyrchwyd o ganlyniad i benderfyniad a wnaethpwyd i waredu gwastraff calsiwm sylffad ar y cyd â gwastraff ty. Lleihaodd y gwastraff ty y calsiwm sylffad, gan gynhyrchu hydrogen sylffid, a berodd i’r domen ollwng nwy, gan gynhyrchu’r aroglau hynny—yr aroglau wyau drwg, ynghyd ag aroglau asid melys neu asid afiach nodweddiadol o domenni. Felly, y penderfyniad i waredu gwastraff calsiwm sylffad a gwastraff ty ar y cyd oedd y drwg.

Ar yr ail gwestiwn ynglyn â’r rheolaeth, oedd, yr oedd pryderon am y rheolaeth. Cynyddodd y rheini ac yn y diwedd disodlwyd y rheolwyr gan gwmni Amgen Rhondda Cyfyngedig. O ran yr asesiadau effaith iechyd, nid wyf yn meddwl imi gyfeirio at asesiadau effaith iechyd. A allech—

[35] **Helen Mary Jones:** Ni wnaethoch ddefnyddio’r union derm hwnnw; fe ddywedasoed fod y gymuned wedi teimlo nad ymchwiliwyd yn iawn i’w pryderon iechyd. Ymddiheuraf am ddefnyddio’r term technegol ‘asesiad effaith iechyd’ wedyn. Fodd bynnag, bu ichi grybwyll yn glir fod pobl yn teimlo nad ymchwiliwyd i’r pryderon hynny. Mae’n debyg fy mod yn gofyn am eglurhad pam na ddigwyddodd hynny a pha rôl, os o gwbl, a chwaraeodd yr awdurdod, yn ystod eich cyfnod chi, un ai o ran gwneud ymchwiliadau o’r fath neu o ran ceisio sicrhau y gwneid hynny gan yr awdurdodau priodol?

Mr Lewis: I am glad that you gave me an opportunity for that to be clarified. The people's dissatisfaction, I think—or the perception that not enough was being done, or that it was not obvious exactly what was being done, first of all, to investigate and, secondly, to solve people's health problems in the Valleys area—is one which pre-existed and continues to exist. I was referring to it at the inception of the tip, and at the inception of the complaints, it existed then. Subsequently, some health impact assessments did take place and I think that, by then, people's minds were pretty well set. Finally, cost—

[36] **Helen Mary Jones:** May I just raise a further point of clarification? Oh sorry, cost.

Mr Lewis: Finally, the cost. This is the calculation. When Nantygwyddon was closed as a result of the protest action, the estimate of the cost then was roughly £100,000 per month. That would increase to £1,200,000 per annum on that basis. That was on the basis of transport to Bryn Pica. The decision was taken to transport it further to Trecatti in Merthyr. That would mean further downtime and a further need for vehicles and so on. On top of that, the income, or the profit, from the waste tipping would accrue to Biffa Waste Services Ltd or to Severn Trent plc, which I think were the final owners of Trecatti, instead of accruing to Amgen and hence coming back to the residents of Rhondda Cynon Taff. What is more, I suspect that Biffa would know that it has the council over a barrel and would not be letting it off with very low charges. However, that is a suspicion. I do not know it. Nevertheless, I come to the figure of about £2 million per annum from that.

Mr Lewis: Yr wyf yn falch ichi roi cyfle imi gael hynny wedi'i egluro. Yr oedd anfodlonrwydd y bobl, dybiaf fi—neu'r argraff nad oedd digon yn cael ei wneud, neu nad oedd yn amlwg beth yn union oedd yn cael ei wneud, yn gyntaf oll, i ymchwilio ac, yn ail, i ateb problemau iechyd pobl yn ardal y Cymoedd—yn bodoli ynghynt ac mae'n dal i fodoli. Yr oeddwn i'n cyfeirio ato ar adeg sefydlu'r domen, a phan ddechreuodd y cwynion, yr oedd yn bodoli bryd hynny. Yn ddiweddarach, fe gafwyd rhai asesiadau effaith iechyd ac yr wyf yn meddwl, erbyn hynny, fod meddyliau pobl yn eithaf pendant. Yn olaf, cost—

[36] **Helen Mary Jones:** A gaf fi godi pwynt pellach o eglurhad? O, mae'n ddrwg gennyf, y gost.

Mr Lewis: Yn olaf, y gost. Dyma'r cyfrifiad. Pan gaewyd Nantygwyddon yn sgîl y gwrthdystio, amcangyfrifwyd bryd hynny mai £100,000 y mis yn fras oedd y gost. Byddai hynny'n cynyddu i £1,200,000 y flwyddyn ar y sail honno. Yr oedd hynny ar sail cludiant i Fryn Pica. Penderfynwyd ei gludo ymhellach i Drecati ym Merthyr. Byddai hynny'n golygu mwy o amser segur a mwy o angen am gerbydau ac ati. Ar ben hynny, byddai'r incwm, neu'r elw, o waredu'r gwastraff yn cronni i Biffa Waste Services Cyf neu i Hafren Trent ccc, sef perchenogion olaf Trecati, yr wyf yn meddwl, yn lle cronni i Amgen ac felly yn dod yn ôl i drigolion Rhondda Cynon Taf. Yn fwy na hynny, amheuaif y byddai Biffa'n gwybod fod y cyngor ar ei drugaredd, ac na fyddai'n gadael iddo ddianc â thaliadau isel iawn. Fodd bynnag, amheuaeth yw hynny. Ni wn hynny. Serch hynny, deuaif at y ffigur o ryw £2 filiwn y flwyddyn ar sail hynny.

[37] **Helen Mary Jones:** Thank you, that is helpful. I just want a brief clarification about the co-disposal of calcium sulphide. Can you clarify for us who made that decision, why they made it and what role, if any, the committee played in making that decision or monitoring it? As you stress, it is the trigger. It feels important to pull that up, Chair.

Mr Lewis: The calcium sulphate—not sulphide—

[38] **Helen Mary Jones:** I am not a chemist; I am a politician.

Mr Lewis: The decision was taken because the driving force was privatisation. The council was not in favour of privatisation. It held out against it for as long as possible. The driving force was privatisation, and once it is privatised, you try to make a profit. That was the driving force.

[39] **Richard Edwards:** Thank you. We are overrunning considerably. I ask people to put very quick questions and for very quick answers, too, please.

[40] **Geraint Davies:** Just for the record—

[41] **Richard Edwards:** Very quickly, please.

[42] **Geraint Davies:** I think that there were only two big debates on Nantygwyddon in the 1980s. In one debate, I seconded the motion calling for Nantygwyddon not to proceed. That was two years before the opening of the tip. That is just for the record.

[37] **Helen Mary Jones:** Diolch, mae hynny'n ddefnyddiol. Hoffwn gael eglurhad byr ynghylch gwaredu calsiwm sylffid ar y cyd. A allwch egluro inni pwy a wnaeth y penderfyniad hwnnw, pam y'i gwnaeth a pha rôl, os o gwbl, a chwaraeodd y pwyllgor yn y penderfyniad hwnnw neu o ran ei fonitro? Fel y pwysleisiwch, dyna'r ysgogydd. Teimlaf ei bod yn bwysig codi hynny, Gadeirydd.

Mr Lewis: Y calsiwm sylffad—nid sylffid—

[38] **Helen Mary Jones:** Nid cemegydd wyf fi; gwleidydd wyf fi.

Mr Lewis: Gwnaethpwyd y penderfyniad am mai preifateiddio oedd y grym pennaf. Nid oedd y cyngor o blaid preifateiddio. Daliodd allan yn ei erbyn gyhyd ag oedd yn bosibl. Preifateiddio oedd y grym pennaf, ac unwaith iddo gael ei breifateiddio, y nod yw gwneud elw. Dyna'r grym y tu ôl i'r peth.

[39] **Richard Edwards:** Diolch. Yr ydym dros amser yn sylweddol. Gofynnaf i bobl roi cwestiynau sydyn iawn, ac am atebion sydyn iawn hefyd, os gwelwch yn dda.

[40] **Geraint Davies:** Dim ond er mwyn y cofnod—

[41] **Richard Edwards:** Yn gyflym iawn, os gwelwch yn dda.

[42] **Geraint Davies:** Yr wyf yn meddwl mai dim ond dwy ddadl fawr a fu ar Nantygwyddon yn y 1980au. Mewn un ddadl, eiliais y cynnig yn galw am i Nantygwyddon beidio â mynd rhagddo. Yr oedd hynny ddwy flynedd cyn agor y domen. Dim ond er mwyn y cofnod y dywedaf hynny.

With regard to the time back in 1996, do you remember that the council was alerted to the problem of calcium sulphate deposition? Do you regret not taking action at that time and is there anything else, in hindsight, that you would do differently now that that situation has developed?

Mr Lewis: On the question of your record, I am sure that what you say is correct. I was referring to the times in 1983 and 1984 when you were present at debates when the council decided to compulsorily purchase the land for the tip. I was hoping that that would draw out the fact that support for the tip at that time was cross-party. As far as 1996 goes, co-disposal was not favoured by the environmental health officer and there is a record of that.

[43] **Richard Edwards:** Moving on, Tom and Eleanor have indicated that they want to ask questions. Very quickly then, please, Tom.

[44] **Tom Middlehurst:** In response to members earlier—I am not quite sure which member—you said that, in exercising the choice, this was the least worst option. Is that your view based on your professional or technical expertise, or was it based on strong advice from officials in Rhondda Cynon Taff council?

Ynglyn â'r adeg yn ôl yn 1996, a ydych yn cofio i'r cyngor gael ei rybuddio am broblem dyddodiad calsiwm sylffad? A yw'n edifar gennych na wnaethoch weithredu bryd hynny ac a oes unrhyw beth arall, o edrych yn ôl, y byddech yn ei wneud yn wahanol yn awr bod y sefyllfa honno wedi datblygu?

Mr Lewis: Ar gwestiwn eich record, yr wyf yn siwr fod yr hyn a ddywedwch yn gywir. Yr oeddwn i'n cyfeirio at yr adegau yn 1983 a 1984 pan oeddech chi'n bresennol mewn dadleuon pryd y penderfynodd y cyngor brynu'r tir yn orfodol ar gyfer y domen. Yr oeddwn yn gobeithio y byddai hynny'n amlygu'r ffaith fod cefnogaeth draws-bleidiol i'r domen bryd hynny. O ran 1996, nid oedd swyddog iechyd yr amgylchedd yn ffafrio cyd-waredu, ac mae cofnod o hynny.

[43] **Richard Edwards:** Â symud ymlaen, mae Tom ac Eleanor wedi mynegi yr hoffent ofyn cwestiynau. Yn gyflym iawn, felly, os gwelwch yn dda, Tom.

[44] **Tom Middlehurst:** Mewn ymateb i aelodau'n gynharach—nid wyf yn hollol siwr pa aelod—dywedasoeh mai hwn, pan wnaed y dewis, oedd y dewis lleiaf gwael. Ai dyna'ch barn ar sail eich arbenigedd proffesiynol neu dechnegol, ynteu a oedd yn seiliedig ar gyngor cryf gan swyddogion yng nghyngor Rhondda Cynon Taf?

Mr Lewis: I think that it was the result of the other sites gradually being eliminated. All the original list having been eliminated, this site then appeared because it then looked—I think, and this has to be supposition—as if it was possible to get a grant to access the site. I believe that the site had not been originally put up because of its inaccessibility. In other ways, although far from an ideal site, it was perhaps the best of a bad lot.

[45] **Tom Middlehurst:** Are you suggesting that you had to make a choice, in spite of the fact that, in David Purchon's words, the choice of this site is simply extraordinary?

Mr Lewis: It was the least worst option. The other options were, I suppose, in general terms, to continue with the existing situation, which was quite impossible—the two tips were full and the incinerator was blowing out unsuitable smoke; it was not working—and the only other alternative was to try to get some authority outside the Rhondda to accept waste. That was unlikely to work at any time; it certainly was not going to work within the timeframe available.

[46] **Eleanor Burnham:** You say that that was the least worst option. Did anyone look analytically into the best option, based on best advice and best practice? Was it a time when you were desperately trying to reduce waste as a matter of course?

Mr Lewis: Yr wyf yn meddwl ei fod yn ganlyniad i bob un o'r safleoedd eraill gael eu gwrthod yn raddol. Wedi dileu'r rhestr wreiddiol i gyd, ymddangosodd y safle hwn oherwydd yr edrychai—yr wyf yn meddwl, ac mae'n rhaid mai dyfalu yw hyn—fel pe byddai modd cael grant ar gyfer mynediad i'r safle. Credaf nad oedd y safle wedi'i gynnig yn wreiddiol oherwydd ei fod mor anhygyrch. Mewn ffyrdd eraill, er ei fod ymhell o fod yn safle delfrydol, efallai mai dyma'r gorau o griw gwael.

[45] **Tom Middlehurst:** A ydych yn awgrymu y bu raid ichi ddewis un, er gwaethaf y ffaith fod dewis y safle hwn, yng ngeiriau David Purchon, yn anghygoel?

Mr Lewis: Dyma'r dewis lleiaf gwael. Y dewisiadau eraill, debygwn i, mewn termau cyffredinol, oedd parhau â'r sefyllfa oedd yn bodoli, a oedd yn gwbl amhosibl—yr oedd y ddwy domen yn llawn a'r llosgydd yn chwythu mwg anaddas allan; nid oedd yn gweithio—a'r unig ddewis arall oedd ceisio cael rhyw awdurdod y tu allan i'r Rhondda i gymryd gwastraff. Yr oedd hynny'n annhebygol o weithio ar unrhyw adeg; yn sicr ni fyddai wedi gweithio o fewn yr amser oedd ar gael.

[46] **Eleanor Burnham:** Dywedwch mai dyna'r dewis lleiaf gwael. A edrychodd unrhyw un yn ddadansoddol i mewn i'r dewis gorau, ar sail y cyngor gorau a'r arfer gorau? A oedd yn adeg pryd yr oeddech yn ymdrechu'n enbyd i leihau gwastraff fel mater o arfer?

Mr Lewis: It was based on the best advice that we could get, which was from officers, using, where necessary, consultants. We did look at ways of reducing waste, even at that time, but, again, we were a bit hard up and things like tyre shredding and so on were simply not within the capacity of the authority. I feel that I have left something out of my answer. [*Interruption.*]

[47] **Richard Edwards:** Order. May we please have peace and quiet in the audience?

[48] **Eleanor Burnham:** I was just asking whether it was based on the best advice and whatever best practice was in being at the time.

Mr Lewis: Yes. In fact, it was to the extent that, at the time—we are talking about 20-odd years ago—it was used as something of a model—

[49] **Eleanor Burnham:** I am talking about the time when you were involved, because, obviously, that is what we are interested in. Things had moved on by then, surely, by 1995 to 1999?

Mr Lewis: Yes, 1995 to 1999 or—

[50] **Eleanor Burnham:** Or 1992 to 1999. When you were involved. That is what we are here to discuss.

Mr Lewis: We always worked on the basis of making use of the best advice that we could achieve.

[51] **Richard Edwards:** I thank members, and I thank Mr Lewis for giving evidence to the Committee today. Thank you for coming along. We now need to move on to the next item.

Mr Lewis: Yr oedd yn seiliedig ar y cyngor gorau y gallem ei gael, sef gan swyddogion, gan ddefnyddio ymgynghorwyr lle'r oedd angen. Edrychasom ar ffyrdd o leihau gwastraff, hyd yn oed bryd hynny, ond yr oeddem braidd yn dlawd ac nid oedd pethau fel malu teiars ac ati o fewn gallu'r awdurdod. Teimlaf fy mod wedi hepgor rhywbeth o fy ateb. [*Torri ar draws.*]

[47] **Richard Edwards:** Trefn. A gawn ni osteg a thawelwch yn y gynulleidfa, os gwelwch yn dda?

[48] **Eleanor Burnham:** Gofyn yr oeddwn a oedd yn seiliedig ar y cyngor gorau a'r arfer gorau a oedd yn bodoli ar y pryd.

Mr Lewis: Oedd. Yn wir, yr oedd i'r graddau nes, ar y pryd—yr ydym yn sôn am 20 a mwy o flynyddoedd yn ôl—y'i defnyddid fel rhyw fath o fodel—

[49] **Eleanor Burnham:** Yr wyf yn sôn am yr adeg pan oeddech chi yn gysylltiedig â hyn, oherwydd, yn amlwg, dyna'r hyn y mae gennym ddi-ddordeb ynddo. Yr oedd pethau wedi symud ymlaen erbyn hynny, bid siwr, erbyn 1995 i 1999?

Mr Lewis: Oedd, 1995 i 1999 neu—

[50] **Eleanor Burnham:** Neu 1992 i 1999. Pan oeddech chi yn gysylltiedig â hyn. Dyna'r hyn yr ydym yma i'w drafod.

Mr Lewis: Byddem bob amser yn gweithio ar sail gwneud defnydd o'r cyngor gorau y gallem ei gael.

[51] **Richard Edwards:** Diolchaf i'r aelodau, a diolchaf i Mr Lewis am roi tystiolaeth i'r Pwyllgor heddiw. Diolch am ddod. Yn awr mae angen inni symud ymlaen at yr eitem nesaf.

Mr Lewis: Thank you very much, sir, for your time and the time of the Committee.

[52] **Richard Edwards:** The third item on the agenda is questions to public bodies on their responses to the investigator's report. I want to welcome several witnesses to the Committee this afternoon. Representing Bro Taf Health Authority we have Dr Sharon Hopkins and Dr Mark Temple. Representing Rhondda Cynon Taff County Borough Council we have Councillor Pauline Jarman and Councillor Syd Morgan. Representing the Environment Agency Wales we have Dr Helen Phillips and Mr John Harrison. Perhaps I should extend an especially warm welcome to Dr Phillips, who is the new director of the Environment Agency in Wales. This is the first time that she has attended a meeting of our Committee. I am also bound to point out that the former director of the Environment Agency Wales, Mr Roger Thomas, did offer to represent the agency today. However, the agency considered that that would be inappropriate, given that he is no longer employed by it. However, he wanted to make it clear, and I am bound to do so, that he was willing to attend. I do not want his absence to be misconstrued in any way.

The purpose of this item is to enable members of the Committee to question the public bodies on their responses to Mr Purchon's report. I am going to ask each of the three bodies in succession to make very brief presentations of a maximum of five minutes, so that they can present the key points of their responses to us before we ask questions. I should also point out that, because of the cross-cutting nature of the report, questions will be put to all the bodies together.

Mr Lewis: Diolch yn fawr i chi, syr, am eich amser ac amser y Pwyllgor.

[52] **Richard Edwards:** Y drydedd eitem ar yr agenda yw cwestiynau i gyrff cyhoeddus ar eu hymatebion i adroddiad yr ymchwilydd. Hoffwn groesawu nifer o dystion i'r Pwyllgor y prynhawn yma. Yn cynrychioli Awdurdod Iechyd Bro Taf mae gennym Dr Sharon Hopkins a Dr Mark Temple. Yn cynrychioli Cyngor Bwrdeistref Sirol Rhondda Cynon Taf mae gennym y Cynghorydd Pauline Jarman a'r Cynghorydd Syd Morgan. Yn cynrychioli Asiantaeth yr Amgylchedd Cymru mae gennym Dr Helen Phillips a Mr John Harrison. Efallai y dylwn ymestyn croeso arbennig o gynnes i Dr Phillips, sydd yn gyfarwyddwr newydd Asiantaeth yr Amgylchedd yng Nghymru. Dyma'r tro cyntaf iddi fynychu cyfarfod o'n Pwyllgor. Rhaid imi nodi hefyd fod cyn gyfarwyddwr Asiantaeth yr Amgylchedd Cymru, Mr Roger Thomas, wedi cynnig cynrychioli'r asiantaeth heddiw. Fodd bynnag, barnodd yr asiantaeth y byddai hynny'n amhriodol, gan nad yw mwyach yn gyflogedig ganddi. Fodd bynnag, yr oedd ef yn dymuno datgan yn glir, a rhaid imi wneud hynny, ei fod yn fodlon dod yma. Nid oes arnaf eisiau i'w absenoldeb gael ei gamddehongli mewn unrhyw fodd.

Amcan yr eitem hon yw galluogi aelodau'r Pwyllgor i holi'r gyrff cyhoeddus am eu hymatebion i adroddiad Mr Purchon. Yr wyf yn mynd i ofyn i bob un o'r tri chorff yn ei dro i roi cyflwyniad byr iawn am ddim mwy na phum munud, fel y gallant gyflwyno prif bwyntiau eu hymatebion inni cyn inni ddechrau holi. Dylwn nodi hefyd, oherwydd natur drawsbynciol adroddiad, y caiff y gyrff i gyd eu holi gyda'i gilydd.

There will be a full transcript of the proceedings. Perhaps I should also mention that any factual corrections will be referenced in the Committee's final report to a full Plenary session of the Assembly.

[53] **Helen Mary Jones:** I have a question on a point of procedure. You said that any questions should be addressed to all the bodies. I am afraid that, in framing the questions that we wish to ask, I have read all of the bodies' written responses insofar as we have had them and framed my questions in that way. We will have specific questions for the health authority, for example.

[54] **Richard Edwards:** That is perfectly in order. It is just that some of the questions will clearly be of a cross-cutting nature.

We will do this in alphabetical order. Therefore, we will start with Bro Taf Health Authority. I ask the representatives of the authority to please introduce themselves before making their brief presentation.

Dr Hopkins: My name is Dr Sharon Hopkins. I am the director of public health and policy in Bro Taf Health Authority. With me is my colleague Dr Mark Temple, who is a consultant in environmental public health and communicable disease control.

First of all, thank you for the opportunity given to us to comment on the investigator's report. You have had our response, which I hope everybody has been able to have time to read through. I am not going to go through that in detail now, but we will be happy to try to deal with any points of clarification or questions that you may have as best we can.

Bydd trawsgrifiad llawn o'r drafodaeth. Efallai y dylwn grybwyll hefyd y bydd cyfeiriadau at unrhyw gywiriadau ffeithiol yn adroddiad terfynol y Pwyllgor i Gyfarfod Llawn o'r Cynulliad.

[53] **Helen Mary Jones:** Mae gennyf gwestiwn ar bwynt o weithdrefn. Dywedasoeh y dylid cyfeirio unrhyw gwestiynau at y cyrff i gyd. Mae arnaf ofn, wrth lunio'r cwestiynau yr ydym am eu gofyn, fy mod wedi darllen ymatebion ysgrifenedig y cyrff i gyd fel i'r graddau yr ydym wedi'u cael, ac wedi llunio fy nghwestiynau ar sail hynny. Bydd gennym gwestiynau penodol i'r awdurdod iechyd, er enghraifft.

[54] **Richard Edwards:** Mae hynny'n berffaith iawn. Dim ond y bydd rhai o'r cwestiynau yn amlwg yn drawsbynciol eu natur.

Gwnawn hyn yn nhrefn yr wyddor. Felly, dechreuwn gydag Awdurdod Iechyd Bro Taf. Gofynnaf i gynrychiolwyr yr awdurdod gyflwyno'u hunain, os gwelwch yn dda, cyn rhoi eu cyflwyniad byr.

Dr Hopkins: Dr Sharon Hopkins yw fy enw i. Yr wyf yn gyfarwyddwr iechyd cyhoeddus a pholisi yn Awdurdod Iechyd Bro Taf. Gyda mi mae fy nghydweithiwr Dr Mark Temple, sydd yn ymgynghorydd mewn iechyd cyhoeddus amgylcheddol a rheolaeth afiechydon trosglwyddadwy.

Yn gyntaf oll, diolch ichi am y cyfle a roddwyd inni i roi sylwadau ar adroddiad yr ymchwilydd. Yr ydych wedi cael ein hymateb, a gobeithio bod pawb wedi cael amser i ddarllen drwyddo. Nid af drwy hwnnw mewn manylder yn awr, ond byddwn yn hapus i geisio delio ag unrhyw bwyntiau o eglurhad neu gwestiynau a fo gennych orau y gallwn.

First, I think that it is important to say that the health authority is very hopeful that the findings of the investigation and the recommendations coming from you as a Committee will enable a positive outcome for the community living in the Nantygwyddon area. We very much welcome the comments that the investigator has made in his report about the lack of routinely available morbidity data. We hope that there can now be a positive opportunity to review that area, and to begin to fill those gaps, in order that issues such as this can be dealt with in a more timely fashion in the future.

As you will note from the covering letter to our response, we have predominantly concentrated on factual inaccuracies within the report, and those inaccuracies that we feel have a relevance to understanding some of the key principles which we feel have a bearing on your considerations of the conclusions and the recommendations. I would ask that the Committee does give these consideration when you are deliberating over the report.

In terms of our response, I really only want to raise three issues with you. The first is in respect of epidemiology, to remind you that it is so important that the report is absolutely clear about the uses of epidemiology in determining the patterns of disease and health, and the importance of the use of epidemiology in generating hypotheses for causation, in determining study design, and also the use of numbers and rates in trying to interpret studies. This, I think, is particularly relevant should the Committee see fit to recommend further health studies.

Yn gyntaf, yr wyf yn meddwl ei bod yn bwysig dweud fod yr awdurdod iechyd yn obeithiol iawn y bydd canfyddiadau'r ymchwiliad a'r argymhellion a ddaw gennych chi yn galluogi canlyniad cadarnhaol i'r gymuned sydd yn byw yn ardal Nantygwyddon. Croesawn yn fawr y sylwadau a wnaeth yr ymchwilydd yn ei adroddiad am y diffyg data ar farwolaethau sydd ar gael fel mater o drefn. Gobeithiwn y gellir cael cyfle cadarnhaol yn awr i adolygu hynny, a dechrau llenwi'r bylchau hynny, fel y gellir delio â materion fel hyn yn fwy amserol yn y dyfodol.

Fel y sylwch o'r llythyr a anfonwyd gyda'n hymateb, yr ydym wedi canolbwyntio'n bennaf ar wallau ffeithiol yn yr adroddiad, a'r gwallau hynny y teimlwn sydd yn berthnasol o ran deall rhai o'r egwyddorion allweddol sydd, fe gredwn, yn dylanwadu ar y modd y byddwch yn ystyried y casgliadau a'r argymhellion. Gofynnaf i'r Pwyllgor roi ystyriaeth i'r rhain pan fyddwch yn myfyrio ar yr adroddiad.

O ran ein hymateb, tri mater sydd gennyf eisiau eu codi gyda chi mewn gwirionedd. Mae a wnelo'r cyntaf ag epidemioleg, i'ch atgoffa ei bod mor bwysig fod yr adroddiad yn gwbl glir ynglyn â defnyddio epidemioleg wrth bennu patrymau afiechyd ac iechyd, a phwysigrwydd defnyddio epidemioleg wrth lunio damcaniaethau ynghylch achosiant, wrth benderfynu ar gynllun astudiaeth, a hefyd defnydd niferoedd a chyfraddau wrth geisio dehongli astudiaethau. Mae hyn, dybiaf fi, yn arbennig o berthnasol os barna'r Pwyllgor y byddai'n addas argymhell astudiaethau iechyd pellach.

I want to also raise very briefly with you the issues around confidentiality, and to draw your attention to the issues on the understanding of disclosure and confidentiality of information. I just want to note that the regulations are very much about protecting the privacy of individuals. Where we are dealing with small numbers in well defined geographical areas, this can be a particularly sensitive issue. Again, I think that it will have bearings on your considerations around perhaps commissioning further health studies.

My final comment to you is really on environmental public health. Dr Mark Temple, whom I have introduced to you, is one of only two consultants in environmental public health and communicable disease in the UK. This is a relatively new specialism in public health; we are still learning. His appointment, about two years ago, came directly as a result of our increasing involvement in environmental issues, and particularly those issues around the Nantygwyddon site. We are still learning, and his appointment represented a recognition of the health authority's limitations in both resources and expertise in this area. I would say to you that, in the future, this will be an area that we will have to continue to build upon and learn about.

That is really all I want to raise with you in respect of our response. The rest of the details you have in there, and I know will have read it in some detail. Thank you.

Hoffwn hefyd godi gyda chi'n fyr iawn y materion ynghylch cyfrinachedd, a thynnu'ch sylw at y materion sydd yn ymwneud â'r ddealltwriaeth parthed datgelu a chyfrinachedd gwybodaeth. Dim ond eisiau nodi yr wyf fod a wnelo'r rheoliadau i raddau helaeth iawn â gwarchod preifatrwydd unigolion. Lle'r ydym yn delio â niferoedd bychain mewn ardaloedd daearyddol sydd wedi'u diffinio'n dda, gall hyn fod yn fater arbennig o sensitif. Eto, yr wyf yn meddwl y bydd hyn yn effeithio ar eich ystyriaethau ynghylch comisiynu astudiaethau iechedd pellach o bosibl.

Mae fy sylw olaf ichi'n ymwneud yn y bôn â iechedd cyhoeddus amgylcheddol. Mae Dr Mark Temple, a gyflwynais ichi, yn un o ddim ond dau ymgynghorydd mewn iechedd cyhoeddus amgylcheddol ac afiechydon trosglwyddadwy yn y DU. Mae hyn yn arbenigedd cymharol newydd ym maes iechedd cyhoeddus; yr ydym yn dal i ddysgu. Yr oedd ei benodiad, tua dwy flynedd yn ôl, yn ganlyniad uniongyrchol ein hymwneud cynyddol â materion amgylcheddol, ac yn enwedig y materion hynny ynghylch safle Nantygwyddon. Yr ydym yn dal i ddysgu, ac yr oedd ei benodiad ef yn gydnabyddiaeth o ddiffygion yr awdurdod iechedd o ran adnoddau ac arbenigedd yn y maes hwn. Hoffwn ddweud wrthyfch y bydd hyn, yn y dyfodol, yn faes y bydd yn rhaid inni ddal i adeiladu arno a dysgu amdano.

Dyna'r cwbl sydd gennyf i'w godi gyda chi, mewn gwirionedd, o ran ein hymateb. Mae gweddill y manylion gennyf yno, a gwn y byddwch wedi ei ddarllen mewn cryn fanylder. Diolch.

[55] **Richard Edwards:** Thank you, Dr Hopkins. I will just mention also that Dr Ruth Hall, the Chief Medical Officer for Wales, is with us, to assist us with our consideration of the recommendations relating to health issues. I now ask the Environment Agency Wales to make its presentation.

Dr Phillips: I am Dr Helen Phillips, the newly-appointed director of the Environment Agency Wales, as Mr Edwards mentioned. With me is John Harrison, the environment protection manager for our south-east area, which covers the Nantygwyddon site.

I would like to start by saying that the Environment Agency inherited a difficult situation in 1996. Since then, we have worked with the previous site operator, and latterly with Amgen Rhondda Limited, applying tough enforcement action where necessary to improve standards at the site. Standards are now substantially improved for the benefit of local people.

It is most important that matters of great public concern are properly and transparently reviewed. The investigation into Nantygwyddon has produced some valuable comments on a range of issues surrounding the site, and also on the regulation of landfill sites more generally. We particularly endorse a risk-based approach to waste management and regulation. We recognise the challenge laid down to the Environment Agency and other organisations in terms of improving communication with local communities and, in particular, aiding their understanding of environmental and health risks.

[55] **Richard Edwards:** Diolch, Dr Hopkins. Crybwyllaf hefyd fod Dr Ruth Hall, Prif Swyddog Meddygol Cymru, yma i'n helpu ni gyda'n hystyriaeth o'r argymhellion ynglyn â materion iechyd. Gofynnaf yn awr i Asiantaeth yr Amgylchedd Cymru wneud ei gyflwyniad.

Dr Phillips: Dr Helen Phillips, cyfarwyddwr newydd Asiantaeth yr Amgylchedd Cymru, wyf fi, fel y dywedodd Mr Edwards. Gyda mi mae John Harrison, rheolwr gwarchod yr amgylchedd dros ein hardal dde-ddwyreiniol, sydd yn cynnwys safle Nantygwyddon.

Hoffwn ddechrau drwy ddweud fod Asiantaeth yr Amgylchedd wedi etifeddu sefyllfa anodd yn 1996. Ers hynny, yr ydym wedi gweithio gyda gweithredwr blaenorol y safle, ac wedyn gydag Amgen Rhondda Cyfyngedig, gan weithredu gorfodaeth lem lle'r oedd angen i wella safonau ar y safle. Mae safonau erbyn hyn wedi gwella'n sylweddol er lles pobl leol.

Mae'n hynod o bwysig fod materion o bryder mawr i'r cyhoedd yn cael eu hadolygu'n briodol ac yn dryloyw. Mae'r ymchwiliad i Nantygwyddon wedi cynhyrchu rhai sylwadau gwerthfawr ar amrediad o faterion ynglyn â'r safle, a hefyd ar reolaeth safleoedd tirlenwi yn fwy cyffredinol. Ategwn yn arbennig y dylid ystyried risg wrth fynd ati i reoli a rheoleiddio gwastraff. Yr ydym yn cydnabod yr her a osodwyd i Asiantaeth yr Amgylchedd a chyrrff eraill o ran gwella cyfathrebu gyda chymunedau lleol ac, yn arbennig, o ran cynorthwyo'u dealltwriaeth o beryglon amgylcheddol ac iechyd.

There are, however, grave errors and significant omissions, which have an importance to the conclusions and recommendations and, consequently, on the task before the Committee to propose an appropriate way forward.

It goes without saying that it was deeply disappointing that criticisms were made of the agency, which the report does not provide evidence to support.

The report fails to acknowledge the extent of enforcement action we have taken, including in the High Court and the Court of Appeal, to secure a landmark decision. This recognised the public interest in relation to environmental matters and allowed us to prosecute Rhondda Waste Disposal Limited while in administration. In achieving this action, the agency increased the resources fourfold over the previous regulatory authority. The report fails to understand why we did not have the grounds to close the site and that such action, in any case, would make the situation worse.

The report ignores the extensive investigations into landfill gas which we commissioned in order to drive major improvements and address public concern. This study is now recognised as a benchmark for studies elsewhere in the UK. The allegation that we chose to withhold information from the investigation is totally false and there is no evidence to suggest that we failed to meet our statutory duties. Nantygwyddon is now better managed with as low a risk as any other comparable landfill. We have evidence that the site is stable and recent monitoring does not support the view that the ground water is polluted, although we have required further monitoring.

Y mae, fodd bynnag, gamgymeriadau difrifol a bylchau arwyddocaol, sydd yn bwysig i'r casgliadau a'r argymhellion ac, felly, i'r dasg sydd ger bron y Pwyllgor, sef cynnig ffordd briodol ymlaen.

Afraid dweud mai siom fawr oedd gweld bod yr asiantaeth wedi'i beirniadu heb unrhyw dystiolaeth yn yr adroddiad i gefnogi'r feirniadaeth honno.

Nid yw'r adroddiad yn cydnabod maint y gwaith gorfodi yr ydym wedi'i wneud, yn cynnwys yn yr Uchel Lys a'r Llys Apêl, i sicrhau penderfyniad sydd yn garreg filltir. Cydnabu hyn y diddordeb cyhoeddus mewn materion amgylcheddol gan ganiatáu inni erlyn Rhondda Waste Disposal Cyfyngedig tra'r oedd mewn gweinyddiad. Wrth gyflawni hyn, cynyddodd yr asiantaeth yr adnoddau i bedair gwaith yr hyn a oedd gan yr awdurdod rheoleiddiol blaenorol. Mae'r adroddiad yn methu deall pam nad oedd gennym sail dros gau'r safle, ac y byddai gwneud hynny, beth bynnag, yn gwaethygu'r sefyllfa.

Mae'r adroddiad yn anwybyddu'r ymchwiliadau helaeth i nwy tirlenwi a gomisiynwyd gennym er mwyn ysgogi gwelliannau mawr ac ateb pryder y cyhoedd. Cydnabyddir yr astudiaeth hon erbyn hyn fel meincnod ar gyfer astudiaethau mewn rhannau eraill o Brydain. Mae'r honiad y bu inni ddewis cadw gwybodaeth rhag yr ymchwiliad yn gwbl anghywir ac nid oes dim dystiolaeth i awgrymu ein bod wedi methu cyflawni'n dyletswyddau statudol. Mae Nantygwyddon erbyn hyn dan well rheolaeth ac yn achosi cyn lleied o berygl ag unrhyw dirlenwad tebyg arall. Mae gennym dystiolaeth fod y safle'n sefydlog ac nid yw gwaith monitro diweddar yn cefnogi'r farn fod y dwr daear wedi'i lygru, er ein bod wedi mynnu monitro pellach.

In moving forward, the Environment Agency is a learning organisation and we will work alongside others to implement the Assembly's agreed recommendations arising from the Committee's consideration of this report. The report is to be considered by the Environment Agency board and any recommendations that can be applied more generally will be implemented across Wales and England. We will continue to regulate the site robustly, ensuring that information is available to local communities in appropriate and accessible ways, and we will support Rhondda Cynon Taff County Borough Council in developing its waste management plan in line with the National Assembly's draft waste strategy.

[56] **Richard Edwards:** Thank you, Dr Phillips. Finally, I ask Councillor Pauline Jarman to give the presentation for Rhondda Cynon Taff County Borough Council.

Ms Jarman: We welcome this opportunity to appear before the Committee today. You will appreciate that this investigation is very close to my heart; I was one of the three Plaid Cymru Assembly Members, along with Geraint Davies and Janet Ryder, who proposed the public inquiry into Nantygwyddon tip soon after our election in 1999. We always intended that our inquiry would run parallel with the development of the council's own waste strategy and that the one would complement the other. However, we are disappointed that the investigator himself is not present at this meeting.

Wrth symud ymlaen, mae Asiantaeth yr Amgylchedd yn gorff sydd yn dysgu a byddwn yn gweithio ochr yn ochr ag eraill i weithredu'r argymhellion y cytuna'r Cynulliad arnynt yn sgîl ystyriaeth y Pwyllgor o'r adroddiad hwn. Caiff yr adroddiad ei ystyried gan fwrdd Asiantaeth yr Amgylchedd a bydd unrhyw argymhellion y gellir eu gweithredu'n fwy cyffredinol yn cael eu rhoi ar waith ledled Cymru a Lloegr. Byddwn yn parhau i reoleiddio'r safle'n gryf, gan sicrhau fod gwybodaeth ar gael i gymunedau lleol mewn ffyrdd priodol a hygyrch, a byddwn yn cefnogi Cyngor Bwrdeistref Sirol Rhondda Cynon Taf wrth iddo ddatblygu ei gynllun rheoli gwastraff yn unol â strategaeth ddrafft y Cynulliad Cenedlaethol ar reoli gwastraff.

[56] **Richard Edwards:** Diolch, Dr Phillips. Yn olaf, gofynnaf i'r Cynghorydd Pauline Jarman roi'r cyflwyniad ar ran Cyngor Bwrdeistref Sirol Rhondda Cynon Taf.

Ms Jarman: Croesawn y cyfle hwn i ymddangos ger bron y Pwyllgor heddiw. Byddwch yn sylweddoli fod yr ymchwiliad hwn yn agos iawn at fy nghalon; yr oeddwn i'n un o'r tri Aelod Cynulliad Plaid Cymru, ynghyd â Geraint Davies a Janet Ryder, a gynigiodd y dylid cael ymchwiliad cyhoeddus i domen Nantygwyddon yn fuan wedi ein hethol yn 1999. Ein bwriad drwy'r amser oedd i'r ymchwiliad redeg yn gyfochrog â datblygiad strategaeth gwastraff y cyngor ei hun ac y byddai un yn cyd-fynd â'r llall. Fodd bynnag, yr ydym yn siomedig nad yw'r ymchwilydd ei hun ddim yn bresennol yn y cyfarfod hwn.

The council wants a final, definitive clarification of the recommendations, which we can then use to refine the short-term measures within our waste action plan. As a council, Rhondda Cynon Taff is getting on with sorting out the problems of waste disposal by introducing a radical new waste strategy, which includes the closure of Nantygwyddon. It is an innovative, comprehensive plan, fully costed, which recognises how significant waste disposal choices can be for local communities, particularly in heavily populated and geographically congested areas like our Valleys.

I want to emphasise that the council has literally opened up its books in providing information to the investigation. Our dedicated team of officers referenced and reviewed all of the 130 files available, and created a database with 2,500 entries which was made available to both the investigator and the public on council-provided premises. As a major contributor, we are pleased that our efforts have had a substantial influence on the evidence contained in the report. It is clear that the overwhelming body of evidence points the finger firmly at the former Rhondda Borough Council and not the present Plaid Cymru administration in Rhondda Cynon Taff. We feel that the report could be strengthened, however, on some points of detail.

Mae ar y cyngor eisiau eglurhad terfynol, diffiniol o'r argymhellion, y gallwn ei ddefnyddio wedyn i loywi'r mesurau byrdymor yn ein cynllun gweithredu ar wastraff. Fel cyngor, mae Rhondda Cynon Taf yn bwrw iddi gyda datrys problemau gwaredu gwastraff drwy gyflwyno strategaeth radical newydd ar gyfer gwastraff, sydd yn cynnwys cau Nantygwyddon. Mae'n gynllun arloesol, cynhwysfawr, wedi'i gostio'n llawn, sydd yn cydnabod mor arwyddocaol y gall dewisiadau gwaredu gwastraff fod i gymunedau lleol, yn enwedig mewn ardaloedd poblog a daearyddol gyfyng fel ein Cymoedd.

Hoffwn bwysleisio fod y cyngor yn llythrennol wedi agor ei lyfrau er mwyn darparu gwybodaeth i'r ymchwiliad. Bu'n tîm arbennig o swyddogion yn cyfeirnodu ac adolygu pob un o'r 130 o ffeiliau oedd ar gael, gan greu databas gyda 2,500 o gofnodion a sicrhau ei fod ar gael i'r ymchwilydd a'r cyhoedd mewn safleoedd a ddarperid gan y cyngor. Fel cyfrannwr pwysig, yr ydym yn falch fod ein hymdrechion wedi cael dylanwad sylweddol ar y dystiolaeth a gynhwyswyd yn yr adroddiad. Mae'n glir fod y rhan fwyaf o'r dystiolaeth o bell ffordd yn pwyntio'r bys yn syth at hen Gyngor Bwrdeistref y Rhondda ac nid at weinyddiaeth bresennol Plaid Cymru yn Rhondda Cynon Taf. Teimlwn y gellid cryfhau'r adroddiad, fodd bynnag, ar ambell bwynt o fanylder.

While we are comfortable with our own evidence, as we are neither the health authority nor the waste regulator, we cannot comment on the views of the two quangos—now re-branded as Assembly sponsored public bodies—which are subordinate to this Assembly. We are not really sure why we are here with colleagues from the Environment Agency and Bro Taf Health Authority. We see no point now in getting involved in a dialogue about the role of other organisations either now or in the past. Today we want to focus on future actions in relation to Nantygwyddon and waste disposal in Rhondda Cynon Taff. As a democratically elected body, Rhondda Cynon Taff council has an overriding duty to represent its people. We therefore felt duty bound to respond to the recommendations from a servant of this Assembly about household waste, especially when, in response to persistent questioning by Geraint Davies AM, Mr Purchon substantially amplified his recommendation that it should cease, in effect, immediately. I feel that the council's prompt action, which has substantial public support, has, to some extent, been mirrored by early responses by the Minister for Environment, Sue Essex, in her recent announcement on funding for the Environment Agency on 18 January, and the Minister for Health and Social Services, Jane Hutt, in her presentation to the Health and Social Services Committee, albeit subsequently withdrawn.

Tra'n bod yn gyfforddus gyda'n tystiolaeth ein hunain, gan nad ni yw'r awdurdod iechyd na'r rheoleiddiwr gwastraff, ni allwn roi sylw ar farn y ddau gwango—a ailenwyd bellach yn gyrff cyhoeddus a noddir gan y Cynulliad—sydd yn gweithio dan y Cynulliad hwn. Nid ydym yn hollol siwr pam yr ydym yma gyda chyfeillion o Asiantaeth yr Amgylchedd ac Awdurdod Iechyd Bro Taf. Ni welwn unrhyw bwynt bellach mewn cymryd rhan mewn deialog ynghylch rôl cyrff eraill, boed yn awr neu yn y gorffennol. Ein hawydd ni heddiw yw canolbwyntio ar beth i'w wneud yn y dyfodol ynghylch Nantygwyddon a gwaredu gwastraff yn Rhondda Cynon Taf. Fel corff a etholwyd yn ddemocrataidd, dyletswydd pennaf cyngor Rhondda Cynon Taf yw cynrychioli ei bobl. Felly teimlasom fod rheidrwydd arnom i ymateb i'r argymhellion gan was i'r Cynulliad hwn am wastraff ty, yn enwedig wedi i Mr Purchon, mewn ymateb i holi dyfal gan Geraint Davies AC, ategu'n sylweddol ei argymhelliad y dylai ddod i ben, mewn effaith, yn syth. Teimlaf fod gweithredu buan y cyngor, gyda chryn gefnogaeth gyhoeddus, wedi'i adlewyrchu i ryw raddau gan ymatebion cynnar gan y Gweinidog dros yr Amgylchedd, Sue Essex, yn ei chyhoeddiad diweddar ar gyllid Asiantaeth yr Amgylchedd ar 18 Ionawr, a'r Gweinidog Iechyd a Gwasanaethau Cymdeithasol, Jane Hutt, yn ei chyflwyniad i'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol, er iddi ei dynnu'n ôl yn ddiweddarach.

At this stage we need two things from this investigation. First, clarity on the written questions that we posed to Mr Purchon on 21 December 2001. Our action plan includes total closure of Nantygwyddon. We cannot see why the investigator seems less clear-cut than that. If the investigator is unable to give us that, then it is very important that the Assembly Committee does. Secondly, this is an independent report which examined all the available evidence. It presents a damning view of this tip to the National Assembly and to the people of Wales and even beyond. We hope that the Assembly will reach conclusions on this matter soon, and will support Rhondda Cynon Taff council in delivering our waste strategy sooner by providing additional resources. We do not see that local residents—the victims of this scandal—should be the ones who have to pay to get out of this unholy mess.

[57] **Richard Edwards:** I thank Councillor Jarman for her presentation. I will make two points of clarification before we start with questions. One is about the investigator. He will be present at the next meeting in two weeks' time when the Committee will come to its final conclusions and recommendations about the investigation. Those recommendations will then be placed before a Plenary session of the Assembly. I wanted to clarify that. Also, I point out that the reason why representatives of Rhondda Cynon Taff council were invited this afternoon, along with the Environment Agency and the health authority, is that you have a role in relation to health. You also have a role in relation to environmental regulations. The council, of course, is the owner of the site and you clearly have a fundamental interest in the deliberations here this afternoon.

Ar hyn o bryd mae arnom angen dau beth o'r ymchwiliad hwn. Yn gyntaf, eglurder ar y cwestiynau ysgrifenedig a roesom i Mr Purchon ar 21 Rhagfyr 2001. Mae'n cynllun gweithredu ni yn cynnwys cau Nantygwyddon yn llwyr. Ni allwn weld pam y mae'r ymchwilydd yn ymddangos yn llai clir na hynny. Os na all yr ymchwilydd roi hynny inni, yna mae'n bwysig iawn fod Pwyllgor y Cynulliad yn gwneud. Yn ail, adroddiad annibynnol yw hwn a archwiliodd bob tystiolaeth oedd ar gael. Mae'n cyflwyno darlun damniol o'r domen hon i'r Cynulliad Cenedlaethol ac i bobl Cymru a thu hwnt, hyd yn oed. Gobeithiwn y bydd y Cynulliad yn ffurfio casgliadau ar y mater hwn yn fuan, ac y cefnoga gyngor Rhondda Cynon Taf i gyflwyno'n strategaeth reoli gwastraff yn gynt drwy ddarparu adnoddau ychwanegol. Ni chredwn mai'r trigolion lleol—sef y rhai sydd wedi dioddef gan y sgandal hwn—ddylai orfod talu am ddod allan o'r llanast diawledig hwn.

[57] **Richard Edwards:** Diolch i'r Cynghorydd Jarman am ei chyflwyniad. Gwnaf ddau bwynt er eglurhad cyn inni ddechrau gyda chwestiynau. Pwynt am yr ymchwilydd yw un. Bydd yn bresennol yn y cyfarfod nesaf ymhen pythefnos pan fydd y Pwyllgor yn ffurfio'i gasgliadau ac argymhellion terfynol ynglyn â'r ymchwiliad. Wedyn rhoddir yr argymhellion hynny ger bron Cyfarfod Llawn o'r Cynulliad. Yr oedd arnaf eisiau egluro hynny. Hefyd, dylwn nodi mai'r rheswm pam y gwahoddwyd cynrychiolwyr cyngor Rhondda Cynon Taf y prynhawn yma, ynghyd ag Asiantaeth yr Amgylchedd a'r awdurdod iechyd, yw fod gennych rôl mewn perthynas â iechyd. Mae gennych rôl hefyd mewn perthynas â rheoliadau amgylcheddol. Y cyngor, wrth gwrs, yw perchennog y safle ac yn amlwg mae gennych ddiddordeb sylfaenol yn y drafodaeth hon y prynhawn yma.

We will now go straight to questions. Sue Essex and Rhodri Glyn will go first. Sue?

[58] **Sue Essex:** Thank you. A very important part of the investigation is looking to the future, which we have talked about, and which has been referred to. In the Assembly's waste strategy we require all local authorities in Wales to produce a municipal plan and we are giving them money to do that. For example, Rhondda Cynon Taff will have an extra £2.5 million, roughly, over the next three years, to support that waste strategy. I would like to ask the Environment Agency the same thing that I asked of David Purchon because, when we finalise our strategy in a couple of months, we want to ensure that it is absolutely right for Wales, for every local authority, and as guidance for the Environment Agency. Looking back—and it is a bit hard for you to do that, Helen, obviously; we welcome you here for your first Committee—do you think that the regulations under which the Environment Agency has to operate are strong enough for you to sufficiently monitor and oversee a site like this? As Pauline has just said, I have given an extra £1 million to the Environment Agency to help that monitoring. If you could look to the future now, do you think that you now have sufficient regulations and money to ensure that you can do the kind of monitoring you want to?

Awn ymlaen yn syth at gwestiynau yn awr. Caiff Sue Essex a Rhodri Glyn fynd yn gyntaf. Sue?

[58] **Sue Essex:** Diolch. Rhan bwysig iawn o'r ymchwiliad yw edrych i'r dyfodol, pwynt yr ydym wedi sôn amdano, ac sydd wedi'i grybwyll. Yn strategaeth reoli gwastraff y Cynulliad yr ydym yn mynnu bod pob awdurdod lleol yng Nghymru'n cynhyrchu cynllun bwrdeistrefol ac yr ydym yn rhoi arian iddynt wneud hynny. Er enghraifft, caiff Rhondda Cynon Taf £2.5 miliwn yn ychwanegol, yn fras, dros y tair blynedd nesaf, i gynnal y strategaeth reoli gwastraff honno. Hoffwn ofyn yr un peth i Asiantaeth yr Amgylchedd ag a ofynnais i David Purchon oherwydd, pan luniwn ein strategaeth derfynol o fewn mis neu ddau, mae arnom eisiau sicrhau ei bod yn hollol iawn i Gymru, i bob awdurdod lleol, ac fel canllawiau i Asiantaeth yr Amgylchedd. O edrych yn ôl—ac y mae braidd yn anodd i chi wneud hynny, Helen, yn amlwg; croeso ichi yma i'ch Pwyllgor cyntaf—a ydych yn meddwl fod y rheoliadau y mae'n rhaid i Asiantaeth yr Amgylchedd weithredu danynt yn ddigon cryf ichi arolygu a goruchwylio safle fel hwn? Fel y dywedodd Pauline, yr wyf wedi rhoi £1 miliwn yn ychwanegol i Asiantaeth yr Amgylchedd i gynorthwyo'r arolygu hwnnw. Pe gallech edrych i'r dyfodol yn awr, a ydych yn meddwl bod gennych bellach reoliadau ac arian digonol i sicrhau y gallwch wneud y math o arolygu y dymunech ei wneud?

Dr Phillips: I would like to start by saying how warmly we welcome the extra funds that have been given. I think that there has been some excellent work done on the Assembly's draft waste strategy and I think a plan led approach to get a really good strategic assessment of waste facilities—what is needed in terms of quantity and where they should be placed in terms of optimal siting—is absolutely key. The plan led approach that we have in Wales is excellent and I think also that the fact that we have had the benefit of the strategic waste management assessment work, which outlines on the basis of current predicted growth of waste in Wales the likely mix of facilities that the Assembly and local authorities will have to consider, will enormously help and inform that. In terms of your question about regulatory regime, the Environment Agency will not be calling for any particular new regulations in terms of our intervention on sites such as Nantygwyddon. However, obviously, in relation to this investigation and looking retrospectively, which I accept is not where we are focusing, there were obviously difficulties because there were a number of parties involved prior to the transfer of the responsibility to the Environment Agency. In terms of looking forward, I think that we can look forward quite confidently.

[59] **Richard Edwards:** I am just wondering now, given that we are on the theme of environmental protection, if I could possibly take some more questions from members specifically on environmental protection before we move on to health and so on. You had a question on environmental protection, Rhodri Glyn?

Dr Phillips: Hoffwn ddechrau drwy ddweud gymaint yr ydym yn croesawu'r arian ychwanegol a roddwyd. Credaf fod gwaith ardderchog wedi'i wneud ar strategaeth reoli gwastraff ddrafft y Cynulliad ac yr wyf yn meddwl ei bod yn gwbl allweddol dilyn cynlluniau er mwyn cael asesiad strategol gwirioneddol dda o gyfleusterau gwastraff—yr hyn sydd ei angen o ran nifer, a ble y dylid eu rhoi o ran y lleoliad gorau. Mae'r ffordd yr awn ati yng Nghymru i gyflawni cynlluniau yn wych ac yr wyf yn meddwl hefyd y bydd y ffaith inni elwa ar y gwaith asesu rheolaeth gwastraff strategol, sydd yn amlinellu ar sail y twf a ragwelir yn awr mewn gwastraff yng Nghymru pa gymysgedd tebygol o gyfleusterau y bydd yn rhaid i'r Cynulliad ac awdurdodau lleol ei ystyried, yn gymorth mawr i hynny. O ran eich cwestiwn am drefn reoleiddio, ni fydd Asiantaeth yr Amgylchedd yn galw am unrhyw reoliadau newydd arbennig yn nhermau ein hymyriad ar safleoedd megis Nantygwyddon. Fodd bynnag, yn amlwg, yng nghyswllt yr ymchwiliad hwn ac wrth edrych yn ôl, sef nid lle'r ydym yn canolbwyntio, yr wyf yn derbyn hynny, yr oedd anawsterau amlwg am fod nifer o bartïon yn ymwneud â'r peth cyn trosglwyddo'r cyfrifoldeb i Asiantaeth yr Amgylchedd. O ran edrych ymlaen, yr wyf yn meddwl y gallwn edrych ymlaen yn eithaf hyderus.

[59] **Richard Edwards:** Dim ond meddwl wyf fi yn awr, a ninnau ar thema gwarchod yr amgylchedd, tybed a allwn gymryd rhagor o gwestiynau gan aelodau yn benodol ar warchod yr amgylchedd cyn inni symud ymlaen at ieuchyd ac ati. Yr oedd gennych chi gwestiwn ar warchod yr amgylchedd, Rhodri Glyn?

[60] **Rhodri Glyn Thomas:** Yes. I have a question, certainly to the Bro Taf Health Authority, on public protection. Do you believe that the current state of statutory responsibility is confused and confusing? Secondly, what impact do you think the proposed NHS changes have on public health protection and the regime for public health protection in Wales? And to the Environment Agency, in terms of public health and health studies—I think that I understand the problems that the Environment Agency inherited in terms of Nantygwyddon, but I do not think that the agency helps itself in any way in trying to imply that everything it did afterwards was acceptable. There were tremendous problems there and there is a question of resources, but I think that you have to take on board responsibility for some of the decisions that the Environment Agency took in terms of Nantygwyddon. I think that it would be helpful if you did that for yourselves as well as us. However, in terms of health studies, you talk about robust standards for environmental exposure. Who should be responsible for developing those, how should they be developed and what exactly is your role in that? You dismissed the suggestion that the American experience could be applied to Nantygwyddon as being misleading. Could you explain to us why you believe that is misleading? Is it wholly misleading or are there elements of that which could help in terms of understanding what happened at Nantygwyddon?

[61] **Richard Edwards:** I think that comment was actually made by Bro Taf Health Authority.

[62] **Helen Mary Jones:** No, it was a comment made in the Environment Agency's response.

[60] **Rhodri Glyn Thomas:** Oes. Mae gennyf gwestiwn, yn sicr i Awdurdod Iechyd Bro Taf, ar warchod y cyhoedd. A ydych yn credu fod cyflwr cyfredol cyfrifoldeb statudol yn ddryslyd ac yn peri dryswch? Yn ail, pa effaith y tybiwch y caiff y newidiadau arfaethedig i'r NHS ar warchodaeth iechyd y cyhoedd a'r drefn ar gyfer gwarchod iechyd y cyhoedd yng Nghymru? Ac i Asiantaeth yr Amgylchedd, o ran iechyd cyhoeddus ac astudiaethau iechyd—credaf fy mod yn deall y problemau a etifeddodd Asiantaeth yr Amgylchedd yn nhermau Nantygwyddon, ond nid wyf yn meddwl bod yr asiantaeth yn ei helpu ei hun mewn unrhyw fodd pan geisia haeru fod popeth a wnaeth wedyn yn dderbyniol. Yr oedd problemau aruthrol yno, ac mae adnoddau'n broblem, ond credaf fod yn rhaid ichi dderbyn cyfrifoldeb am rai o'r penderfyniadau a wnaeth Asiantaeth yr Amgylchedd parthed Nantygwyddon. Yr wyf yn meddwl y byddai'n gymorth pe gwnaech hynny, i chi yn ogystal ag i ni. Fodd bynnag, o ran astudiaethau iechyd, soniwch am safonau llym ar gyfer gwarchod yr amgylchedd. Pwy ddylai fod yn gyfrifol am ddatblygu'r rheini, sut y dylid eu datblygu a beth yn union yw eich rôl chi yn hynny? Yr ydych wedi wfftio'r awgrym y gellid cymhwyso profiad America i Nantygwyddon fel un camarweiniol. A allech egluro inni pam y credwch ei fod yn gamarweiniol? A yw'n gwbl gamarweiniol ynteu a oes elfennau o hynny a allai helpu o ran deall beth ddigwyddodd yn Nantygwyddon?

[61] **Richard Edwards:** Credaf mai Awdurdod Iechyd Bro Taf a wnaeth y sylw hwnnw mewn gwirionedd.

[62] **Helen Mary Jones:** Na, sylw ydoedd a wnaethpwyd yn ymateb Asiantaeth yr Amgylchedd.

[63] **Rhodri Glyn Thomas:** Bro Taf Health Authority actually addressed the issue, but the Environment Agency just dismissed it out of hand.

[64] **Richard Edwards:** My apologies.

Dr Hopkins: Do you want me to take the public protection issue initially?

[65] **Richard Edwards:** Yes, if you would.

Dr Hopkins: On the first point, you asked whether some of the legislation is, I think, confused—

[66] **Rhodri Glyn Thomas:** And confusing.

Dr Hopkins:—and confusing. I think that it is, and I think that is because it is old legislation. It has not been updated for quite some time. You are probably well aware that there is a lot of discussion currently ongoing both here in the Assembly and between the Assembly and the Department of Health in London about revisiting and revising public health law. Obviously, that will take quite some time to do, but I think that it is something that all of us as public health practitioners would support and welcome. I think that, certainly, there could be a lot of benefit to be had by clarifying roles and responsibilities, statutory responsibilities and, really, putting that in a modern context. The rules by which we work at the moment are old and outdated. With developments and issues that we deal with now, sometimes they are not wholly helpful. So I think that ‘yes’ is the answer.

[63] **Rhodri Glyn Thomas:** Rhoddodd Awdurdod Iechyd Bro Taf sylw i’r mater, ond dim ond ei wfftio’n gyfan gwbl a wnaeth Asiantaeth yr Amgylchedd.

[64] **Richard Edwards:** Ymddiheuraf.

Dr Hopkins: A ddymunwch i mi drafod y cwestiwn ar warchod y cyhoedd yn gyntaf?

[65] **Richard Edwards:** Ie, os gwnewch chi.

Dr Hopkins: Ar y pwynt cyntaf, gofynasoch a yw peth o’r ddeddfwriaeth, dybiwn i, yn ddryslyd—

[66] **Rhodri Glyn Thomas:** Ac yn peri dryswch.

Dr Hopkins: —ac yn peri dryswch. Yr wyf yn meddwl ei fod, a chredaf mai oherwydd mai hen ddeddfwriaeth ydyw y mae hynny. Ni chafodd ei diweddarau ers tro byd. Mae’n debyg eich bod yn ymwybodol iawn fod llawer o drafodaeth yn digwydd ar hyn o bryd yma yn y Cynulliad a rhwng y Cynulliad a’r Adran Iechyd yn Llundain ynglyn ag ailedrych ar y gyfraith parthed iechyd cyhoeddus a’i hadolygu. Yn amlwg, fe gymer hynny gryn amser, ond credaf ei fod yn rhywbeth y byddai pawb ohonom fel ymarferwyr iechyd cyhoeddus yn ei gefnogi a’i groesawu. Credaf, yn sicr, y gallai budd mawr ddeillio o eglurhau rolau a chyfrifoldebau, cyfrifoldebau statudol ac, mewn gwirionedd, rhoi hynny mewn cyd-destun cyfoes. Mae’r rheolau y gweithiwn o danynt ar hyn o bryd yn hen ac wedi dyddio. Gyda’r datblygiadau a’r materion y deliwn ni â hwy yn awr, weithiau nid ydynt yn ddefnyddiol iawn. Felly yr wyf yn meddwl y byddwn yn ateb yn gadarnhaol.

You asked then about the impending changes in the NHS, and how that might impact for the future. Jane Hutt announced a little while ago that it is envisaged that there will be a single public health service for Wales, and that that service will work at all levels—an all-Wales level, regional level, local health board level and local authority level. I think that we have real opportunities now to get that right. If we can make that public health service for Wales encompass the public protection issues, encompass the environmental issues, understand the problems that we face and what is required in partnership working both at a national and local level, then I think that we can get that right. I think that the risk is that we have got a transitional phase over the next little while and I guess that there are two challenges for us: can we maintain services over a transition period, and can we design the new public health service in Wales in a way that will give us much more confidence for managing these sorts of things for the future? I think that that is all that I would have to say on those two issues.

Dr Phillips: I will pick up the point about environmental standards following on from that, and perhaps ask John to comment on the American studies. Environmental standards are a matter for government and, increasingly, a matter for European and European Union legislation. When they come via the European route, or indeed our domestic legislation, they are the responsibility of politicians such as yourselves, and we have increasingly early opportunities to discuss with you how they are enacted through the regulations. That is not because we have a role in really setting those standards, but we do have a very important role to play in making sure that the regulations are set out in such a way that we can meaningfully implement them, and make

Holasoch wedyn ynglyn â'r newidiadau sydd yn yr arfaeth i'r NHS, a sut y gallai hynny effeithio ar y dyfodol. Cyhoeddodd Jane Hutt ychydig yn ôl y rhagwelir y bydd un gwasanaeth iechyd cyhoeddus i Gymru, ac y bydd y gwasanaeth hwnnw'n gweithio ar bob lefel—lefel i Gymru gyfan, lefel ranbarthol, lefel bwrdd iechyd lleol a lefel awdurdod lleol. Yr wyf yn meddwl bod gennym wir gyfleoedd yn awr i daro'r nod. Os gallwn sicrhau bod y gwasanaeth iechyd cyhoeddus hwnnw i Gymru'n cynnwys y materion gwarchod y cyhoedd, yn cynnwys y materion amgylcheddol, yn deall y problemau a wynebwn a'r hyn sydd yn ofynnol mewn partneriaeth sydd yn gweithio ar lefel genedlaethol a lleol, yna yr wyf yn meddwl y gallwn daro'r nod. Y perygl yn fy marn i yw bod gennym gyfnod trawsnewid o'n blaenau ac mae'n debyg bod dwy her yn ein hwynebu: a allwn ni gynnal gwasanaethau dros gyfnod trawsnewid, ac a allwn ni gynllunio'r gwasanaeth iechyd cyhoeddus newydd yng Nghymru mewn modd fydd yn rhoi llawer mwy o hyder inni ar gyfer rheoli'r math hwn o beth yn y dyfodol? Yr wyf yn meddwl mai dyna'r cyfan sydd gennyf i'w ddweud ar y ddau fater hynny.

Dr Phillips: Fe godaf fi y pwynt am safonau amgylcheddol sydd yn dilyn oddi ar hynny, a gofyn efallai i John roi sylw ar yr astudiaethau Americanaidd. Mae safonau amgylcheddol yn fater i'r llywodraeth, ac yn fater fwyfwy i ddeddfwriaeth Ewropeaidd a'r Undeb Ewropeaidd. Pan ddeuant o Ewrop, neu'n wir drwy'n deddfwriaeth genedlaethol ni, maent yn gyfrifoldeb i wleidyddion fel chi, a chawn gyfleoedd mwy a mwy cynnar i drafod gyda chi sut y cânt eu gweithredu drwy'r rheoliadau. Nid am fod gennym ni rôl mewn gwirionedd mewn gosod y safonau hynny, ond y mae gennym rôl bwysig iawn i'w chwarae i wneud yn siwr y gosodir y rheoliadau allan yn y fath fodd fel y gallwn eu gweithredu'n ystyrlon, a gwneud

them work. Can I ask John to comment on the American studies?

Mr Harrison: The quote of misleading refers to the fact that, at the time when we were trying to respond to residents' concerns, those American studies, as described by Mr Purchon, were not readily available and not used within the UK for similar situations. We, in working with Rhondda Cynon Taff and Bro Taf Health Authority, had to try to use the best available techniques at the time. I think that we interpreted what Mr Purchon was saying in his report as saying that we should have applied those American study methods at that time. They were not available to us, but I certainly agree that they are something that we are all collectively looking to for the future.

[67] **Richard Edwards:** Thank you. Eleanor?

[68] **Eleanor Burnham:** My question is possibly to Dr Sharon Hopkins and Dr Helen Phillips. I am fairly new to the National Assembly and I am very new to this Committee, but I have had lots of dealings in my own constituency up in north Wales with similar matters. I am very, very pleased that we are looking at clarifying public health and environmental protection, as I think that it is really very, very complicated. I think that the public's perception, and public access to general help when problems arise, is something that we should all be looking to address. From my own personal experience, this is a difficulty that people have—people like these good people sitting behind you. They have had years of not knowing where they can go to get immediate help to sort out their problems.

iddynt weithio. A gaf fi ofyn i John roi sylwadau ar yr astudiaethau Americanaidd?

Mr Harrison: Mae'r dyfyniad 'camarweiniol' yn cyfeirio at y ffaith, ar yr adeg pryd yr oeddem yn ceisio ymateb i bryderon y trigolion, nad oedd yr astudiaethau Americanaidd hynny, a ddisgrifiwyd gan Mr Purchon, ar gael yn rhwydd ac nad oeddent yn cael eu defnyddio o fewn y DU ar gyfer sefyllfaoedd tebyg. Wrth weithio gyda Rhondda Cynon Taf ac Awdurdod Iechyd Bro Taf bu'n rhaid i ni geisio defnyddio'r technegau gorau oedd ar gael ar y pryd. Yr wyf yn meddwl ein bod wedi dehongli mai'r hyn a ddywedodd Mr Purchon yn ei adroddiad oedd y dylasem fod wedi defnyddio'r dulliau astudio Americanaidd hynny ar y pryd. Nid oeddent ar gael inni, ond cytunaf yn sicr eu bod yn rhywbeth y byddwn i gyd yn cyd-edrych arnynt ar gyfer y dyfodol.

[67] **Richard Edwards:** Diolch. Eleanor?

[68] **Eleanor Burnham:** Cwestiwn efallai i Dr Sharon Hopkins a Dr Helen Phillips sydd gennyf fi. Yr wyf yn weddol newydd i'r Cynulliad Cenedlaethol ac yn newydd iawn i'r Pwyllgor hwn, ond cefais lawer o ymwneud yn fy etholaeth i fyny yn y Gogledd â materion tebyg. Yr wyf yn falch dros ben ein bod yn edrych ar eglurhau gwarchodaeth iechyd cyhoeddus a'r amgylchedd, gan fod hynny'n wir yn gymhleth iawn, iawn yn fy marn i. Credaf fod y ffordd y mae'r cyhoedd yn gweld y mater, a'r modd y gall y cyhoedd gael cymorth cyffredinol pan gyfyd problemau, yn rhywbeth y dylem i gyd fod yn ceisio mynd i'r afael ag ef. O'm profiad personol i, dyma anhawster a gaiff pobl—pobl fel y bobl dda sydd yn eistedd y tu ôl ichi. Cawsant flynyddoedd o beidio â gwybod i ble y gallant fynd i gael help ar unwaith i ddatrys eu problemau.

When it comes to the Environment Agency, I have been to several very interesting public presentations, and my concern—and I think that I have taken this up with Sue Essex—is that, on those occasions, the main criteria felt to me to have been cost-driven. The agency is perceived—rightly or wrongly—to be just cost-driven. In fact, after the presentations, I wrote to the head of the agency in north Wales—I cannot remember the gentleman's name now—because I was very concerned about these matters. It did not appear to me that the agency was perhaps telling us that it was actually looking after us. It was more concerned in my view—and I am trying to use layman's terms—in the cost under which it was being regulated or working. We need to make sure that all of us—because this is what we are here for—are closer to local people and their problems, to sort them out as soon as possible. Can you help me with this and tell me whether we are going the right way to do this?

Dr Hopkins: Shall I pick up on the health side first perhaps? You know of the health changes that are proposed at local health boards; one of the driving forces in some of the NHS proposed changes has been about further community and lay involvement. Certainly, from what we have seen of the emerging local health boards, one of the issues they will be trying to address is how we get better lay and public involvement. That is also being worked on through the health alliances, which, again, as I am sure that you are aware, are partnership arrangements between the local authority and the health authority looking at cross-cutting health issues but led by the local authority and, again, looking at how they bring in public and lay involvement. In the new arena, we are also looking towards strategic partnerships between the new health bodies and existing local

Pan soniwn am Asiantaeth yr Amgylchedd, bûm mewn sawl cyflwyniad cyhoeddus diddorol iawn, a'm pryder i—ac yr wyf yn meddwl fy mod wedi codi hyn gyda Sue Essex—yw mai'r teimlad a gefais i ar yr achlysuron hynny oedd mai'r gost oedd wrth wraidd y prif feini prawf. Gwelir yr asiantaeth—yn gam neu'n gymwys—fel un sydd yn gweithredu ar sail cost yn unig. Yn wir, ar ôl y cyflwyniadau, ysgrifennais at bennaeth yr asiantaeth yn y Gogledd—ni allaf gofio enw'r bonheddwr yn awr—am fy mod yn bryderus iawn ynghylch y materion hyn. Nid oedd yn ymddangos i mi fod yr asiantaeth yn dweud wrthym ei fod yn edrych ar ein holau mewn gwirionedd. Yr oedd yn poeni mwy, yn fy marn i—ac yr wyf yn ceisio defnyddio termau llygwr—am y gost yr oedd yn cael ei rheoleiddio dani neu yr oedd yn gweithio dani. Mae angen inni wneud yn siwr ein bod i gyd—oherwydd dyma pam yr ydym yma—yn agosach at bobl leol a'u problemau, i'w datrys cyn gynted ag y bo modd. A allwch fy helpu gyda hyn a dweud wrthyf a ydym yn mynd y ffordd iawn tuag at wneud hyn?

Dr Hopkins: A wnaif i ateb y pwynt ar iechyd yn gyntaf efallai? Gwyddoch am y newidiadau sydd wedi'u cynnig yn y byrddau iechyd lleol; un o'r grymoedd symbylol yn rhai o newidiadau arfaethedig yr NHS fu sicrhau mwy o gyfranogiad gan y gymuned a llygwyr. Yn sicr, o'r hyn yr ydym wedi'i weld o'r byrddau iechyd lleol newydd, un o'r materion y byddant yn ceisio mynd i'r afael ag ef yw sut i sicrhau gwell cyfranogiad gan leygwyr a'r cyhoedd. Mae hynny'n cael sylw hefyd drwy'r cynghreiriau iechyd, sydd, eto, fel yr wyf yn siwr y gwyddoch, yn drefniadau partneriaeth rhwng yr awdurdod lleol a'r awdurdod iechyd yn edrych ar faterion iechyd trawsbynciol ond dan arweiniad yr awdurdod lleol, ac, eto, yn edrych ar sut i sicrhau cyfranogiad y cyhoedd a llygwyr. Yn yr arena newydd, yr ydym yn edrych hefyd tuag at

authority organisations, very much, again, with a focus on public involvement. I do not think that we have got down to the level of looking at how we can better enable some of the key advocacy groups and key community concerns to be taken through those sorts of routes, but I think that that is something that we are going to have to work very hard on as we move into the new organisational changes. Most of the health authority organisations across Wales have now got public involvement strategies, but, again, the strategy is only the beginning of a process. So I think that things are developing, but we have got a long way to go yet.

Dr Phillips: Moving on to the point about public access, I could not agree with you more. I think that the fact that we have palpable disquiet and concern in the room today is testimony that all of us here have failed to do what we set out to achieve, and it is certainly not where we want to be in the future. With regard to the cost associated with that, the Environment Agency put a lot of extra resource into getting that liaison going, attending public meetings, making ourselves accessible, dropping charges that we would normally apply when people wanted information. I think that that is something we need to consider investing in more and more in the future, particularly picking up some of the recommendations in the report, for instance, such as public access to realtime information and web-based access.

bartneriaethau strategol rhwng y cyrff iechyd newydd a chyrff presennol yr awdurdodau lleol, gan ganolbwyntio i raddau helaeth iawn, eto, ar gyfranogiad y cyhoedd. Nid wyf yn meddwl ein bod wedi cyrraedd y lefel o edrych sut y gallwn alluogi'n well rai o'r grwpiau eiriolaeth allweddol a'r prif bryderon cymunedol i gael cyfranogi drwy'r ffyrdd hynny, ond credaf fod hynny'n rhywbeth y bydd yn rhaid inni weithio'n galed iawn arno wrth inni symud at y newidiadau trefniadaethol newydd. Mae gan y rhan fwyaf o gyrff awdurdodau iechyd ar draws Cymru strategaethau erbyn hyn i hybu cyfranogiad y cyhoedd, ond, eto, dim ond dechrau proses yw strategaeth. Felly credaf fod pethau'n datblygu, ond mae gennym ffordd bell i fynd eto.

Dr Phillips: A symud ymlaen at y pwynt am fynediad i'r cyhoedd, ni allwn gytuno mwy gyda chi. Credaf fod y ffaith fod gennym anfodlonrwydd a phryder amlwg yn yr ystafell hon heddiw'n tystio i'r ffaith fod pob un ohonom yma wedi methu gwneud yr hyn yr oeddem wedi gobeithio'i gyflawni, ac yn sicr nid dyma lle yr ydym eisiau bod yn y dyfodol. O ran y gost gysylltiedig â hynny, rhoddodd Asiantaeth yr Amgylchedd lawer o adnoddau ychwanegol i mewn i sefydlu'r cydweithio hwnnw, mynychu cyfarfodydd cyhoeddus, sicrhau ein bod ar gael, gollwng taliadau a godid fel rheol pan fyddai pobl yn gofyn am wybodaeth. Yr wyf yn meddwl fod hynny'n rhywbeth y mae angen inni ystyried buddsoddi ynddo fwyfwy yn y dyfodol, yn enwedig gan dderbyn rhai o'r argymhellion yn yr adroddiad, er enghraifft, fel mynediad i'r cyhoedd at wybodaeth amser real a mynediad ar y we.

It might be worth sharing a comment with the Committee on that basis. We have what you may be familiar with—when a new development is coming on, or when a new application comes to us, we have a procedure called selected licence application procedure, which is a really excellent procedure in that it is quite helpful in setting out what public concerns may be and what are some really good options about going and engaging with public concerns at the various points in that licensing authorisation process. Despite the fact that we currently undertake it in response to public concern such as we are witnessing today, it is not something for which we are currently being funded. That might be something that you would want to consider. Particularly in the English context and through our Department for Environment, Food and Rural Affairs sponsor, it is quite an issue for us, but perhaps less of an issue in the Wales context. Nevertheless, I think that it is something worth considering more widely.

I do not know, Mrs Burnham, if your question about cost was also directed at the requirement on the agency, in certain parts of our legislation, to take the costs of the operator into consideration. If it was, I am sure that John would be happy to comment.

[69] **Eleanor Burnham:** It was just a phrase that was constantly used during those two public consultations. It was actually in reference to flood defence. I was just very concerned, because that was seemingly the underlying difficulty that it was telling us that it had.

Efallai y bydd yn werth rhannu sylw gyda'r Pwyllgor ar y sail honno. Mae gennym rywbeth efallai y byddwch chi'n gyfarwydd ag ef—pan fo datblygiad newydd ar y gweill, neu pan ddaw cais newydd atom, mae gennym drefn a elwir yn drefn cais trwydded ddetholedig, sydd yn drefn arbennig o wych gan ei bod yn ddefnyddiol iawn ar gyfer nodi beth yw pryderon y cyhoedd a dewisiadau sydd yn rhai hynod o dda ar gyfer mynd i'r afael â phryderon y cyhoedd yn y gwahanol bwyntiau yn y broses honno o awdurdodi trwyddedu. Er gwaethaf y ffaith ein bod yn ei wneud ar hyn o bryd mewn ymateb i bryder cyhoeddus fel yr hyn a welwn heddiw, nid yw'n rhywbeth yr ydym yn derbyn arian ar ei gyfer ar hyn o bryd. Efallai y byddai hynny'n rhywbeth yr hoffech ei ystyried. Yn enwedig yng nghyd-destun Lloegr a thrwy ein noddwr yn Adran yr Amgylchedd, Bwyd a Materion Gwledig, mae'n fater go bwysig i ni, ond efallai'n llai pwysig yng nghyd-destun Cymru. Serch hynny, credaf ei fod yn rhywbeth gwerth ei ystyried yn ehangach.

Ni wn, Mrs Burnham, a oedd eich cwestiwn ynglyn â chost hefyd wedi'i gyfeirio at y rheidrwydd ar yr asiantaeth, mewn rhai rhannau o'n deddfwriaeth, i gymryd costau'r gweithredwr i ystyriaeth. Os ydoedd, yr wyf yn siwr y byddai John yn falch o roi sylw.

[69] **Eleanor Burnham:** Dim ond ymadrodd ydoedd a ddefnyddiwyd yn gyson yn ystod y ddau ymgynghoriad cyhoeddus hynny. Yr oedd mewn gwirionedd yn cyfeirio at atal llifogydd. Yr oeddwn yn pryderu'n fawr, oherwydd mai dyna, mae'n debyg, oedd yr anhawster sylfaenol yr oedd yn dweud wrthym fod ganddi.

Dr Phillips: Okay. It may or may not be helpful to give you further comment about flood defence. The issue there, I anticipate, would have been about the fact that we have cost benefit criteria to meet in order to have schemes funded either locally or through the Assembly. So I suspect that that was what that was about.

[70] **Richard Edwards:** Okay, thank you. Helen Mary?

[71] **Helen Mary Jones:** What I would like to do, if I may, is to pick up on some specifics where some of the bodies in front of us are taking issue with what the investigator has said. I think that it would be helpful for us to take some of those issues back to the investigator for further clarity.

I begin by questioning the health authority on some specific points. You give us a lot of evidence in your response about the lack of understanding of epidemiology in the report. In the course of the investigation, what efforts did you make, or what were you able to do, to try to ensure that the investigator did understand those issues? Did you feel that it was your role to do that? Obviously, from our point of view, Mr Purchon is not a doctor. He could not necessarily be expected to understand that. It would be helpful to know what input you had in that.

I have a couple of questions on what you say about evidence base, and again this is probably me—I have already said that I am not a chemist; I am not a doctor either. We have Brian here who can help with that. This is about evidence, and you say on page 3 of your response to us that

Dr Phillips: Iawn. Fe all fod yn ddefnyddiol neu beidio os rhoddaf sylw pellach ichi ar atal llifogydd. Byddai'r cwestiwn yn y fan honno, dybiwn i, yn ymwneud â'r ffaith fod gennym feini prawf cost i'w cyrraedd er mwyn cael ariannu cynlluniau naill ai'n lleol neu drwy'r Cynulliad. Felly yr wyf yn amau mai dyna oedd wrth wraidd hynny.

[70] **Richard Edwards:** Iawn, diolch. Helen Mary?

[71] **Helen Mary Jones:** Yr hyn yr hoffwn i ei wneud, os caf, yw codi rhai o'r pwyntiau penodol lle mae rhai o'r cyrff o'n blaenau'n anghytuno gyda'r hyn a ddywedodd yr ymchwilydd. Yr wyf yn meddwl y byddai'n fuddiol inni fynd â rhai o'r materion hynny yn ôl at yr ymchwilydd iddo'u hegluro'n gliriach.

Dechreuaf drwy gwestiynu'r awdurdod iechyd ar ambell bwynt penodol. Rhowch lawer o dystiolaeth inni yn eich ymateb ynghylch y diffyg dealltwriaeth o epidemioleg yn yr adroddiad. Yn ystod yr ymchwiliad, pa ymdrechion a wnaethoch, neu beth a lwyddoch i'w wneud, i geisio sicrhau fod yr ymchwilydd yn deall y materion hynny? A oeddech yn teimlo mai'ch rôl chi oedd gwneud hynny? Yn amlwg, o'ch safbwynt chi, nid meddyg yw Mr Purchon. Ni ellid o reidrwydd ddisgwyl iddo ddeall hynny. Byddai'n ddefnyddiol gwybod pa fewnbwn fu gennych yn hynny o beth.

Mae gennyf gwestiwn neu ddau ar yr hyn a ddywedwch am sail tystiolaeth, ac eto, mae'n debyg mai fi sydd—dywedais eisoes nad wyf yn gemegydd; nid wyf yn feddyg chwaith. Mae gennym Brian yma a all helpu gyda hynny. Mater o dystiolaeth yw hyn, a dywedwch chi ar dudalen 3 eich ymateb i ni

‘theory supported by observation is a better predictor of future fact than simple observation.’

Looked at from a non-scientific point of view, that seems slightly odd to me. I am a historian, not a scientist, and we were always taught not to approach facts with a preconceived theory to explain them, but to go and find out what the facts were and then look for your theory afterwards. Therefore, if we look at a set of problems, issues or historical facts in terms of a preconceived theory about the causes, would we not then get a preconceived outcome? I am sure that this is a technical issue that you can spell out for us.

You made a reference also on page 4 to expert evidence and you are refuting what the investigator says. The investigator says that he believes that lay people’s evidence—and he gives the example of a court of law—the evidence of observation, or real world evidence if you like, is often treated with equal weight to expert evidence. You refute that very strongly. I would like to pick that out with you. Is it not the case that expert evidence changes over time? If we think in terms of criminal charges, it was expert evidence that sent the Birmingham six down, and we know what was going on there. Does that not, in a sense, give some weight to what Mr Purchon is saying, that you need a balance? I do not think that he is dismissing expert evidence, but he is saying that that needs to be balanced by the empirical, everyday experiences of people who are living in a situation.

‘mae damcaniaeth wedi’i hategu gan arsylwad yn well proffwyd o ffeithiau’r dyfodol nag arsylwad yn unig.’

O edrych arni o safbwynt anwyddonol, mae hynny’n ymddangos ychydig yn od i mi. Hanesydd wyf fi, nid gwyddonydd, a dysgwyd ni bob amser i beidio â mynd at ffeithiau gyda damcaniaeth ragdybiedig i’w hesbonio, ond i fynd a chanfod beth oedd y ffeithiau ac wedyn edrych am ein damcaniaeth. Felly, os edrychwn ar set o broblemau, materion neu ffeithiau hanesyddol yn nhermau damcaniaeth ragdybiedig am yr achosion, oni fyddem wedyn yn cael canlyniad rhagdybiedig? Yr wyf yn siwr mai mater technegol yw hwn y gallwch chi ei esbonio inni.

Cyfeiriwch hefyd ar dudalen 4 at dystiolaeth arbenigol a gwrthodwch yr hyn a ddywed yr ymchwilydd. Dywed yr ymchwilydd ei fod yn credu fod tystiolaeth lleygwyr—ac mae’n rhoi llys barn fel enghraifft—tystiolaeth arsylwad, neu dystiolaeth y byd go-iawn os mynnwch, yn cael ei thrin yn aml â’r un pwysau â thystiolaeth arbenigol. Yr ydych chi’n gwrthod hynny’n gryf iawn. Hoffwn fanylu ar hynny gyda chi. Onid yw’n wir fod tystiolaeth arbenigol yn newid dros amser? Os meddyliwn yn nhermau cyhuddiadau troseddol, tystiolaeth arbenigol a anfonodd chwech Birmingham i garchar, a gwyddom beth oedd yn mynd ymlaen yn y fan honno. Onid yw hynny, mewn ystyr, yn rhoi peth pwysau i’r hyn a ddywed Mr Purchon, fod angen cydbwysedd? Nid wyf yn meddwl ei fod yn wfftio tystiolaeth arbenigol, ond y mae’n dweud fod angen cydbwysu hynny â phrofiadau empirig, beunyddiol pobl sydd yn byw mewn sefyllfa.

As a final point, and you made a very strong point on this—I think that we need to unpack this with the health authority, Chair, and then come back to it—in your response to paragraph 14.10 in the report, you say that

‘the report does not demonstrate any evidence of incompetence by any public servant’.

Mr Purchon is fairly clearly of a different view and I think that there are lots of members of the public who gave evidence to the inquiry who were of a different view. I am just wondering whether you would acknowledge that that is basically a matter of opinion. It may be perfectly valid for him to feel that things should have been done that were not done and, equally, for you to say that everything was done. He sets out evidence for me that suggests that things that should have been done were not; you simply say that that is not evidence, and I would like you tell us why that is. Perhaps, Chair, it would be helpful for me to stop now and then move on to the Environment Agency in a moment.

[72] **Richard Edwards:** I think it might be helpful.

[73] **Helen Mary Jones:** I must apologise. I have prepared completely wrongly. I prepared my questions thinking that we would be seeing each organisation separately, so I have not got the thematic approach quite right.

[74] **Richard Edwards:** That is okay. Dr Hopkins?

Fel pwynt olaf, a gwnaethoch bwynt cryf iawn ar hyn—yr wyf yn meddwl fod angen inni ddadbacio hyn gyda’r awdurdod iechyd, Gadeirydd, a dod yn ôl ato wedyn—yn eich ymateb i baragraff 14.10 yn yr adroddiad, dywedwch

‘nid yw’r adroddiad yn arddangos unrhyw dystiolaeth o anghymwyster gan unrhyw was cyhoeddus’.

Mae’n weddol amlwg fod Mr Purchon o farn wahanol ac yr wyf yn meddwl fod llawer o aelodau’r cyhoedd a roddodd dystiolaeth i’r ymchwiliad o farn wahanol. Meddwl yr wyf tybed a fyddech yn cydnabod mai mater o farn yw hynny yn y bôn. Fe all fod yn berffaith ddilys iddo ef deimlo y dylid bod wedi gwneud pethau na wnaethpwyd ac, yn yr un modd, i chithau ddweud y gwnaethpwyd popeth. Amlinella ef dystiolaeth imi sydd yn awgrymu na wnaethpwyd pethau y dylasid eu gwneud; eich unig ateb yw dweud nad tystiolaeth yw hynny, a hoffwn ichi ddweud wrthym pam felly. Efallai, Gadeirydd, y byddai’n fuddiol imi gymryd saib yn y fan hon ac wedyn symud ymlaen at Asiantaeth yr Amgylchedd mewn munud.

[72] **Richard Edwards:** Credaf y byddai hynny’n ddefnyddiol.

[73] **Helen Mary Jones:** Rhaid imi ymddiheuro. Yr wyf wedi paratoi’n gwbl anghywir. Paratoais fy nghwestiynau gan feddwl y byddem yn gweld pob corff ar wahân, felly nid wyf yn mynd ati mewn ffordd thematig gwbl gywir.

[74] **Richard Edwards:** Popeth yn iawn. Dr Hopkins?

Dr Hopkins: If I start, I will deal with the epidemiology issues, I will hand over to Mark to deal with your issues around the evidence, and then I will come back on the issues around paragraph 14.10. In respect of the epidemiology, I understand what you are saying entirely. I think that we did go to quite a great deal of length and detail in trying to make sure that the epidemiological principles could be understood by those undertaking the investigation and, indeed, people involved in reading submissions. I am sure that you will know from the detailed submissions that the health authority was unable at one point to return to give further evidence in respect of questions it had been asked. It may well have been at that point, had that been able to be undertaken, that further clarification on some of the epidemiological issues could have been given. However, in looking through the detail of the original submission and the supplementary evidence given by the health authority, that goes quite carefully through what epidemiology is about, what it can be used for, how it can be used as a tool and its useful application and limitations in some of these issues. So my own feeling is that that was well enough covered. I really cannot offer any more on that one. Mark, do you want to take the evidence issue?

Dr Temple: On the question of evidence, the main thing was that there was, running through, as I perceived it and I think as my colleagues perceived it, a view that empirical evidence was, to quote him, 'at least as good' as other evidence. The main thing was that there is quite a large body of evidence that has been reviewed and tested in the fire, as it were, that that is simply not true. Methods like randomised control trials, double blind studies, and so on, have been found to be more effective and better evidence than simple opinion. I think that that was our main point.

Dr Hopkins: Os caf fi gychwyn, fe ddeliaf fi â'r materion epidemiolegol, cyn trosglwyddo i Mark i ddelio â'ch cwestiynau ynglyn â'r dystiolaeth, ac wedyn dof yn ôl ar y materion ynghylch paragraff 14.10. O ran yr epidemioleg, deallaf yr hyn yr ydych yn ei ddweud yn iawn. Credaf y gwnaethom fynd i gryn drafferth a manylder i geisio sicrhau y gallai'r egwyddorion epidemiolegol gael eu deall gan y rheini a oedd y gwneud yr ymchwiliad ac, yn wir, gan y bobl fu wrthi'n darllen cyflwyniadau. Yr wyf yn siwr y gwyddoch o'r cyflwyniadau manwl fod yr awdurdod iechyd ar un pwynt wedi methu â dychwelyd i roi tystiolaeth bellach yn ateb i gwestiynau a ofynnwyd iddo. Mae'n dra phosibl ar y pwynt hwnnw, pe gallesid gwneud hynny, y gallesid rhoi eglurhad pellach ar rai o'r materion epidemiolegol. Fodd bynnag, o edrych drwy fanylion y cyflwyniad gwreiddiol a'r dystiolaeth ategol a roddwyd gan yr awdurdod iechyd, mae hynny'n egluro'n eithaf gofalus beth yw epidemioleg, beth y gellir ei defnyddio ar ei gyfer, sut y gellir ei defnyddio fel arf a'i defnyddioldeb a'i chyfyngiadau mewn rhai o'r materion hyn. Felly fy nheimlad i fy hun yw yr ymdriniwyd â hynny'n ddigon da. Ni allaf yn wir gynnig dim mwy ar hynny. Mark, a hoffech chi gymryd y cwestiwn am y dystiolaeth?

Dr Temple: Ar gwestiwn y dystiolaeth, y prif beth oedd fod barn yn rhedeg drwy bopeth, yn ôl yr hyn a welwn i ac yn ôl yr hyn a welai fy nghydweithwyr, dybiwn i, fod tystiolaeth empirig, a'i ddyfynnu ef, 'o leiaf cystal' â thystiolaeth arall. Y prif beth oedd fod corff eithaf mawr o dystiolaeth sydd wedi'i adolygu a'i brofi yn y tân, fel petai, nad yw hynny, yn syml, yn wir. Canfuwyd fod dulliau fel profion cymharu ar hap, astudiaethau dall dwbl, ac ati, yn dystiolaeth well a mwy effeithiol na barn syml. Credaf mai dyna oedd ein prif bwynt.

When you get to the specific point that you raised, about whether theory supported by observation was a better predictor of future facts, if you have a theory as to causation and then you can support that theory with factual evidence, then it is likely that when those factual events recur, the outcomes that you predict will be as you predict. Given uncertainty in life, that cannot always happen. However, it is a much better predictor of future events. If you have no theory of causation, then you have great difficulty in saying, ‘because I have observed something, the next thing that happens will be causally linked’. In this particular case, the point that we were trying to make was that, if you say ‘because we have seen something happen near a landfill site, and we have no theory as to how the landfill site has caused it, and no way of showing a causal link between the two events, it is unlikely that, if we went to another landfill site, we would see exactly the same events occurring’. That is what I meant and understood by ‘theory supported by observation’. That is the scientific method. You generate a hypothesis, you test it against the facts, and if the facts do not refute your hypothesis, you accept your hypothesis as true until facts subsequently prove you to be wrong. If we go back to Newton’s theory of motion where, quite clearly, facts change; when facts change your opinions change.

[75] **Richard Edwards:** I am anxious to get everybody in at least once now—

Pan ddewch at y pwynt penodol a godwyd gennyh, ynghylch a oedd damcaniaeth a ategir gan arsylwad yn well rhagolwg o ffeithiau’r dyfodol, os oes gennyh ddamcaniaeth ynghylch achosiant ac wedyn y gallwch ategu’r ddamcaniaeth honno â thystiolaeth ffeithiol, yna mae’n debygol pan fydd y digwyddiadau ffeithiol hynny’n aiddigwydd, y bydd y canlyniadau a ragwelwch yn gyson â’ch rhagolwg. O ystyried ansicrwydd bywyd, ni all hynny ddigwydd bob tro. Fodd bynnag, mae’n rhagolygydd llawer gwell o ddigwyddiadau’r dyfodol. Os nad oes gennyh ddamcaniaeth achosiant, yna cewch anhawster mawr i ddweud, ‘oherwydd fy mod wedi arsylwi rhywbeth, bydd y peth nesaf a ddigwydd wedi’i gysylltu’n achosol’. Yn yr achos arbennig hwn, y pwynt yr oeddem ni’n ceisio’i wneud oedd, os dywedwch ‘oherwydd ein bod wedi gweld rhywbeth yn digwydd yn agos at safle tirlenwi, ac nad oes gennym unrhyw ddamcaniaeth ynghylch sut yr achosodd y safle tirlenwi hyn, a dim ffordd o ddangos cysylltiad achosol rhwng y ddau ddigwyddiad, mae’n annhebygol, pe aem i safle tirlenwi arall, y gwelem yr un digwyddiadau yn union’. Dyna beth a olygais ac a ddeëllais wrth ‘ddamcaniaeth wedi’i hategu gan arsylwad’. Dyna’r dull gwyddonol. Byddwch yn llunio damcaniaeth, yn ei phrofi yn erbyn y ffeithiau, ac os nad yw’r ffeithiau’n gwrth-ddweud eich damcaniaeth, byddwch yn derbyn eich damcaniaeth fel gwir hyd nes bod ffeithiau diweddarach yn profi eich bod yn anghywir. Os awn yn ôl at ddamcaniaeth mudiant Newton lle mae ffeithiau, yn gwbl glir, yn newid; pan fydd ffeithiau’n newid bydd eich barn yn newid.

[75] **Richard Edwards:** Yr wyf yn awyddus i roi o leiaf un cyfle i bawb ddod i mewn—

Dr Hopkins: May I just pick up on the issues around paragraph 14.10? I agree with you that this may well be an issue of opinion. However, in terms of wanting to be able to learn, to move on for the future and to learn from past mistakes or whatever we are discussing and dealing with here, I think that the authorities have to understand what the investigator is saying is evidence of incompetence. In terms of learning and looking at this report, we are finding it very difficult to see what issues of incompetence in terms of the public offices he is referring to, and we would like to see that evidence in order that we can move on, learn for the future and not make the same errors or mistakes, if that is what happened, again. That is where we are coming at from the issues around paragraph 14.10.

[76] **Richard Edwards:** I will come back to you later, Helen Mary, for your questions to the Environment Agency.

[77] **Helen Mary Jones:** I also have questions for Rhondda Cynon Taff County Borough Council.

[78] **Richard Edwards:** That is fine. I am just anxious to get everybody in once.

[79] **Brian Gibbons:** I agree with Mr Lewis when he made his presentation that probably the greatest concern here is the health concern. The main recommendation as regards health in Mr Purchon's report is, I think, in paragraph 16.6. My reading of it was that I had some concern as to whether or not 16.6 was sufficiently valid or sufficiently robust to actually answer the very specific questions about health that people really want answered; in other words, is there an association between this particular tip and the population's health? I would be grateful for your observations as to whether or not you feel that

Dr Hopkins: A gaf fi ddweud gair ar y materion ynghylch paragraff 14.10? Cytunaf â chi y gall hyn yn wir fod yn fater o farn. Fodd bynnag, o ran bod eisiau gallu dysgu, symud ymlaen i'r dyfodol a dysgu oddi wrth gamgymeriadau'r gorffennol neu beth bynnag yr ydym yn ei drin a'i drafod yma, yr wyf yn meddwl fod yn rhaid i'r awdurdodau ddeall fod yr hyn y mae'r ymchwilydd yn ei ddweud yn dystiolaeth o fwnglerwaith. Yn nhermau dysgu ac edrych ar yr adroddiad hwn, yr ydym yn ei chael yn anodd iawn gweld at ba enghreifftiau o fwnglerwaith y mae'n cyfeirio yn nhermau'r swyddi cyhoeddus, a hoffem weld y dystiolaeth honno er mwyn gallu symud ymlaen, dysgu ar gyfer y dyfodol a pheidio â gwneud yr un camgymeriadau, os mai dyna a ddigwyddodd, eto. Dyna'n safbwynt ni ar y materion ynghylch paragraff 14.10.

[76] **Richard Edwards:** Dof yn ôl atoch chi eto, Helen Mary, i gael eich cwestiynau i Asiantaeth yr Amgylchedd.

[77] **Helen Mary Jones:** Mae gennyf gwestiynau hefyd i Gyngor Bwrdeistref Sirol Rhondda Cynon Taf.

[78] **Richard Edwards:** Popeth yn iawn. Yr wyf yn awyddus i bawb gael un cyfle.

[79] **Brian Gibbons:** Cytunaf â Mr Lewis pan wnaeth ei gyflwyniad mai'r pryder ynghylch iechyd, mae'n debyg, yw'r pryder mwyaf yma. Mae'r prif argymhelliad ynghylch iechyd yn adroddiad Mr Purchon, mi gredaf, ym mharagraff 16.6. Fy narlleniad i ohono oedd fod gennyf beth pryder ynghylch a oedd 16.6 yn ddigon dilys neu'n ddigon cryf i ateb y cwestiynau penodol iawn am iechyd y mae pobl am gael atebion iddynt ai peidio; mewn geiriau eraill, a oes cysylltiad rhwng y domen arbennig hon ac iechyd y boblogaeth? Byddwn yn ddiolchgar o gael eich sylwadau ynghylch a deimlwch ai

16.6, as it is written, is an adequate tool or whether it needs to be supplemented in other ways.

I would like to make another point if I may, Chair. Dr Hopkins mentioned partnership working. I agree that that is very important. However, one concern that I would have is that one of the problems of partnership working is that you end up with everybody being inside the tent and very much being part of a cosy consensus. I wonder what the mechanisms are, as part of partnership working, that somebody is going to be sufficiently independent to question what is going on and without being compromised in the first place by the partnership working.

This is my final point. I agree with what Dr Temple said in general about epidemiology and so on. However, I think that, equally, we need to have a certain level of scepticism. In every instance, I am sure that all medical people would agree with the axiom that you must listen to the patient because they are telling you the diagnosis. Whatever method of epidemiological study we are proceeding with, we must always retain that level of scepticism so that one will feel it necessary to test one's theory.

Dr Hopkins: I will try to take the questions in the order that you asked them, Brian, if I may. In terms of recommendation 16.6 on further health studies, my own view is that there is not enough detail at all to be able to undertake anything that would give clear answers. Obviously, in order to move forward, the community deserves clear answers. I think that we have shown to date that everything that we have done, every health study that has been undertaken, has been unable to give clear and definitive statements on causation or, indeed, association. I think that we do need to learn from that. If further health studies are to be

peidio fod 16.6, fel y mae wedi'i ysgrifennu, yn arf digonol ynteu a oes angen ei ategu mewn ffyrdd eraill.

Hoffwn wneud pwynt arall os caf, Gadeirydd. Soniodd Dr Hopkins am weithio mewn partneriaeth. Cytunaf fod hynny'n bwysig iawn. Fodd bynnag, un pryder fyddai gennyf fi yw mai un o broblemau gweithio mewn partneriaeth yw bod pawb ar ddiwedd y dydd y tu mewn i'r babell ac yn rhan wirioneddol o gonsensws clyd. Tybed beth yw'r mecanweithiau, fel rhan o weithio mewn partneriaeth, i rywun fod yn ddigon annibynnol i gwestiynu'r hyn sydd yn mynd ymlaen a pheidio â chael ei gyfaddawdu yn y lle cyntaf gan y broses o weithio mewn partneriaeth?

Dyma fy mhwynt olaf. Cytunaf â'r hyn a ddywedodd Dr Temple yn gyffredinol am epidemioleg ac ati. Fodd bynnag, yr wyf yn meddwl, yn yr un modd, bod angen inni gael rhyw lefel o sgeptigaeth. Ym mhob achos, yr wyf yn siwr y byddai pob person meddygol yn cytuno â'r wireb fod yn rhaid ichi wrando ar y claf am mai ef sydd yn dweud y diagnosis wrthyich. Pa ddull bynnag o astudiaeth epidemiolegol a ddilynwn, rhaid inni bob amser gadw'r lefel honno o sgeptigaeth er mwyn teimlo'r angen i brofi ein damcaniaethau.

Dr Hopkins: Ceisiaf gymryd y cwestiynau yn y drefn y gofynasoch hwynt, Brian, os caf. O ran argymhelliad 16.6 ar astudiaethau ieched pellach, fy marn bersonol i yw nad oes digon o fanylion o gwbl i allu ymgymryd ag unrhyw beth a roddai atebion clir. Yn amlwg, er mwyn symud ymlaen, mae'r gymuned yn haeddu atebion clir. Yr wyf yn meddwl ein bod wedi dangos hyd yma fod popeth yr ydym wedi'i wneud, pob astudiaeth ieched a wnaethpwyd, wedi methu rhoi datganiadau clir a phendant ar achosiant nac, yn wir, ar gysylltiad. Yr wyf yn meddwl fod angen inni ddysgu oddi wrth hynny. Os am gynnal

mounted, I think that we need very clear guidance on exactly what is required because just to go down the route of further health studies without being absolutely clear about what we are seeking, about the issues that we have talked about, about the hypotheses and so on—I am not sure that we will get answers. I take on board entirely your issues about the concerns of communities and residents, and those have to be listened to. However, sometimes it can be extremely difficult, as you will know, to get to the bottom of causation in terms of the symptomatology and complaints. Therefore, this is not an easy issue. It is complex. If it was easy, I suspect that we would have had answers a long time ago.

In terms of partnership working, I think that if I could answer that question, we would have cracked a lot of things a long time ago. I think that that is a very difficult area and we will have to do a lot more work in that area in order to get things right there. Trying to maintain a level of independence and critical analysis and yet involve yourself collaboratively in a partnership way is difficult. I do not have an answer to that, Brian. It may be, in part, being aware of that as an issue and continually questioning the partnership arrangements to ensure that that element of independence and critical analysis is ongoing.

[80] **Rhodri Glyn Thomas:** May I come in on this?

[81] **Richard Edwards:** Is it specifically on this point?

[82] **Rhodri Glyn Thomas:** Yes. I would just like to know how Dr Hopkins would respond to Professor Palmer's evidence to the investigation about cause and effect.

astudiaethau iechyd pellach, credaf fod angen canllawiau clir iawn ynghylch beth yn union sydd ei angen oherwydd os mai dim ond mynd am astudiaethau iechyd pellach a wnawn heb fod yn hollol glir ynghylch beth yr ydym yn chwilio amdano, ynghylch y materion yr ydym wedi sôn amdanynt, ynghylch y damcaniaethau ac ati—nid wyf yn siwr y cawn atebion. Derbyniaf yn llwyr eich cwestiynau ynghylch pryderon cymunedau a thrigolion, ac mae'n rhaid gwrandao ar y rheini. Fodd bynnag, weithiau gall fod yn eithriadol o anodd, fel y gwyddoch, mynd at wraidd achosiant yn nhermau'r syptomatoleg a chwynion. Felly, nid yw hwn yn fater hawdd. Mae'n gymhleth. Pe bai'n hawdd, yr wyf yn amau y byddem wedi cael yr atebion ers talwm.

O ran gweithio mewn partneriaeth, credaf pe gallwn ateb y cwestiwn hwnnw, y buasem wedi datrys llawer o bethau ers talwm. Yr wyf yn meddwl fod hynny'n faes anodd iawn a bydd yn rhaid inni wneud llawer mwy o waith yn y maes hwnnw er mwyn taro'r nod yn y fan honno. Mae'n anodd ceisio cynnal lefel o annibyniaeth a dadansoddiad beirniadol ac eto gymryd rhan mewn partneriaeth sydd yn galw am gydweithio. Nid oes gennyf ateb i hynny, Brian. Efallai mai'r ateb yn rhannol yw bod yn ymwybodol o hynny fel mater a dal ati i gwestiynu'r trefniadau partneriaeth i sicrhau fod yr elfen honno o annibyniaeth a dadansoddiad beirniadol yn parhau.

[80] **Rhodri Glyn Thomas:** A gaf fi ddod i mewn ar hyn?

[81] **Richard Edwards:** A yw'n benodol ar y pwynt hwn?

[82] **Rhodri Glyn Thomas:** Ydyw. Hoffwn wybod sut y byddai Dr Hopkins yn ymateb i dystiolaeth yr Athro Palmer i'r ymchwiliad ynghylch achos ac effaith.

Dr Hopkins: Can you remind me what the detail of Professor Palmer's evidence in that respect was? I am sorry.

[83] **Rhodri Glyn Thomas:** You seem to be saying in your response to Brian's question that you cannot necessarily find a correlation between cause and effect. However, Professor Palmer was quite clear about that in his evidence to the investigation.

Dr Hopkins: Right. I am sorry, I cannot recall the details of Professor Palmer's evidence to the investigation, so I am really unable to comment in detail on that.

[84] **Rhodri Glyn Thomas:** I do not really want to go through the bulk of his evidence.

[85] **Richard Edwards:** We will have to accept that as read.

[86] **Eleanor Burnham:** May I come in on this?

[87] **Richard Edwards:** Is it specifically on that point?

[88] **Eleanor Burnham:** It is. I am not a scientist. I am actually a trained aromatherapist. The reason why aromatherapy has worked over 5,000 years is because of lovely smells. There is much proof that good smells have a positive response in the limbic area of the brain. Surely, conversely, nasty smells have a negative response. Therefore, you do not have to be a genius or a PhD in anything or discuss cause and effect to know that, if you are living in an area where there is a nasty smell, it can have a detrimental effect on your health. We could be discussing semantics all afternoon. I think that we just have to move on and help these poor people to reflect on the fact that nasty smells are not good for anybody and that if we have to live

Dr Hopkins: A allech chi f'atgoffa beth oedd manylion tystiolaeth yr Athro Palmer yn hynny o beth? Mae'n ddrwg gennyf.

[83] **Rhodri Glyn Thomas:** Yr ydych fel pe baech yn dweud yn eich ateb i gwestiwn Brian na allwch o reidrwydd ganfod cydberthynas rhwng achos ac effaith. Fodd bynnag, yr oedd yr Athro Palmer yn gwbl glir ynglyn â hynny yn ei dystiolaeth ef i'r ymchwiliad.

Dr Hopkins: Iawn. Mae'n ddrwg gennyf, ni allaf gofio manylion tystiolaeth yr Athro Palmer i'r ymchwiliad, felly ni allaf roi sylw manwl ar hynny, wir.

[84] **Rhodri Glyn Thomas:** Nid oes arnaf fawr o awydd mynd trwy swmp ei dystiolaeth.

[85] **Richard Edwards:** Bydd yn rhaid inni dderbyn fod hynny wedi'i ddarllen.

[86] **Eleanor Burnham:** A gaf fi ddod i mewn ar hyn?

[87] **Richard Edwards:** A yw'n benodol ar y pwynt hwnnw?

[88] **Eleanor Burnham:** Ydyw. Nid wyf yn wyddonydd. Aromatherapydd hyfforddedig ydwyf mewn gwirionedd. Y rheswm pam y mae aromatherapi wedi gweithio ers dros 5,000 o flynyddoedd yw oherwydd arogleuon hyfryd. Mae llawer o brawf fod aroglau da yn cael effaith gadarnhaol yn rhan ymylol yr ymennydd. Mae'n siwr, ar y llaw arall, fod aroglau ffaidd yn cael effaith negyddol. Felly, nid oes angen bod yn athrylith nac yn PhD mewn dim na gallu trafod achos ac effaith i wybod, os ydych yn byw mewn ardal lle mae aroglau drwg, y gall hynny niweidio'ch iechyd. Gallem drafod semanteg drwy'r prynhawn. Yr wyf yn meddwl fod yn rhaid inni, yn syml, symud ymlaen a helpu'r bobl druan hyn i fyfyrrio ar y ffaith nad yw arogleuon

among them, it does not do us any good.

Dr Hopkins: To respond very briefly, I do not think that the health authority would contend otherwise.

[89] **Eleanor Burnham:** Good.

[90] **Geraint Davies:** In your response to the report you comment on paragraph 7. 10 of the report, stating that

‘the off site leachate pipeline has not leaked since January 2001’.

I have pictures here, taken recently, of the pipe leaking. This is typical of what has happened over the last five years, in that people’s complaints have not been taken seriously. The perception is that you have been acting more for the company than for the residents who live around the tip. That has broken down the public’s confidence in what is happening.

Looking back now, would you have done things differently? Do we need more monitoring? Evidence has been given of the inadequate way in which you have dealt with complaints: that you have not taken complaints seriously, that perhaps when people have phoned in, the phone has not been answered, and when it has been answered, the call has not been dealt with properly. Do you think that you could deal with Nantygwyddon far better if you had your time over again?

drwg yn dda i neb ac os oes raid inni fyw ynddynt, na wnaiff hynny unrhyw les inni.

Dr Hopkins: I ymateb yn fyr iawn, nid wyf yn meddwl y byddai’r awdurdod iechyd yn dadlau fel arall.

[89] **Eleanor Burnham:** Da iawn.

[90] **Geraint Davies:** Yn eich ymateb i’r adroddiad yr ydych yn rhoi sylw ar baragraff 7.10 yr adroddiad, gan ddatgan

‘nid yw’r bibell drwytholchion oddi ar y safle wedi gollwng er Ionawr 2001’.

Mae gennyf luniau yma, a dynnwyd yn ddiweddar, o’r bibell yn gollwng. Mae hyn yn nodweddiadol o’r hyn a ddigwyddodd dros y pum mlynedd diwethaf, sef na chymerwyd cwynion pobl o ddifrif. Yr argraff a geir yw eich bod wedi bod yn gweithredu mwy ar ran y cwmni nag ar ran y trigolion sydd yn byw o gwmpas y domen. Mae hynny wedi chwalu hyder y cyhoedd yn yr hyn sydd yn digwydd.

O edrych yn ôl yn awr, a fuasech wedi gwneud pethau’n wahanol? A oes angen mwy o fonitro? Rhoddwyd tystiolaeth am y ffordd annigonol yr ydych wedi delio â chwynion: eich bod heb gymryd cwynion o ddifrif, fod pobl wedi ffonio i mewn a heb gael ateb efallai, a phan fônt wedi cael ateb, ni ddeliwyd â’r alwad yn iawn. A ydych yn meddwl y gallech ddelio’n llawer gwell â Nantygwyddon pe caech eich amser drosodd eto?

Dr Phillips: To pick up the first of your points about the pipeline and leachate. I do not want this to look like a peculiar or a technical response. I understand the point of your question, which is that it is not acceptable to have this pipeline and leachate going out into the environment in an uncontrolled fashion. That statement in our evidence is correct; we have not had leachate issues. I suspect that the photographs that you have in front of you are of an incident that took place on 31 December and 1 January. [Audience: 'No, yesterday.']

[91] **Richard Edwards:** Order.

Dr Phillips: Sorry, it was at the weekend. My understanding of that incident is that there was a control box in the middle of the road which ruptured due to a third party intervention, not due to something that was happening on the site. So, in terms of the integrity of that pipeline with regard to how it is being managed by the site operator currently, we do not have any difficulty about that.

Looking back with the benefit of hindsight, and, I suppose, really, calling to the Committee's attention all the concerns that I have already pointed out about the errors and omissions and some of the criticisms of the Environment Agency in the absence of adequate evidence, I would be happy to say to you, Mr Davies, that, with regard to public engagement and with regard to really being able to explain and understand people's concerns about the site, there are lessons for the future. I think that there are a number of ways in which we can now move forward to make sure that we are engaging with the public more effectively on these issues.

Dr Phillips: I godi'r cyntaf o'ch pwyntiau ynglyn â'r bibell a thrwytholchion. Nid oes arnaf eisiau i hyn edrych fel ateb rhyfedd na thechnegol. Deallaf bwynt eich cwestiwn, sef nad yw'n dderbyniol cael y bibell hon a thrwytholchion yn arllwys i'r amgylchedd mewn modd di-reolaeth. Mae'r datganiad hwnnw yn ein tystiolaeth yn gywir; nid ydym wedi cael problemau trwytholchion. Yr wyf yn amau fod y lluniau sydd gennych chi o'ch blaen yn lluniau o ddigwyddiad a ddigwyddodd ar 31 Rhagfyr ac 1 Ionawr. [Cynulleidfa: 'Nage, ddoe.']

[91] **Richard Edwards:** Trefn.

Dr Phillips: Mae'n ddrwg gennyf, dros y penwythnos ydoedd. Fy nealltwriaeth i o'r digwyddiad hwnnw yw fod blwch rheoli yng nghanol y ffordd a dorrodd oherwydd ymyrraeth trydydd parti, nid oherwydd rhywbeth a oedd yn digwydd ar y safle. Felly, o ran integriti'r bibell honno o safbwynt y modd y mae'n cael ei rheoli gan weithredwr y safle ar hyn o bryd, nid oes gennym unrhyw anhawster ynghylch hynny.

Gyda'r fantais o edrych yn ôl, ac, mae'n debyg, gan ddwyn i sylw'r Pwyllgor yr holl bryderon yr wyf eisoes wedi'u nodi ynghylch y camgymeriadau a'r bylchau a rhai o'r beirniadaethau o Asiantaeth yr Amgylchedd heb dystiolaeth ddigonol, byddwn yn hapus i ddweud wrthyh chi, Mr Davies, fod gwersi i'r dyfodol o ran ymwneud â'r cyhoedd ac o ran gallu egluro a deall pryderon pobl ynghylch y safle mewn gwirionedd. Yr wyf yn meddwl fod nifer o ffyrdd y gallwn yn awr symud ymlaen i wneud yn siwr ein bod yn cyfathrebu â'r cyhoedd yn fwy effeithiol ar y materion hyn.

[92] **Geraint Davies:** May I ask you a question about the time in 1996 when concern was expressed about the dumping of calcium sulphate? I think that you took over in April 1996, but it was over nine months before you took action to stop the dumping of calcium sulphate. Why did you take so long? Councillors had expressed concerns. Councillor Syd Morgan and his wife, Jill Evans, had expressed concern about the dumping, yet you took no action until it was too late, really.

Dr Phillips: Perhaps I can make an opening comment and then call on John for some more detail. My understanding of the situation is that we took over in April 1996, and within a very short period of time were having complaints about the hydrogen sulphide odour. It was in June 1997 that, through modification of the licence, we required that calcium sulphate filters were no longer disposed of at that site. As you say, it is a period of time, but I understand that there were quite a number of investigations going on during that period to establish cause and effect. Once that was established, we would actually take the view that we required the licence modification, not to take these filters anymore, as a precautionary measure.
[*Interruption.*]

[93] **Richard Edwards:** I have asked for all mobile phones to be switched off. I hope that the phone that is ringing does not belong to a member of the Committee.

[94] **Eleanor Burnham:** I apologise profusely. I thought that I had switched it off.

[95] **Richard Edwards:** May I have that in blood, please? [*Laughter.*]

[92] **Geraint Davies:** A gaf i ofyn cwestiwn ichi ynglyn â'r adeg yn 1996 pryd y mynegwyd pryder ynghylch dympio calsiwm sylffad? Credaf eich bod chi wedi cymryd yr awenau yn Ebrill 1996, ond aeth dros naw mis heibio cyn ichi weithredu i atal dympio calsiwm sylffad. Pam y bu ichi gymryd cyhyd? Yr oedd cynghorwyr wedi mynegi pryderon. Yr oedd y Cynghorydd Syd Morgan a'i wraig, Jill Evans, wedi mynegi pryder am y dympio, eto ni wnaethoch chi ddim hyd nes ydoedd yn rhy hwyr, mewn gwirionedd.

Dr Phillips: Efallai y caf wneud sylw agoriadol ac yna alw ar John am fwy o fanylion. Fy nealltwriaeth i o'r sefyllfa yw ein bod ni wedi cymryd yr awenau yn Ebrill 1996, ac o fewn cyfnod byr iawn yr oeddem yn cael cwynion am yr aroglau hydrogen sylffid. Ym Mehefin 1997 y bu inni fynnu, drwy addasu'r drwydded, na chât hidlyddion calsiwm sylffad eu gwaredu ar y safle hwnnw mwyach. Fel y dywedwch, y mae'n gyfnod o amser, ond deallaf fod cryn nifer o ymchwiliadau ar waith yn ystod y cyfnod hwnnw i sefydlu achos ac effaith. Unwaith yr oedd hynny wedi'i sefydlu, byddem yn cymryd y farn ein bod angen addasu'r drwydded, i beidio â chymryd yr hidlyddion hyn mwyach, fel rhagofal. [*Torri ar draws.*]

[93] **Richard Edwards:** Yr wyf wedi gofyn am i bob ffôn symudol gael ei ddiffodd. Gobeithio nad yw'r ffôn sydd yn canu yn eiddo i aelod o'r Pwyllgor.

[94] **Eleanor Burnham:** Mae'n wir ddrwg gennyf. Yr oeddwn yn meddwl fy mod i wedi ei ddiffodd.

[95] **Richard Edwards:** A gaf fi hynny mewn gwaed, os gwelwch yn dda? [*Chwerthin.*]

[96] **Eleanor Burnham:** I am very sorry.

Dr Phillips: I do not know whether it would be helpful, Chair, for John to give a bit more detail, and the background at the time?

[97] **Richard Edwards:** Yes, please do.

Mr Harrison: Mr Davies, as you are probably aware, the decision to accept the calcium sulphate filter cake prior to the Environment Agency taking over responsibility was reviewed thoroughly by Rhondda Cynon Taff's environmental health department with specific scientific advice. It did the best benchmarking available to see what the issues were beyond the boundary of Nantygwyddon, in Wales and elsewhere. We have provided the investigator with quite extensive information about the generation of calcium sulphate filter cake in south Wales, where it has been deposited prior to Nantygwyddon, and the issues surrounding it.

At the time that we took over responsibility, we were aware of those issues and they fell into two camps. Some sites would take calcium sulphate filter cake without it causing any problems, and they are documented. At other sites it has given rise to problems if they were taking calcium sulphate filter cake in large proportions. The advice given at the time was that the proportions being taken to Nantygwyddon would not be likely to give rise to any issues associated with odour. However, we had to accept the previous regulatory authority's decision and we agreed to keep it under constant review. The odour complaints began in the summer of 1996 and grew in September 1996. We kept reviewing the situation, expecting responses from the company, but, as we networked with other parts of the agency to learn more about other situations

[96] **Eleanor Burnham:** Mae'n ddrwg iawn gennyf.

Dr Phillips: Ni wn a fyddai o gymorth ichi, Gadeirydd, i John roi ychydig mwy o fanylion, a'r cefndir ar y pryd?

[97] **Richard Edwards:** Ie, gwnewch hynny, os gwelwch yn dda.

Mr Harrison: Fel y gwyddoch, mae'n debyg, Mr Davies, cafodd y penderfyniad i dderbyn y talpiau hidlo calsiwm sylffad cyn i Asiantaeth yr Amgylchedd ymgymryd â'r cyfrifoldeb ei adolygu'n drwyadl gan adran iechyd amgylcheddol Rhondda Cynon Taf gyda chyngor gwyddonol penodol. Gwnaeth y meincnodi gorau oedd ar gael i weld beth oedd y materion y tu hwnt i ffiniau Nantygwyddon, yng Nghymru a thu hwnt. Yr ydym wedi rhoi gwybodaeth dra helaeth i'r ymchwilydd am waith cynhyrchu talpiau hidlo calsiwm sylffad yn y De, am ble y'i gwardwyd cyn Nantygwyddon, a'r materion yn ei gylch.

Pan fu i ni ymgymryd â'r cyfrifoldeb, yr oeddem yn ymwybodol o'r materion hynny ac yr oeddent yn perthyn i un o ddwy garfan. Byddai rhai safleoedd yn cymryd talpiau hidlo calsiwm sylffad heb iddi achosi unrhyw broblemau, ac maent wedi'u rhestru. Mewn safleoedd eraill cododd problemau os cymerwyd talpiau hidlo calsiwm sylffad mewn cyfrannau mawr. Y cyngor a roddwyd ar y pryd oedd na fyddai'r cyfrannau a gymerid i Nantygwyddon yn debygol o achosi unrhyw broblemau cysylltiedig ag aroglau. Fodd bynnag, yr oedd yn rhaid inni dderbyn penderfyniad yr awdurdod rheoleiddio blaenorol a chytunasom i'w arolygu yn barhaus. Dechreuodd y cwynion ynghylch aroglau yn ystod haf 1996 a chynyddu ym Medi 1996. Daliasom i arolygu'r sefyllfa, gan ddisgwyl ymatebion oddi wrth y cwmni, ond, wrth inni

throughout the UK, we came to a high degree of suspicion that calcium sulphate filter cake was the problem waste. We investigated other potential sources in that period and that is why we actually banned the input of calcium sulphate filter cake in January 1997—not June, if I may correct my colleague. I think that that was in line with situations that were developing elsewhere. Therefore, it was just applying the best available information at the earliest opportunity. However, we recognise that that period of time that the site took calcium sulphate filter cake has left it with the legacy that we are all discussing today.

[98] **Richard Edwards:** Councillor Morgan, you wanted to come in specifically on that point?

Mr Morgan: Yes, it is on a question of information. I think that the point that ought to be made is that while the Environment Agency as a new entity took over at the date given, the Environment Agency had predecessor organisations that were fully aware of the situation regarding the calcium sulphate filter cake. The calcium sulphate filter cake that was brought into Nantygwyddon had previously been dumped in Trecatti, where the same organisation was dealing with the issue there. If you go back into the records prior to the establishment of the Environment Agency in Wales, the predecessor authorities were the district councils and Her Majesty's Inspectorate of Pollution. Again, on the record, those organisations—in this case, Taff Ely Borough Council and HMIP—explained in full detail to Taff Ely Borough Council about the proposal to dump calcium sulphate filter cake on an open field site in Cross Inn, Llantrisant, and explained precisely what the implications were of

rwydweithio â rhannau eraill o'r asiantaeth er mwyn dysgu mwy am sefyllfaoedd eraill ledled Prydain, daethom i amau'n gryf iawn mai talpiau hidlo calsiwm sylffad oedd y gwastraff trafferthus. Ymchwiliad i ffynonellau posibl eraill yn y cyfnod hwnnw a dyna pam y bu inni wahardd derbyn talpiau hidlo calsiwm sylffad yn Ionawr 1997—nid Mehefin, os caf gywiro fy nghydweithiwr. Tybiaf i hynny ddigwydd yn unol â sefyllfaoedd a oedd yn datblygu mewn mannau eraill. Felly, mater ydoedd o ddefnyddio'r wybodaeth orau oedd ar gael ar y cyfle cynharaf. Fodd bynnag, yr ydym yn cydnabod bod y cyfnod o amser pryd y cymerodd y safle dalpiau hidlo calsiwm sylffad wedi'i adael gyda'r etifeddiaeth yr ydym yn ei thrafod heddiw.

[98] **Richard Edwards:** Gynghorydd Morgan, yr oeddech chi eisiau dod i mewn yn benodol ar y pwynt hwnnw?

Mr Morgan: Oeddwn, ar bwynt o wybodaeth. Credaf mai'r pwynt y dylid ei wneud yw er bod Asiantaeth yr Amgylchedd fel endid newydd wedi cymryd yr awenau ar y dyddiad a nodwyd, yr oedd gan Asiantaeth yr Amgylchedd gyrrff a'i rhagflaenai a oedd yn gwbl ymwybodol o'r sefyllfa ynglyn â'r talpiau hidlo calsiwm sylffad. Yr oedd y talpiau hidlo calsiwm sylffad a gludid i Nantygwyddon wedi'i dymPIO cyn hynny yn Nhrecati, lle'r oedd yr un corff yn delio â'r mater yno. Os ewch yn ôl i'r cofnodion cyn sefydlu Asiantaeth yr Amgylchedd yng Nghymru, yr awdurdodau rhagflaenol oedd y cynghorau dosbarth ac Arolygaeth Llygredd Ei Mawrhydi. Eto, yn ôl y cofnodion, eglurodd y cyrrff hynny—sef, yn yr achos hwn, Cyngor Bwrdeistref Taf Elái ac ALIEM—mewn manylder llawn wrth Gyngor Bwrdeistref Taf Elái am y bwriad i waredu talpiau hidlo calsiwm sylffad ar safle cae agored yn Cross Inn, Llantrisant, gan esbonio'n union beth oedd y

doing that. The public agencies responsible for this issue had all that information available on their files and the HMIP information and the district council information should have been passed on to the Environment Agency, which I am sure it was. The second point that should be made is that the personnel who were staffing the district councils and HMIP became employees of the Environment Agency. So this was not anything new—there was a 10-year prehistory of calcium sulphate filter cake before it got to Nantygwyddon.

[99] **Richard Edwards:** Do you want to comment on that, Dr Phillips?

Dr Phillips: I think that John will give you a more sensible answer.

Mr Harrison: I would not disagree with what Councillor Morgan was saying there. The history of the disposal of calcium sulphate filter cake in the UK is well documented and the issue revolves around what percentages and quantities of calcium filter cake you can deposit along with domestic wastes—what volumes are permissible before it becomes a problem. The advice that was given and accepted at the time was that small quantities could be accepted. On the situation in terms of transfer of knowledge both in terms of files and personnel in relation to the Trecatti situation, we have explained to the investigator that the former regulatory authority there, Merthyr Borough Council, in responding to odour complaints at Trecatti, had taken enforcement action, trying to establish that the calcium sulphate filter cake was the cause of the problem. Unfortunately, that action was lost in the courts, as the evidence that Merthyr Borough Council was able to gather at the time from the best available information did not win its case. Therefore we did not have this information that would have allowed us to act immediately we took over. However, we kept reviewing the

goblygiadau o wneud hynny. Yr oedd yr holl wybodaeth hynny ar gael i'r cyrff cyhoeddus oedd yn gyfrifol am y mater hwn yn eu ffeiliau, a dylid bod wedi trosglwyddo gwybodaeth ALIEM a gwybodaeth y cyngor dosbarth i Asiantaeth yr Amgylchedd, ac yr wyf yn siwr y gwnaethpwyd hynny. Yr ail bwynt y dylid ei wneud yw yr aeth staff y cyngorau dosbarth ac ALIEM yn weithwyr Asiantaeth yr Amgylchedd. Felly nid oedd hyn yn ddim byd newydd—yr oedd hanes blaenorol o 10 mlynedd o dalpiau hidlo calsiwm sylffad cyn iddi gyrraedd Nantygwyddon.

[99] **Richard Edwards:** A hoffech roi sylw ar hynny, Dr Phillips?

Dr Phillips: Tybiaf y gall John roi ateb callach ichi.

Mr Harrison: Ni fyddwn yn anghytuno â'r hyn a ddywedodd y Cynghorydd Morgan yn awr. Mae hanes gwaredu talpiau hidlo calsiwm sylffad yn y DU wedi'i ddogfennu'n dda ac mae'r mater yn ymwneud â pha ganrannau a meintiau o dalpiau hidlo calsiwm sylffad y gallwch ei roi gyda gwastraffau ty —pa gyfeintiau sydd yn dderbyniol cyn iddi fynd yn broblem. Y cyngor a roddwyd ac a dderbyniwyd ar y pryd oedd y gellid derbyn meintiau bychain. O ran y sefyllfa ynghylch trosglwyddo gwybodaeth, yn nhermau ffeiliau a phersonél mewn perthynas â sefyllfa Trecatti, yr ydym wedi egluro i'r ymchwilydd fod yr hen awdurdod rheoleiddio yno, Cyngor Bwrdeistref Merthyr, wrth ymateb i gwynion am aroglau yn Nhrecatti, wedi dwyn achos gorfodi, gan geisio sefydlu mai'r talpiau hidlo calsiwm sylffad oedd achos y broblem. Yn anffodus, collwyd yr achos hwnnw yn y llysoedd, am i'r dystiolaeth y llwyddodd Cyngor Bwrdeistref Merthyr i'w chasglu ar y pryd o'r wybodaeth orau oedd ar gael fethu ag ennill ei achos. Felly nid oedd gennym y wybodaeth hon a fyddai wedi caniatáu inni weithredu'n syth ar ôl inni gymryd yr awenau. Fodd bynnag, daliasom i adolygu'r

situation and immediately odour complaints began to arise at Nantygwyddon, we made our best endeavours to look at the situation throughout the agency's regions. It was towards the end of 1996 that we felt that we had sufficient information to demand that the company take some serious steps. We were disappointed with its response, which is why we took that action in January 1997 to ban further deposits, although it was quite likely that the company would—in fact it did—appeal against our licence modification. It subsequently withdrew it when we gave rise to the information that we collected towards the end of 1996. I think that it is part of this learning and applying approach that we have been endeavouring to undertake since we have taken over responsibility.

[100] **Richard Edwards:** You say in your response that you have been as open and transparent as possible given the law. Do you therefore consider that the law needs changing to improve openness and transparency?

Dr Phillips: As I mentioned earlier, the allegation that the Environment Agency withheld information from the investigator is totally inaccurate. There was also no evidence that we failed to meet our statutory responsibilities with regard to disclosing information. I think where the angst has arisen is where the Environment Agency is required to keep information confidential on the basis of commercial confidentiality. Current legislation is not framed to provide any protection or afford any benefit to the Environment Agency in terms of keeping that information confidential; there is no benefit to us whatsoever. The legislation, as I understand it, is in place to afford protection to the operator and the businesses involved. Therefore, as a matter of statute, we are required to observe it. It is very interesting if we speculate on this issue in this particular case, given, for example, that Amgen

sefyllfa ac ar unwaith pan ddechreuwyd cael cwynion am aroglau yn Nantygwyddon, gwnaethom ein gorau glas i edrych ar y sefyllfa yn holl ranbarthau'r asiantaeth. Tua diwedd 1996 y teimlasom fod gennym ddigon o wybodaeth i fynnu bod y cwmni'n cymryd camau difrifol. Cawsom ein siomi gan ei ymateb, a dyna pam y bu inni weithredu fel y gwnaethom yn Ionawr 1997 i wahardd gwaredu rhagor yno, er ei bod yn debygol iawn y byddai'r cwmni'n apelio—yn wir, fe wnaeth—yn erbyn ein haddasiad i'r drwydded. Tynnodd ei apêl yn ôl wedyn pan gyhoeddasom ni'r wybodaeth a gasglwyd gennym tua diwedd 1996. Tybiaf ei fod yn rhan o'r ymagwedd dysgu a chymhwyso yr ydym wedi bod yn ceisio ymgymryd â hi ers inni gymryd y cyfrifoldeb.

[100] **Richard Edwards:** Dywedwch yn eich ymateb ichi fod mor agored a thryloyw ag y gallech o fewn y gyfraith. A gredwch felly fod angen newid y gyfraith i ganiatáu bod yn fwy agored a thryloyw?

Dr Phillips: Fel y soniais ynghynt, mae'r honiad fod Asiantaeth yr Amgylchedd wedi cadw gwybodaeth oddi wrth yr ymchwilydd yn gwbl anghywir. Nid oedd unrhyw dystiolaeth ychwaith ein bod wedi methu cyflawni'n cyfrifoldebau statudol o ran datgelu gwybodaeth. Tybiaf mai lle y cododd y pryder yw lle mae gofyn i Asiantaeth yr Amgylchedd gadw gwybodaeth yn gyfrinachol oherwydd cyfrinachedd masnachol. Nid yw'r ddeddfwriaeth gyfredol wedi'i llunio i roi unrhyw warchodaeth na chynnig unrhyw fudd i Asiantaeth yr Amgylchedd o ran cadw'r wybodaeth honno'n gyfrinachol; nid oes dim mantais i ni o gwbl. Mae'r ddeddfwriaeth, yn ôl a ddeallaf fi, mewn grym i warchod y gweithredwr a'r busnesau sydd yn ymwneud â hyn. Felly, fel mater o statud, mae'n rhaid i ni ufuddhau iddi. Mae'n ddiddorol iawn dyfalu ynghylch y mater hwn yn yr achos arbennig hwn, o gofio, er

Rhondda is wholly owned by Rhondda Cynon Taff local authority. Therefore, should it wish to think whether, because it is a public body and, for the site's operational good, it would be sensible to have it in the public domain, I think that there is a huge issue to be addressed there. It is certainly way beyond the scope of the Environment Agency, but perhaps one that the Committee would like to consider.

[101] **Richard Edwards:** Is that a 'yes', therefore? Do you think that there should be a change in the law to improve openness and transparency, regardless of whose responsibility it is?

Dr Phillips: It is not an Environment Agency policy position that we are calling for a change in the law, because we see it as outside our remit. Looking and giving a personal position on the facts of this case, and particularly as there were public bodies concerned, it would seem very sensible for that information to have been available.

[102] **Richard Edwards:** Rhodri, specifically on this point.

[103] **Rhodri Glyn Thomas:** Specifically on this point, it seems to me that what you are dealing with is the openness, accountability and transparency of the Environment Agency in terms of its relationship with other public bodies. One issue that came out clearly in this investigation is the Environment Agency's lack of transparency, accountability and openness in terms of its relationship with the public. The public seem to feel that it came to you time and again with concerns and evidence of problems related to Nantygwyddon, but that transparency, openness and accountability has been totally lacking. Is there a difference in the way that the Environment Agency is accountable, open and transparent in its dealings with public bodies

enghraifft, fod Amgen Rhondda'n gyfan gwbl ym meddiant awdurdod lleol Rhondda Cynon Taf. Felly, pe bai'r corff hwnnw'n dymuno meddwl a fyddai'n ddoeth, am ei fod yn gorff cyhoeddus ac er lles gweithredol y safle, rhoi'r wybodaeth yn agored i'r cyhoedd, credaf fod mater enfawr i'w drafod yma. Mae'n sicr ymhell y tu hwnt i faes Asiantaeth yr Amgylchedd, ond efallai yn un yr hoffai'r Pwyllgor ei ystyried.

[101] **Richard Edwards:** Ai 'ie' yw hynny, felly? A ydych yn meddwl y dylid newid y gyfraith i ganiatáu bod yn fwy agored a thryloyw, pwy bynnag biau'r cyfrifoldeb?

Dr Phillips: Nid yw'n bolisi gan Asiantaeth yr Amgylchedd ein bod yn galw am newid y gyfraith, oherwydd gwelwn fod hynny y tu allan i'n cylch gorchwyl. O edrych ac o roi barn bersonol ar ffeithiau'r achos hwn, ac yn enwedig gan fod cyrff cyhoeddus yn ymwneud â'r mater, byddai'n ymddangos mai doeth iawn fyddai i'r wybodaeth fod ar gael.

[102] **Richard Edwards:** Rhodri, yn benodol ar y pwynt hwn.

[103] **Rhodri Glyn Thomas:** Yn benodol ar y pwynt hwn, ymddengys i mi mai'r hyn yr ydych yn delio ag ef yw pa mor agored, atebol a thryloyw yw Asiantaeth yr Amgylchedd yn nhermau ei pherthynas â chyrff cyhoeddus eraill. Un mater a ddaeth i'r amlwg yn glir yn yr ymchwiliad hwn yw diffyg tryloywder, atebolrwydd ac agoredrwydd Asiantaeth yr Amgylchedd yn nhermau ei pherthynas â'r cyhoedd. Mae'n ymddangos bod y cyhoedd yn teimlo iddo ddod atoch chi dro ar ôl tro gyda phryderon a thystiolaeth o broblemau mewn perthynas â Nantygwyddon, ond na fu unrhyw dryloywder, atebolrwydd nac agoredrwydd o gwbl. A oes gwahaniaeth yn y ffordd y mae Asiantaeth yr Amgylchedd yn atebol, agored a

compared with the way that it deals with the public?

Dr Phillips: My assessment of that comment would be that the Environment Agency at no stage has sought to mislead or control the amount of information available to the public. I think that the challenge in looking forward, as I have mentioned before, is thinking how we do that in better ways so that people really understand what the issues and options are and they understand what courses are open to them. Therefore, I think that it is more an issue of how we engage rather than it being the fact that we need to take a step change in terms of our willingness to be open and transparent in the way in which we operate.

[104] **Karen Sinclair:** The main question that I wanted to ask the Environment Agency was that asked by Richard, but I would like to turn the question on its head slightly. Does the Environment Agency feel that commercial confidentiality hampers its deliberations? That is a slightly different way into the same question. It was quite interesting that, while the public has been discouraged from making any noise—and it is right that they should be just listening—there was an interesting ground swell of reaction when the Environment Agency gave its evidence. How does the Environment Agency intend to do what seems to me to be an awful lot of work in Rhondda Cynon Taff in order to retrieve public confidence?

[105] **Richard Edwards:** On the back of that, do you have any specific proposals in mind to improve public relations?

[106] **Karen Sinclair:** I have some more questions to ask.

thryloyw wrth ddelio â chyrrff cyhoeddus o gymharu â'r modd y mae'n delio â'r cyhoedd?

Dr Phillips: Fy asesiad i o'r sylw hwnnw fyddai na fu i Asiantaeth yr Amgylchedd ar unrhyw adeg geisio camarwain na rheoli faint o wybodaeth oedd ar gael i'r cyhoedd. Credaf mai'r her, wrth edrych ymlaen, fel y soniais o'r blaen, yw meddwl sut y gallwn wneud hynny'n well fel y bydd pobl yn wir yn deall beth yw'r materion a'r opsiynau ac yn deall pa gamau sydd yn agored iddynt. Felly, tybiaf ei bod yn fwy o fater o sut y byddwn yn cyfathrebu yn hytrach na'i bod yn ffaith fod angen inni gymryd camau i newid yn nhermau ein parodrydd i fod yn agored a thryloyw yn y modd y gweithredwn.

[104] **Karen Sinclair:** Y prif gwestiwn yr oeddwn i eisiau ei ofyn i Asiantaeth yr Amgylchedd oedd hwnnw a ofynnwyd gan Richard, ond hoffwn droi'r cwestiwn ar ei ben fymryn. A yw Asiantaeth yr Amgylchedd yn teimlo fod cyfrinachedd masnachol yn llesteirio'i thrafodaethau? Mae hynny'n ffordd ychydig yn wahanol o godi'r un cwestiwn. Yr oedd yn eithaf difyr sylwi, tra bod y cyhoedd wedi cael eu siarsio rhag gwneud unrhyw swm—ac mae'n iawn mai gwranddo a ddylent—yr oedd ymchwydd diddorol o adwaith pan roddodd Asiantaeth yr Amgylchedd ei thystiolaeth. Sut mae Asiantaeth yr Amgylchedd yn bwriadu gwneud beth sydd yn ymddangos i mi fel peth wmbredd o waith yn Rhondda Cynon Taf i adennill hyder y cyhoedd?

[105] **Richard Edwards:** Ar gefn hynny, a oes gennych unrhyw gynigion penodol mewn golwg i wella cysylltiadau cyhoeddus?

[106] **Karen Sinclair:** Mae gennyf ragor o gwestiynau i'w gofyn.

[107] **Richard Edwards:** Okay, we will come back to those.

Dr Phillips: I will take your second point on improving public relations first. There are obviously a number of procedural steps for this Committee and for the Assembly generally to take. I understand that you have another meeting to consider what recommendations you will be taking forward to a Plenary session of the Assembly and, as I said in my opening statement, the Environment Agency is happy to work alongside others to implement those recommendations. We will be making sure that it is very clear to the community around Nantygwyddon how we will be going about that and what the issues are and seeking to fully involve them in that. More generally, I think that it is fair to say—and perhaps pointing to a comment that I made earlier—that where we have applications for licences or authorisations that are contentious, I think that it is important that we give full consideration to the guidance and procedures that we have on our selected licence application procedure, which will help enormously.

Returning to Mrs Sinclair's first point on whether commercial confidentiality hampers our deliberations, I think that it would be very difficult for us to come here today and say that it would not have been a lot easier had the issue of commercial confidentiality not been one that we had to protect. As I have already said, there was absolutely no benefit to the Environment Agency in keeping that information confidential. We were simply following a statutory requirement to protect a third party.

[108] **Richard Edwards:** Helen Mary, you have some questions for the Environment Agency?

[107] **Richard Edwards:** Iawn, deun yn ôl at y rheini.

Dr Phillips: Cymeraf eich ail bwynt ar wella cysylltiadau cyhoeddus yn gyntaf. Mae'n amlwg bod nifer o gamau trefniadol i'r Pwyllgor hwn a'r Cynulliad yn gyffredinol eu cymryd. Deallaf fod gennych gyfarfod arall i ystyried pa argymhellion y byddwch yn eu cyflwyno i Gyfarfod Llawn o'r Cynulliad, ac, fel y dywedais yn fy natganiad agoriadol, mae Asiantaeth yr Amgylchedd yn hapus i weithio ochr yn ochr ag eraill i weithredu'r argymhellion hynny. Byddwn yn gwneud yn siwr ei bod yn glir iawn i'r gymuned o gwmpas Nantygwyddon sut y byddwn yn mynd o'i chwmpas a beth yw'r materion, ac yn ceisio'u cynnwys yn llawn yn hynny. Yn fwy cyffredinol, tybiaf ei bod yn deg dweud—ac efallai gan bwyntio at sylw a wneuthum yn gynharach—lle mae gennym geisiadau am drwyddedau neu hawliau sydd yn ddadleuol, credaf ei bod yn bwysig ein bod yn rhoi ystyriaeth lawn i'r canllawiau a'r gweithdrefnau sydd gennym yn ein trefn ar gyfer delio â cheisiadau am drwydded, a fydd yn gymorth mawr inni.

A dychwelyd at bwynt cyntaf Mrs Sinclair ynghylch a yw cyfrinachedd masnachol yn llesteirio'n trafodaethau, tybiaf y byddai'n anodd iawn inni ddod yma heddiw a dweud na fuasai'n llawer haws pe na bai cwestiwn cyfrinachedd masnachol yn un yr oedd yn rhaid inni ei warchod. Fel y dywedais eisoes, nid oedd dim budd o gwbl i Asiantaeth yr Amgylchedd o gadw'r wybodaeth honno'n gyfrinachol. Dim ond dilyn gofyniad statudol yr oeddem i warchod trydydd parti.

[108] **Richard Edwards:** Helen Mary, mae gennych chi gwestiynau i Asiantaeth yr Amgylchedd?

[109] **Helen Mary Jones:** I have, and I echo the Chair's welcome to Dr Phillips. This is a little bit of a baptism of fire. My first question is to repeat one that the agency has been asked by three other members, but that I have not yet heard answered. In retrospect, within the resources that you had at the time and the regulatory framework within which you had to work—all of which we have found out more about today—is there anything that you could or should have done differently? In terms of learning for the future—whether that is about communicating the reasons for decisions to members of the public or taking action to enforce some of your standards—I think that you mentioned in your evidence that the agency did not take action to enforce some of the less significant licensing conditions. I thought that that was a bit curious because I wondered, if they were licensing conditions, why had they been made if they were less significant. Is there anything about what you did that, looking back, you would do differently another time? In terms of the Minister's point about needing to learn for the future, I think that before we learn for the future we have to accept that there have been errors in the past.

I will build on that and ask about specifics. Coming back to the issue of withholding or not withholding information—and I appreciate what you have said—did the model of this inquiry make any difference to what you could or could not disclose? There was some feeling that a full public inquiry would have been needed. The Assembly decided to go for this as a cheaper and a quicker option and residents broadly went along with that, but would you have been able to reveal information to a public inquiry that you were not able to reveal to us? Again, in terms of how we use these kinds of models in the future, that may be something useful for us to know.

[109] **Helen Mary Jones:** Oes, ac ategaf groeso'r Cadeirydd i Dr Phillips. Dyma dipyn o fedydd tân. Fy nghwestiwn cyntaf yw ailadrodd cwestiwn a ofynnwyd i'r asiantaeth gan dri aelod arall, ond nad wyf wedi clywed ateb iddo eto. O edrych yn ôl, o fewn yr adnoddau a oedd gennych ar y pryd a'r fframwaith rheoleiddiol yr oedd yn rhaid ichi weithio oddi mewn iddo—yr ydym wedi dysgu mwy amdanynt heddiw—a oes unrhyw beth y gallech neu y dylech fod wedi'i wneud yn wahanol? O ran dysgu i'r dyfodol—boed ynghylch cyfleu'r rhesymau dros benderfyniadau i aelodau'r cyhoedd neu weithredu i orfodi rhai o'ch safonau—credaf ichi grybwyll yn eich tystiolaeth na weithredodd yr asiantaeth i orfodi rhai o'r amodau trwyddedu llai arwyddocaol. Yr oeddwn yn meddwl fod hynny ychydig yn od oherwydd meddyliais, os oeddent yn amodau trwyddedu, pam y cawsant eu gwneud os oeddent yn llai arwyddocaol. A oes unrhyw beth o'r hyn a wnaethoch y byddech, o edrych yn ôl, yn ei wneud yn wahanol ryw bryd arall? O ran pwynt y Gweinidog ynghylch yr angen i ddysgu ar gyfer y dyfodol, credaf cyn inni ddysgu ar gyfer y dyfodol fod yn rhaid inni dderbyn y bu camgymeriadau yn y gorffennol.

Adeiladaf ar hynny a holi am bethau penodol. A dod yn ôl at fater cadw gwybodaeth yn ôl neu beidio—a deallaf yr hyn a ddywedaso— a wnaeth patrwm yr ymchwiliad hwn unrhyw wahaniaeth i'r hyn y gallech neu na allech ei ddatgelu? Yr oedd peth teimlad y byddai angen ymchwiliad cyhoeddus llawn. Penderfynodd y Cynulliad fynd am hyn fel dewis rhatach a chynt a chytunodd y trigolion â hynny ar y cyfan, ond a fuasech wedi gallu datgelu gwybodaeth i ymchwiliad cyhoeddus nad oeddech yn gallu'i datgelu i ni? Eto, o ran sut y defnyddiwn y patrymau hyn yn y dyfodol, gall hynny fod yn rhywbeth defnyddiol i ni ei wybod.

You take strong issue with what the investigator has to say about there being a lack of an enforcement culture in the Environment Agency at the time. One of the reasons that you give for that is that you had a published policy on enforcement. I used to be a professional in equal opportunities and I know very well that an organisation having a published policy on equality does not necessarily affect its performance on equality. Therefore, I would like to hear a little more about that. Specifically, in that paragraph, you say that you did not have grounds to close the site, but I would like an opinion on that. Did you not have grounds to close the site because it did not need to be closed or because you did not have the right statutory framework within which to do so? That builds a little bit on a specific in one of your answers.

I move on to another specific, Chair. You talk about gas monitoring and information being available. Information may very well be in the public domain, but what steps do you, will you or should you take to ensure that the public can access that information easily? I think it comes back to an earlier question: the fact that something may be in the public domain in a document does not mean to say necessarily that a member of the public in the community can easily get hold of that information. Again, are there things that you would do differently?

Also in paragraph 7.5, you talk about there not being a standardised monitoring protocol. You mention that you are working on one. When will that be developed? When it is developed, how will you communicate to people what they can expect from that monitoring proposal?

Yr ydych yn anghytuno'n gryf â'r hyn sydd gan yr ymchwilydd i'w ddweud ynghylch bod diffyg diwylliant gorfodi yn Asiantaeth yr Amgylchedd ar y pryd. Un o'r rhesymau a roddwch am hynny yw fod gennych bolisi cyhoeddedig ar orfodi. Yr oeddwn i'n weithiwr proffesiynol ym maes cyfle cyfartal a gwn yn iawn nad yw'r ffaith fod gan gorff bolisi cyhoeddedig ar gydraddoldeb o reidrwydd yn effeithio ar ei berfformiad o ran cydraddoldeb. Felly, hoffwn glywed ychydig mwy am hynny. Yn benodol, yn y paragraff hwnnw, dywedwch nad oedd gennych sail dros gau'r safle, ond hoffwn gael barn ar hynny. Ai'r rheswm pam nad oedd gennych sail dros gau'r safle oherwydd nad oedd angen ei gau ynteu oherwydd nad oedd gennych y fframwaith statudol iawn ar gyfer gwneud hynny? Mae hynny'n ymhelaethu ychydig ar bwynt penodol yn un o'ch atebion.

Symudaf ymlaen at bwynt penodol arall, Gadeirydd. Soniwch am fonitro nwy a bod gwybodaeth ar gael. Efallai'n wir fod gwybodaeth ar gael i'r cyhoedd, ond pa gamau yr ydych chi, y gwnewch chi neu y dylech chi eu cymryd i sicrhau y gall y cyhoedd gael at y wybodaeth honno'n hawdd? Yr wyf yn meddwl bod hyn yn mynd â ni'n ôl at gwestiwn cynharach: nid yw'r ffaith fod rhywbeth ar gael i'r cyhoedd mewn dogfen yn golygu o reidrwydd y gall aelod o'r cyhoedd yn y gymuned gael gafael yn hawdd ar y wybodaeth honno. Eto, a oes pethau y byddech yn eu gwneud yn wahanol?

Hefyd ym mharagraff 7.5, soniwch nad oedd protocol monitro safonedig. Soniwch eich bod yn gweithio ar un. Pa bryd y caiff hwnnw ei ddatblygu? Pan fydd wedi'i ddatblygu, sut y gwnewch chi roi gwybod i bobl beth y gallant ei ddisgwyl yn sgîl y cynnig hwnnw i fonitro?

In paragraph 7.10 you make what seems to me—again it is my lack of understanding of the law, I am sure—a rather odd comment when you say that the decision about the pre-treatment of leachate on the site would be primarily an economic decision. I understand what you then go on to say in the paragraph, that from the company's point of view it must balance the cost of treating the leachate on the site with the cost of pumping it into the sewers. However, does the agency have a view about whether it would be better environmentally? One can never say regardless of cost, but would it be better environmentally to treat all that leachate on the site before it was pumped into the sewerage system?

The last couple of questions, Chair, are about the current conditions on the site which, again, is important in terms of learning for the future. The local authority may want to say something about this. You say that you are exploring ways of reducing the impact of littering. I think that we all know that, in terms of the impact on residents' everyday lives, littering is a huge problem. It may not have the potential health impact of things such as gas and leachate but, in terms of quality of life, it is very serious. Will you tell us a bit more about how that is developing and when you expect to have the results of that exploration? That will be an issue, even if there is no further tipping for some period of time.

Ym mharagraff 7.10 gwnewch yr hyn sydd yn ymddangos i mi—eto, fy niffyg dealltwriaeth i o'r gyfraith sydd ar fai, yr wyf yn siwr—yn sylwbraidd yn od pan ddywedwch mai penderfyniad economaidd yn bennaf fyddai'r penderfyniad ynghylch rhagdriniaeth trwytholchion ar y safle. Deallaf yr hyn yr ewch ymlaen i'w ddweud wedyn yn y paragraff, sef mai safbwynt y cwmni yw fod yn rhaid iddo gymharu cost trin y trwytholchion ar y safle â'r gost o'u pwmpio i'r carthffosydd. Fodd bynnag, a oes gan yr asiantaeth farn ynghylch a fyddai'n well yn amgylcheddol? Ni ellir byth ddiystyru'r gost, ond a fyddai'n well yn amgylcheddol pe bai'r holl drwytholchion yn cael eu trin ar y safle cyn eu pwmpio i'r system garthffosiaeth?

Mae fy nghwestiynau olaf, Gadeirydd, yn ymwneud â'r amodau cyfredol ar y safle sydd, eto, yn bwysig o ran dysgu ar gyfer y dyfodol. Efallai y bydd yr awdurdod lleol eisiau dweud rhywbeth am hyn. Dywedwch eich bod yn ymchwilio i ffyrdd o leihau effaith sbwriel sydd yn chwythu o'r domen. Tybiaf ein bod ni i gyd yn gwybod bod y sbwriel, o ran yr effaith ar fywydau beunyddiol pobl, yn broblem enfawr. Efallai nad oes ganddo'r un potensial â phethau fel nwy a thrwytholchion i effeithio ar iechyd pobl ond, o ran ansawdd bywyd, mae'n ddifrifol iawn. A wnewch chi ddweud ychydig mwy wrthym am y ffordd y mae hynny'n datblygu a pha bryd y disgwyliwch gael canlyniadau'r ymchwil honno? Bydd hwnnw'n bwnc llog, hyd yn oed os na fydd mwy o waredu gwastraff am dipyn.

There is a sentence in that same section about landfill gas that does not make sense: it says that the current situation is ‘satisfactory’ and then it says that ‘there is no reason why it should not remain a problem’. I am sure that that is just a typo but I think that, before we feed that into the investigator, you would want to put that typo right.

[110] **Richard Edwards:** We have sent around a correction on that point.

[111] **Helen Mary Jones:** So it is ‘why it should remain a problem’? Thank you.

Dr Phillips: Thank you for that list of questions. I will start at the top and work my way down, calling on John for some help around the points on gas monitoring and standardised monitoring protocol when we get to the end, if that is okay.

You asked whether, in hindsight, because you felt that I had not answered the question adequately, we would do things differently. With the exception of the point that I have already made about the fact that we could certainly engage more effectively with the local community, I would robustly defend the agency’s regulation of the site at Nantygwyddon.

With regard to the model of the inquiry, and whether it is the most appropriate model in terms of being able to access all the available information, I know a man who can answer that question for you, but I think that we need a legal opinion on that. It is certainly not my understanding that a public inquiry would—it would certainly have powers in terms of subpoenaing witnesses, which would be useful—but my understanding is certainly not that it would require, for instance, the information that we needed to protect due to commercial confidentiality to be made available.

Mae brawddeg yn yr un adran am nwy tirlenwi nad yw’n gwneud synnwyr: mae’n dweud bod y sefyllfa bresennol yn ‘foddhaol’ ac yna dywedir ‘nad oes dim rheswm pam na ddylai barhau i fod yn broblem’. Yr wyf yn siwr mai dim ond gwall teipio yw hwn ond yr wyf yn meddwl, cyn ei fwydo i’r ymchwilydd, yr hoffech gywiro’r gwall hwnnw.

[110] **Richard Edwards:** Yr ydym wedi anfon cywiriad o gwmpas ar y pwynt hwnnw.

[111] **Helen Mary Jones:** Felly ‘pam y dylai barhau i fod yn broblem’ ydyw? Diolch.

Dr Phillips: Diolch i chi am y rhestr honno o gwestiynau. Dechreuaf ar ben y rhestr a gweithio fy ffordd i lawr, gan alw ar John am gymorth gyda’r pwyntiau ar fonitro nwy a phrotocol monitro safonedig pan ddeuwn at y diwedd, os yw hynny’n iawn.

Gofynasoch, gan eich bod yn teimlo nad oeddwn wedi ateb y cwestiwn yn ddigonol, a fyddem, o edrych yn ôl, yn gwneud pethau’n wahanol. Ac eithrio’r pwynt yr wyf eisoes wedi’i wneud ynghylch y ffaith y gallem yn sicr gyfathrebu’n fwy effeithiol gyda’r gymuned leol, byddwn yn amddiffyn yn gryf y modd y rheoleiddiodd yr asiantaeth y safle yn Nantygwyddon.

O ran patrwm yr ymchwiliad, ac ai dyma’r model mwyaf priodol o ran gallu mynd at yr holl wybodaeth sydd ar gael, gwn am ddyn a all ateb y cwestiwn hwnnw ichi, ond mae’n debyg fod arnom angen barn gyfreithiol ar hynny. Yn sicr, nid fy nealltwriaeth i yw y byddai ymchwiliad cyhoeddus llawn—yn sicr, byddai ganddo bwerau o ran mynnu presenoldeb tystion, a fyddai’n ddefnyddiol—ond yn ôl a ddeallaf fi yn sicr ni fyddai’n mynnu, er enghraifft, fod y wybodaeth yr oedd angen i ni ei gwarchod oherwydd cyfrinachedd masnachol yn cael ei chyflwyno. Nid dyna fy nealltwriaeth i.

That is not my understanding.

[112] **Helen Mary Jones:** Perhaps, Chair, that would be an issue for our lawyers, rather than for the Environment Agency to spend its time and resources finding it out.

Dr Phillips: Thank you. I gratefully accept that suggestion.

As regards a lack of enforcement culture, and the fact that a policy does not always equate with performance, I could not agree with you more, and I have seen some wonderful policies and some, frankly, awful policies. Having spent a number of years in the Environment Agency, some of them as an area manager, where you have responsibility for taking decisions about enforcement action, I must say that our enforcement and prosecution policy is enormously helpful. It sets out some really clear criteria with regard to when action is appropriate and what level of action is appropriate. The fact that that is a published policy has been enormously helpful too, because you find, as you begin to enter into discussion with an operator, where there has been a breach, that it knows what to expect and that there is a certain degree of clarity and understanding there. Just to expand on that point, Mr Purchon was definitely of the view that we had been tardy in taking enforcement action. In my opening statement I specifically mentioned, out of a whole host—and you have seen in our written evidence the whole host of enforcement action that we took—but I would point again to the fact that we took the action in the High Court and then, when we were not successful, took it to the Court of Appeal to require that the public interest in environmental issues be recognised and that we could prosecute Rhondda Waste Disposal Limited, thereby establishing a legal precedent and also getting a good outcome.

[112] **Helen Mary Jones:** Efallai, Gadeirydd, mai mater i'n cyfreithwyr ni fyddai hynny, yn hytrach nag i Asiantaeth yr Amgylchedd dreulio'i hamser a'i hadnoddau yn canfod yr ateb.

Dr Phillips: Diolch. Derbyniaf yr awgrym hwnnw'n llawen.

O ran diffyg diwylliant gorfodi, a'r ffaith nad yw polisi bob amser yn golygu perfformiad, ni allwn gytuno mwy â chi, ac yr wyf wedi gweld rhai polisïau gwych a rhai polisïau, â siarad yn blaen, gwarthus. Wedi treulio nifer o flynyddoedd yn Asiantaeth yr Amgylchedd, rhai ohonynt fel rheolwr rhanbarth, lle mae gennych gyfrifoldeb dros wneud penderfyniadau i weithredu gorfodaeth, rhaid imi ddweud fod ein polisi gorfodi ac erlyn yn arbennig o ddefnyddiol. Mae'n amlinellu meini prawf hynod o glir ynghylch pa bryd y mae gweithredu'n briodol a pha lefel o weithredu sydd yn briodol. Mae'r ffaith fod hwnnw'n bolisi sydd wedi'i gyhoeddi yn arbennig o ddefnyddiol hefyd, oherwydd fe welwch, wrth ichi ddechrau trafodaeth gyda gweithredwr, lle bu tor amodau, ei fod yn gwybod beth i'w ddisgwyl a bod rhyw radd o eglurder a dealltwriaeth yno. I ymhelaethu ar y pwynt hwnnw, yr oedd Mr Purchon yn bendant o'r farn ein bod wedi bod yn araf yn dechrau gweithredu gorfodaeth. Yn fy natganiad agoriadol soniais yn benodol, allan o lu—ac yr ydych wedi gweld yn ein tystiolaeth ysgrifenedig y lluo o achosion gorfodi a gychwynasom—ond nodaf eto y ffaith inni fynd â'r achosion i'r Uchel Lys ac wedyn, pan nad oeddem yn llwyddiannus, aethom â hwy i'r Llys Apêl er mwyn sicrhau cydnabyddiaeth i'r diddordeb cyhoeddus mewn materion amgylcheddol a sicrhau y gallem erlyn Rhondda Waste Disposal Cyfyngedig, gan sefydlu cynsail gyfreithiol felly a chael canlyniad da hefyd.

Moving on to having no grounds to close the site, and was it because we did not have the powers we needed or because it was not a sensible thing to do, the answer is that it was because it was not a sensible thing to do. What we endeavour to do is to work with the operator to say ‘these are the environmental outcomes that we need to secure on this site’. Some people come willingly; some people have to be driven quite hard. On this site, we have had to drive this quite hard. Where we can get the operator to make the appropriate investment and we can see that the improvements are coming about, that is our way forward. Where that clearly is not happening, we certainly have the legislative power to require the site to be closed. To perhaps expand on that answer a little bit more, clearly, Rhondda Cynon Taff has already taken a decision about some waste streams going to the site now. However, I think that there is quite a big issue for the Assembly and for the local authority with regard to that particular recommendation. There were some figures given earlier about what the financial implications of that may be. We have had a look at that and I do not know if our figures would exactly match up. It is a very large burden that will fall on the public purse. Our estimate would be somewhere in the region of £6 million.

To move on to the decision about pre-treatment of leachate on the site, and the comments that you made about that particular bit of our submission, what was meant by that particular bit of the submission—and, indeed, it is mentioned in Mr Purchon’s recommendation 16.4, which recommends that leachate be treated before discharge—is that the current operator is already considering this. One of the primary reasons for the operator considering it is because it will reduce the cost to it of discharging into the sewerage system. I would certainly agree that treating the leachate on the site would provide a secondary layer of protection and, in that respect,

Â symud ymlaen at fod heb sail dros gau’r safle, ac a oedd hynny am nad oedd gennym y pwerau angenrheidiol ynteu am nad oedd yn beth doeth i’w wneud, yr ateb yw am nad oedd yn beth doeth i’w wneud. Yr hyn y ceisiwn ei wneud yw gweithio gyda’r gweithredwr i ddweud ‘dyma’r canlyniadau amgylcheddol y mae angen eu sicrhau ar y safle hwn’. Fe ddaw rhai pobl yn fodlon, a rhaid gyrru eraill yn eithaf caled. Ar y safle hwn, bu’n rhaid inni yrru hyn yn eithaf caled. Lle gallwn gael y gweithredwr i wneud y buddsoddiad priodol a gallwn weld fod y gwelliannau yn digwydd, dyna’n ffordd ymlaen. Lle mae’n amlwg nad yw hynny’n digwydd, yn sicr mae gennym y grym deddfwriaethol i fynnu cau’r safle. I ymhelaethu ychydig mwy ar yr ateb hwnnw efallai, yn amlwg, mae Rhondda Cynon Taf eisoes wedi gwneud penderfyniad am rai ffrydiau gwastraff sydd yn mynd i’r safle yn awr. Fodd bynnag, credaf fod yma bwnc go fawr i’r Cynulliad ac i’r awdurdod lleol o ran yr argymhelliad arbennig hwnnw. Rhoddwyd rhai ffigurau’n gynharach ynghylch beth allai goblygiadau ariannol hynny fod. Yr ydym wedi edrych ar hynny ac ni wn a fyddai’n ffigurau ni yn cyfateb yn union. Mae’n faich mawr a fydd yn syrthio ar y pwrs cyhoeddus. Ein hamcangyfrif ni fyddai rhywle oddeutu £6 miliwn.

A symud ymlaen at y penderfyniad ynghylch rhagdriniaeth i drwytholchion ar y safle, a’r sylwadau a wnaethoch am y rhan arbennig honno o’n cyflwyniad, yr hyn a olygwyd gan y rhan arbennig honno o’r cyflwyniad—ac, yn wir, fe’i crybwyllir yn argymhelliad 16.4 Mr Purchon, sydd yn argymhell y dylid trin trwytholchion cyn eu gollwng—yw fod y gweithredwr cyfredol eisoes yn ystyried hyn. Un o brif resymau’r gweithredwr dros ei ystyried yw y bydd yn lleihau’r gost iddo o arllwys i’r system garthffosiaeth. Byddwn yn sicr yn cytuno y byddai trin y trwytholchion ar y safle’n darparu ail haen o warchodaeth ac, yn hynny o beth, y

would be an environmental benefit.

On your points on gas monitoring and the monitoring protocol, perhaps I could call on John to respond.

Mr Harrison: On the first point about what gas monitoring information is available, when we took enforcement action in May 1998 to require Rhondda Waste Disposal Limited to carry out extensive works on site, we also required it then to carry out monitoring, really to be able to prove that the works that it was going to carry out were effective. This was a relatively novel approach, which had not been used very frequently throughout the UK. We felt that Nantygwyddon deserved that additional attention. The monitoring information that came forward as a result of Amgen Rhondda Limited's transfer of licence was such that we now have a situation whereby monitoring reports are produced quarterly by Amgen Rhondda on its monitoring on site, on the boundary of the site and in the community in three locations. That is together with the results of monitoring information that the agency has made available as a result of our complaint response service as well as, more recently, monitoring that we have undertaken in the community to get an idea of background levels as well as information in individual residents' homes.

Obviously, when we are talking about results in individuals' homes, we have to respect the individuals' precise addresses, but we try to collate all that information and provide it for feedback. We understand that that provides a lot of information, when we take into account the other environmental monitoring that we do and the company does on the water front. It is a lot of information and we do feel that that is an area, as was mentioned earlier, where we must become smarter at producing that in a form that is readily accessible to the public. I think that that is where

byddai'n fuddiol i'r amgylchedd.

Ar eich pwyntiau ar fonitro nwy a'r protocol monitro, efallai y cawn alw ar John i ymateb.

Mr Harrison: Ar y pwynt cyntaf ynghylch pa wybodaeth monitro nwy sydd ar gael, pan fu inni weithredu gorfodaeth ym Mai 1998 i fynnu bod Rhondda Waste Disposal Cyfyngedig yn gwneud gwaith helaeth ar y safle, gwnaethom fynnu hefyd ei fod yn monitro wedyn, yn y bôn er mwyn gallu profi fod y gwaith y byddai'n ei wneud yn effeithiol. Ffordd gymharol newydd o fynd o gwmpas pethau oedd hyn, nad oedd wedi'i defnyddio'n aml iawn drwy Brydain. Teimlem fod Nantygwyddon yn haeddu'r sylw ychwanegol hwnnw. Yr oedd y wybodaeth a gafwyd o'r monitro yn sgîl trosglwyddo trwydded Amgen Rhondda Cyfyngedig yn gyfryw fel bod gennym sefyllfa bellach lle caiff adroddiadau monitro eu cynhyrchu bob chwarter gan Amgen Rhondda ar ei waith monitro ar y safle, ar ffin y safle ac yn y gymuned mewn tri lleoliad. Mae hynny ar ben canlyniadau gwybodaeth fonitro y mae'r asiantaeth wedi'i darparu o ganlyniad i'n gwasanaeth ymateb i gwynion yn ogystal ag, yn fwy diweddar, gwaith monitro yr ydym ni wedi'i wneud yn y gymuned i gael syniad o'r lefelau cefndir yn ogystal â gwybodaeth yng nghartrefi trigolion unigol.

Yn amlwg, wrth sôn am ganlyniadau yng nghartrefi unigolion, rhaid inni barchu union gyfeiriadau'r unigolion, ond ceisiwn gasglu'r holl wybodaeth yma ynghyd a'i darparu ar gyfer adborth. Deallwn fod hynny'n darparu llawer o wybodaeth, pan ystyriwn y gwaith monitro amgylcheddol arall a wnawn ac a wna'r cwmni o safbwynt dwr. Dyna lawer o wybodaeth, ac yr ydym yn teimlo fod hwn yn faes, fel y crybwyllwyd yn gynharach, lle mae'n rhaid inni ddod yn fwy craff o ran cynhyrchu hynny mewn ffurf sydd ar gael yn rhwydd i'r cyhoedd. Dyna

David Purchon's report is suggesting ways forward about some information being made available in real time, making greater use of the web. However, one of the things that we want to do is to try to speak to the local community, particularly RANT, to try to see from their perspective what information they want to see before we start going down that route. We are doing that in close collaboration with Rhondda Cynon Taff environmental services directorate, which has the wider responsibilities for air quality management, as well as Bro Taf Health Authority. So there are a lot of opportunities to get further improvements. However, we are on the leading edge of this, in terms of not only a Wales basis, but throughout the UK.

[113] **Helen Mary Jones:** And the question about littering, Chair?

Mr Harrison: Sorry, yes. Can I just finish landfill gas, before we move on? On the standardised monitoring protocol, the complexities around landfill gas control, flaring and, more recently, the use of engines to generate electricity, has meant that there has been an expedient rise in understanding the technical problems faced in monitoring those types of operations. That is why the agency, in working with industry, has set up a number of contracts to actually make sure that we have robust monitoring methods that will provide readily reliable information. That is ongoing at the moment. I cannot say when that will be complete, but we can provide that information very soon after the meeting.

Ile, dybiwn i, y mae adroddiad David Purchon yn awgrymu ffyrdd ymlaen o ran sicrhau fod rhywfaint o wybodaeth ar gael mewn amser real, gan wneud mwy o ddefnydd o'r we. Fodd bynnag, un o'r pethau y mae arnom eisiau ei wneud yw ceisio siarad â'r gymuned leol, yn enwedig RANT, i geisio gweld o'u safbwynt hwy pa wybodaeth yr hoffent ei gweld cyn inni ddechrau mynd i lawr y ffordd honno. Yr ydym yn gwneud hynny mewn cydweithrediad agos â chyfarwyddiaeth gwasanaethau amgylcheddol Rhondda Cynon Taf, sydd â'r cyfrifoldebau ehangach dros reoli ansawdd aer, yn ogystal ag Awdurdod Iechyd Bro Taf. Felly mae llawer o gyfleoedd i gael gwelliannau pellach. Fodd bynnag, yr ydym ar flaen y gad yn hyn o beth, nid yn unig yng Nghymru, ond drwy'r DU gyfan.

[113] **Helen Mary Jones:** A'r cwestiwn ynghylch sbwriel yn gwasgaru, Gadeirydd?

Mr Harrison: Mae'n ddrwg gennyf, ie. A gaf fi orffen ar nwy tirlenwi, cyn inni symud ymlaen? Ar y protocol monitro safonedig, mae'r cymhlethdodau ynghylch rheoli nwy tirlenwi, llosgi ac, yn fwy diweddar, defnyddio peiriannau i gynhyrchu trydan, wedi golygu y bu cynnydd hwylus yn ein dealltwriaeth o'r problemau technegol a wynebir wrth fonitro'r mathau hynny o waith. Dyna pam y mae'r asiantaeth, gan gydweithio â diwydiant, wedi sefydlu nifer o gontractau i wneud yn siwr fod gennym ddulliau monitro cadarn a fydd yn darparu gwybodaeth barod y gellir dibynnu arni. Mae hynny ar y gweill ar hyn o bryd. Ni allaf ddweud pa bryd y bydd wedi'i gwblhau, ond gallwn ddarparu'r wybodaeth honno'n fuan iawn wedi'r cyfarfod.

Litter always has been a problem at many landfill sites. We know that the company has endeavoured to respond, wherever it can, to minimise the impacts of litter and, when litter has gone beyond the boundary of the site, it has responded by deploying teams to pick up the litter in the immediate vicinity. We are also exploring other methods that can be used, such as improving covered tipping areas, but these obviously do have a cost and industry is not using these throughout the UK on a regular basis. Therefore, we could be open to challenge, but those are areas that we want to take forward, because they do have other benefits, as well as reducing the other occasional problem of excessive birds and gulls, of which we are aware. It is a wider issue and we want to pursue it.

[114] **Richard Edwards:** There are many more questions to be put. I am anxious that members have every opportunity to seek clarification of the issues for which they need clarification. I propose that we adjourn for a 10-minute comfort break before taking more questions. I apologise to the witnesses. I know that the session has overrun, not surprisingly perhaps. I hope that you are able to return after the break for more questions.

Cynhaliwyd egwyl rhwng 4.05 p.m. a 4.25 p.m.

A break was held between 4.05 p.m. and 4.25 p.m.

Mae sbwriel wedi bod yn broblem mewn llawer o safleoedd tirlenwi. Gwyddom fod y cwmni wedi ymdrechu i ymateb, lle bynnag y gall, i leihau effeithiau sbwriel a, phan fo sbwriel wedi mynd y tu hwnt i ffin y safle, mae wedi ymateb drwy anfon timau i godi'r sbwriel yn y cylch cyfagos. Yr ydym yn ymchwilio hefyd i ddulliau eraill y gellir eu defnyddio, fel gwella manau tipio dan orchudd, ond yn amlwg mae cost i'r rhain ac nid yw diwydiant yn defnyddio'r rhain ledled y DU yn rheolaidd. Felly, gallem fod yn agored i'n herio, ond dyna feysydd yr ydym eisiau symud ymlaen arnynt, oherwydd mae iddynt fanteision eraill, yn ogystal â lleihau'r broblem achlysurol arall sef gormodedd adar a gwyllod, yr ydym yn ymwybodol ohoni. Mae'n fater ehangach ac mae arnom eisiau mynd i'r afael ag ef.

[114] **Richard Edwards:** Mae llawer mwy o gwestiynau i'w gofyn. Yr wyf yn awyddus i aelodau gael pob cyfle i geisio eglurhad ar faterion lle mae arnynt angen eglurhad. Cynigïaf ein bod yn cymryd egwyl o ddeng munud cyn cymryd mwy o gwestiynau. Ymddiheuraf i'r tystion. Gwn fod y sesiwn wedi rhedeg yn hwyr, nid yn annisgwyl efallai. Gobeithio y gallwch ddod yn ôl ar ôl yr egwyl i ateb mwy o gwestiynau.

[115] **Richard Edwards:** We will now resume the questioning. The final item on the agenda today was to be some provisional discussion on our conclusions and recommendations. However, I think that it is far more important, frankly, that everybody gets the opportunity to ask the questions that they want to ask, to help them in terms of clarifying the issues and coming to their own conclusions. Therefore, I will continue with the questioning, then the next meeting will be devoted entirely to our final report and recommendations, and the investigator will be present for that meeting in two weeks' time.

[116] **Helen Mary Jones:** I think that that is entirely sensible. I wonder if it would be possible—I am sure that the clerks are doing this—to keep a note of some of the questions that we have raised that we may want to ask Mr Purchon in response to what people have said?

[117] **Richard Edwards:** We will do that and there will also be a transcript of the proceedings.

[118] **Helen Mary Jones:** That would be very helpful. I have been trying to write down people's responses and I am very aware that I have some of them but not all.

[119] **Richard Edwards:** The next person that I have on my list to ask a question is Sue. I believe that you have a question for the Environment Agency, Sue.

[120] **Sue Essex:** Yes, unless Tom wants to go first, as he has not had a chance to ask a question yet. I have just one small question.

[121] **Richard Edwards:** If it is one small question, you may ask it now.

[115] **Richard Edwards:** Ailddechreuwn yr holi yn awr. Yr eitem olaf a fwriedid ar ein hagenda heddiw oedd trafodaeth ragarweiniol ar ein casgliadau a'n hargymhellion. Fodd bynnag, yr wyf yn meddwl ei bod yn llawer pwysicach, a dweud y gwir, fod pawb yn cael cyfle i ofyn y cwestiynau y maent eisiau eu gofyn, i'w helpu o ran eglurhau'r materion a ffurfio'u casgliadau eu hunain. Felly, af ymlaen â'r holi, wedyn rhoddir y cyfarfod nesaf yn gyfan gwbl i'n hadroddiad terfynol a'n hargymhellion, a bydd yr ymchwilydd yn bresennol yn y cyfarfod hwnnw ymhen pythefnos.

[116] **Helen Mary Jones:** Credaf fod hynny'n gwbl gall. Tybed a fyddai modd—yr wyf yn siwr fod y clercod yn gwneud hyn—cadw nodyn o rai o'r cwestiynau a godwyd gennym yr hoffem efallai eu gofyn i Mr Purchon mewn ymateb i'r hyn y mae pobl wedi'i ddweud?

[117] **Richard Edwards:** Gwnawn hynny a bydd trawsgrifiad o'r drafodaeth ar gael hefyd.

[118] **Helen Mary Jones:** Byddai hynny'n ddefnyddiol iawn. Yr wyf wedi bod yn ceisio nodi ymatebion pobl ac yr wyf yn ymwybodol iawn fy mod wedi cael rhai ohonynt ond nid pob un.

[119] **Richard Edwards:** Y person nesaf sydd gennyf ar fy rhestr i ofyn cwestiwn yw Sue. Credaf fod gennych gwestiwn i Asiantaeth yr Amgylchedd, Sue.

[120] **Sue Essex:** Oes, oni bai fod Tom eisiau mynd yn gyntaf, gan nad yw ef wedi cael cyfle i ofyn cwestiwn eto. Dim ond un cwestiwn bach sydd gennyf.

[121] **Richard Edwards:** Os mai un cwestiwn bach ydyw, cewch ei ofyn yn awr.

[122] **Sue Essex:** It is one comment and one small question to the Environment Agency, because I think that this is so important in terms of the final report. When I first met the members of RANT and the residents, they were saying the kind of things that I had heard from many action groups that I have been involved with over the years. They wanted two things: the right to information and the right to be listened to and taken seriously. That has run through so many campaigns and so many groups that I have talked to. Local authorities have had to change their ways, quite rightly, and we need to get codes in to support that. I am just wondering, and you do not have to respond, but could we ask the Environment Agency to think more about openness and transparency and a code that might help you and the residents to know where they are and what their rights are. I think that that would really help them. If you want to pilot anything, we are only too willing to pilot things in Wales and try things out.

The second point is my main question. There is always, I think, in dealing with these sites, the feeling that you are hampered, because you say things like, 'we have to work with the operator'. I think that residents and politicians find that hard to understand. If the operator has a licence, if it has conditions on the licence, and it does not adhere to that, what hampers you from coming in really hard on enforcement? Is it the law, is it the regulations, or is it a lack of money? What enables those constraints? Really, that is the basis of the confidence issue. People trust the Environment Agency—you are their only organ to actually come in on this. If operators are not adhering to those strict conditions, and with all the consequences that we know might be out there, what really stops you from coming in hard on those enforcements? Why do you have to say

[122] **Sue Essex:** Un sylw ydyw ac un cwestiwn bach i Asiantaeth yr Amgylchedd, oherwydd yr wyf yn meddwl fod hyn mor bwysig o ran yr adroddiad terfynol. Pan gyfarfûm gyntaf ag aelodau RANT a'r trigolion, yr oeddent yn dweud y math o bethau a glywswn gan lawer o grwpiau gweithredu y bûm yn ymwneud â hwy dros y blynyddoedd. Yr oedd arnynt eisiau dau beth: yr hawl i wybodaeth a'r hawl i gael gwrandawriad a chael eu cymryd o ddifrif. Mae hynny wedi rhedeg trwy gymaint o ymgyrchoedd a chymaint o grwpiau yr wyf fi wedi siarad â hwy. Mae awdurdodau lleol wedi gorfod newid eu ffyrdd, a da hynny, ac mae angen sefydlu codau i gefnogi hynny. Meddwl yr wyf, ac nid oes raid ichi ymateb, ond tybed a allwn ofyn i Asiantaeth yr Amgylchedd feddwl mwy am fod yn agored a thryloyw ac am ryw gôd a allai'ch helpu chi a'r trigolion i wybod ym mhle y maent a beth yw eu hawliau. Yr wyf yn meddwl y byddai hynny'n gymorth go-iawn iddynt. Os oes arnoch eisiau peilota unrhyw beth, yr ydym yn ddigon parod i beilota pethau yng Nghymru a rhoi cynnig ar bethau.

Yr ail bwynt yw fy mhrif gwestiwn. Bob amser, wrth ddelio â'r safleoedd hyn, i'm tyb i, ceir y teimlad eich bod wedi'ch llesteirio, oherwydd dywedwch bethau fel, 'mae'n rhaid inni weithio gyda'r gweithredwr'. Yr wyf yn meddwl fod trigolion a gwleidyddion yn cael hynny'n anodd ei ddeall. Os oes gan y gweithredwr drwydded, os oes amodau ar y drwydded, ac os nad yw'n glynu at y rheini, beth sydd yn eich llesteirio rhag dod i mewn yn galed iawn gyda gorfodaeth? Ai'r gyfraith, ai'r rheoliadau, ynteu ai diffyg arian? Beth sydd yn galluogi'r cyfyngiadau hynny? Yn wir, dyna sail y cwestiwn o hyder. Mae pobl yn ymddiried yn Asiantaeth yr Amgylchedd—chi yw'r unig gorff sydd ganddynt i ddod i mewn ar hyn. Os nad yw gweithredwyr yn glynu at yr amodau caeth hynny, a gyda'r holl ganlyniadau y gwyddom y gallant fod allan yno, beth mewn

things like, ‘we have to work with the operator’? That is where, I think, you get into lots of problems.

Dr Phillips: To take both those points, I am absolutely happy to go away today and to think further about how we ensure real robustness in the openness and transparency of the agency. I would like to point out, however, that the agency was the first Assembly sponsored public body to open its board meetings, for example, to the public; to place the minutes and agendas of board meetings in public to ensure that those meetings are open to all members of the public; and to ensure that our chairman and chief executive are available to talk to any members of the public on any issue afterwards. I think that it is also fair to say that we have a published customer charter that sets out quite clearly what the public can expect of the agency. However, having said that, there is always room for improvement and we are more than happy to go away and think about that further.

Taking your point about how difficult it can be to be on the receiving end of words such as, ‘we have to work with the operator’, there is a hierarchy that we are required to follow in terms of our approach. It is not the case that we can just say, ‘there has been a transgression’. It depends on the significance and size and magnitude of the transgression—clearly if it is huge we can go straight to enforcement action—but when we are looking at a site such as Nantygwyddon, where there is a whole myriad of issues, the requirement is upon us that we seek to work with the operator to that effect, to remediate the situation, to ameliorate the conditions and to move forward and to get investment by that

gwirionedd sydd i’ch rhwystro rhag dod i mewn yn galed ar y materion gorfodi hynny? Pam mae’n rhaid i chi ddweud pethau fel, ‘mae’n rhaid inni weithio gyda’r gweithredwr’? Dyna lle, i’r tyb i, yr ewch i mewn i lwyth o drafferthion.

Dr Phillips: I gymryd y ddau bwynt hynny, yr wyf yn berffaith hapus i fynd oddi yma heddiw a meddwl ymhellach ynghylch sut mae sicrhau gwir gadernid yn niffuantrwydd a thryloywder yr asiantaeth. Hoffwn nodi, fodd bynnag, mai’r asiantaeth oedd y corff cyhoeddus cyntaf dan nawdd y Cynulliad i agor ei gyfarfodydd bwrdd, er enghraifft, i’r cyhoedd; i osod cofnodion ac agendâu cyfarfodydd y bwrdd mewn man cyhoeddus er mwyn sicrhau fod y cyfarfodydd hynny’n agored i bawb; ac i sicrhau fod ein cadeirydd a’n prif weithredwr ar gael i siarad ag unrhyw aelodau o’r cyhoedd ar unrhyw fater wedyn. Credaf ei bod yn deg dweud hefyd fod gennym siarter cwsmeriaid sydd wedi’i gyhoeddi ac sydd yn amlinellu’n gwbl glir beth y gall y cyhoedd ei ddisgwyl gan yr asiantaeth. Fodd bynnag, wedi dweud hynny, mae lle i wella o hyd ac yr ydym yn fwy na hapus i fynd oddi yma a meddwl ymhellach am hynny.

A chymryd eich pwynt ynghylch mor anodd y gall fod i dderbyn geiriau fel, ‘mae’n rhaid inni weithio gyda’r gweithredwr’, y mae hierarchaeth y mae’n ofynnol inni ei dilyn o ran y ffordd yr awn ati. Nid yw’n wir y gallwn ddweud, ‘torrwyd rheol’. Mae’n dibynnu ar arwyddocâd a maint y torri rheol—yn amlwg os yw’n anferth gallwn fynd yn syth i weithredu gorfodaeth—ond wrth edrych ar safle fel Nantygwyddon, lle mae myrdd o faterion, y gofyniad arnom ni yw ein bod yn ceisio gweithio gyda’r gweithredwr yn hynny o beth, i adfer y sefyllfa, i liniaru’r amodau a symud ymlaen a sicrhau fod y cwmni’n buddsoddi i ymgymryd â’r gweithredoedd hynny. Dyna’r gofyniad sydd

company in undertaking those actions. That is the requirement upon us. If you were to give further consideration to directions that you wish to give us in this respect, clearly you will be at liberty to do so.

I think it might also be worth pointing out, in reply to that question, that we must remember that, in this case, the operator was a wholly-owned subsidiary of a public body, Rhondda Cynon Taff County Borough Council. I suppose it also reflects a bit back to the earlier questions that I have taken about commercial confidentiality. I think that it is important perhaps that we take the local authority into some of these considerations because, clearly, it feels a bit as if—and particularly having reviewed the files—the Environment Agency has played piggy in the middle over the issues surrounding Nantygwyddon. I think perhaps we need to think about, particularly where there are public bodies operating these sites, how the whole picture can be more transparent.

[123] **Rhodri Glyn Thomas:** May I come in on this?

[124] **Richard Edwards:** Is it specifically on this point? Yes? Very quickly, then.

[125] **Rhodri Glyn Thomas:** In terms of your role as a regulator—and you described yourself just now as the piggy in the middle—is it a matter of the interpretation of the requirement upon you to work with the operator? Will it be sufficient, taking up Sue's point, for the National Assembly for Wales to say to the Environment Agency that, in terms of your role as a regulator, we would want you to look to regulation and safeguarding the public to a greater extent than actually working with the operator—that regulating the operator should be the prime requirement, rather than working with the

arnom ni. Os ydych chi am roi ystyriaeth bellach i gyfarwyddiadau y dymunwch eu rhoi inni yn hyn o beth, yn amlwg byddwch yn rhydd i wneud hynny.

Yr wyf yn meddwl efallai ei bod yn werth nodi hefyd, mewn ateb i'r cwestiwn hwnnw, fod yn rhaid inni gofio fod y gweithredwr yn yr achos hwn yn is-gwmni a oedd yn gyfan gwbl ym mherchenogaeth corff cyhoeddus, sef Cyngor Bwrdeistref Sirol Rhondda Cynon Taf. Mae'n debyg fod hyn yn cysylltu â'r cwestiynau blaenorol a gefais am gyfrinachedd masnachol. Yr wyf yn meddwl ei bod yn bwysig efallai ein bod yn cynnwys yr awdurdod lleol yn rhai o'r ystyriaethau hyn oherwydd, yn amlwg, mae'n teimlo ychydig fel pe bai—ac yn enwedig wedi adolygu'r ffeiliau—Asiantaeth yr Amgylchedd wedi cael ei dal yn y canol gyda phroblemau Nantygwyddon. Yr wyf yn meddwl efallai fod angen inni feddwl, yn enwedig lle ceir cyrff cyhoeddus yn gweithredu'r safleoedd hyn, sut y gall y darlun cyfan fod yn fwy tryloyw.

[123] **Rhodri Glyn Thomas:** A gaf fi ddod i mewn ar hyn?

[124] **Richard Edwards:** A yw'n benodol ar y pwynt hwn? Ydyw? Yn gyflym iawn, felly.

[125] **Rhodri Glyn Thomas:** O ran eich rôl chi fel rheoleiddiwr—ac fe ddisgrifioch eich hun yn awr fel un wedi'ch dal yn y canol—ai mater ydyw o ddehongliad y gofyniad arnoch i weithio gyda'r gweithredwr? A fydd yn ddigonol, â chodi pwynt Sue, i Gynulliad Cenedlaethol Cymru ddweud wrth Asiantaeth yr Amgylchedd y byddem yn dymuno i chi, yn eich rôl fel rheoleiddiwr, edrych i reoleiddio a diogelu'r cyhoedd i raddau mwy na'ch bod yn gweithio gyda'r gweithredwr—mai rheoleiddio'r gweithredwr ddylai fod y prif ofyniad, yn hytrach na gweithio gyda'r gweithredwr? Dywed

operator? Common sense says that you must work with the operator, but is it a matter of emphasis in terms of that requirement, and would it be a matter of interpretation and a matter of encouragement from the Assembly? Would that be sufficient or do the criteria need to be changed totally?

Dr Phillips: If I can come back on that, perhaps John may want to comment some more on specific aspects of the legislation. There are a number of options open to you. Certainly, with the Assembly currently being engaged in revising the statutory guidance to the agencies under section 4 of the Act, there will be an opportunity for you to give a clear steer with regard to, you know, what you expect as robust regulatory enforcement. So that opportunity is there. That guidance, however, would not override the legislative requirements that are upon us, and there are myriad pieces of legislation and regulations to which we work. Some, for example, say things as strong as ‘the Environment Agency must work with the operator to find solutions that will allow them to be authorised in such a way that it will not impose excessive cost upon the industry’. That would be one example. So there are clearly elements of statutory legislation that would need to be changed, but there is certainly—and perhaps John will comment more—an opportunity for some general guidance, should you feel it appropriate.

synnwyr cyffredin fod yn rhaid ichi weithio gyda’r gweithredwr, ond a ydyw’n fater o bwyslais yn nhermau’r gofyniad hwnnw, ac a fyddai’n fater o ddehongliad ac yn fater o anogaeth gan y Cynulliad? A fyddai hynny’n ddigonol ynteu a oes angen newid y meini prawf yn gyfan gwbl?

Dr Phillips: Os caf ddod yn ôl ar hynny, efallai yr hoffai John roi sylwadau eto ar agweddau penodol ar y ddeddfwriaeth. Mae nifer o opsiynau’n agored ichi. Yn sicr, a bod y Cynulliad wrthi ar hyn o bryd yn adolygu’r canllawiau statudol i’r asiantaethau dan adran 4 y Ddeddf, bydd cyfle ichi roi cyfeiriad clir o ran, wyddoch chi, yr hyn a ddisgwyliwch fel gorfodaeth reoleiddiol gadarn. Felly mae’r cyfle hwnnw yno. Ni fyddai’r canllawiau hynny, fodd bynnag, yn drech na’r gofynion deddfwriaethol sydd arnom, ac mae myrdd o ddarnau o ddeddfwriaeth a rheoliadau yr ydym yn gweithio danynt. Dywed rhai, er enghraifft, bethau mor gryf â ‘rhaid i Asiantaeth yr Amgylchedd weithio gyda’r gweithredwr i ganfod atebion fydd yn caniatáu eu hawdurdodi yn y fath fodd fel na fydd yn golygu cost ormodol i’r diwydiant’. Dyna un enghraifft. Felly yn amlwg mae elfennau o ddeddfwriaeth statudol y byddai angen eu newid, ond yn sicr—ac efallai y dywed John fwy ar hyn—mae cyfle i roi arweiniad cyffredinol, pe teimlech fod hynny’n briodol.

Mr Harrison: I was not actually going to comment on the detailed statutory framework; I do not think that time would permit that. What I was going to say is that, from a operational/regulatory perspective, where you have a company that takes its environmental responsibilities seriously, working with that company is usually the quickest way of solving the problems that it may have created, sometimes inadvertently.

[126] **Rhodri Glyn Thomas:** What about where you have a company that does not?

Mr Harrison: This is where we have the benefit, increasingly, of the agency's published enforcement policy, which sets out clearly to industry in advance, where we will take that step from trying to work with companies in situations to enforcement action. However, it is a fine line; it is a matter of judgment, and we are always trying to learn from situations that we have developed ourselves, as well as learning through other parts of the agency. So it is an evolving situation, but I think it is one that, quite rightly, the Committee may wish to consider further.

[127] **Richard Edwards:** Tom, you have not had a go yet.

[128] **Tom Middlehurst:** Thank you very much, Chair. I have a question for each of the organisations present today and they are very definitely connected, because it is about dealing with the collapse of public confidence and how we, collectively, go about restoring confidence after what has been a very traumatic experience for many people who live in the shadow of Nantygwyddon. I want to ask the agency, in particular, for starters, how it intends to—well, it challenges some of the findings of David

Mr Harrison: Nid oeddwn mewn gwirionedd yn mynd i roi sylw ar y fframwaith statudol manwl; nid wyf yn meddwl y byddai amser yn caniatáu hynny. Yr hyn yr oeddwn yn mynd i'w ddweud oedd, o safbwynt gweithredol/rheoleiddiol, lle mae gennych gwmni sydd o ddifrif ynglyn â'i gyfrifoldebau amgylcheddol, gweithio gyda'r cwmni hwnnw fel arfer yw'r ffordd gyflymaf i ddatrys y problemau y gall fod wedi'u creu, weithiau'n ddamweiniol.

[126] **Rhodri Glyn Thomas:** Beth am achos lle mae gennych gwmni nad yw o ddifrif?

Mr Harrison: Dyma lle y gallwn fanteisio fwyfwy ar bolisi gorfodi cyhoeddiedig yr asiantaeth, sydd yn amlinellu'n glir i ddiwydiant ymlaen llaw, lle y byddwn yn cymryd y cam hwnnw oddi wrth geisio gweithio gyda chwmnïau mewn sefyllfaoedd tuag at weithredu gorfodaeth. Fodd bynnag, mae'n llinell denau; mater o farn ydyw, ac yr ydym o hyd yn ceisio dysgu oddi wrth sefyllfaoedd yr ydym wedi'u datblygu ein hunain, yn ogystal â dysgu drwy rannau eraill o'r asiantaeth. Felly mae'n sefyllfa sydd yn esblygu, ond credaf ei bod yn un y bydd y Pwyllgor efallai, yn gwbl gywir, yn dymuno'i hystyried ymhellach.

[127] **Richard Edwards:** Tom, nid ydych chi wedi cael tro eto.

[128] **Tom Middlehurst:** Diolch yn fawr, Gadeirydd. Mae gennyf gwestiwn i bob un o'r cyrff sydd yn bresennol heddiw ac y mae cysylltiad pendant rhyngddynt, oherwydd y mae'n ymwneud â delio â chwymp hyder y cyhoedd a sut yr awn ni, gyda'n gilydd, ati i adfer hyder ar ôl rhywbeth a fu'n brofiad trawmatig iawn i lawer o bobl sydd yn byw yng nghysgod Nantygwyddon. Hoffwn ofyn i'r asiantaeth, yn arbennig, yn gyntaf, sut y mae'n bwriadu—wel, mae'n herio rhai o ganfyddiadau

Purchon. You have a right to do that, of course, but there is a clear difference of opinion on the stability of the site. You say that you are content with the stability of the site, David Purchon said he is not; there is no way on earth that people out there can have confidence in those sort of distinctly different views. We know that we have to move to reassure people and we must have a stable site. So we do need to have a measure of agreement about how we ensure that we have stability on site in the short term and, indeed, in the long term. So what further actions can we take, and what actions can you take, to reassure people, working, of course, with the local authority, which, I believe, equally has a significant responsibility?

The local authority, in a letter to us of 16 January, is somewhat critical of David Purchon's recommendations and the problems it has brought upon the council. I note, and I am sure that people will very much welcome, the decision to discontinue the dumping of household waste at Nantygwyddon. That decision was taken, and I am sure that has been welcomed, in spite of the very strong reservations about that action from your own group director in his letter of 21 December. I am sure that people have welcomed that. It just begs the question, really, why did you not do it a lot sooner rather than wait until now? [Audience: 'Hear, hear.'] Indeed, hear, hear. That is where we are. We can do little about past inactivity, we can only move forward to ensure that we try to rebuild public confidence. There are some other issues for the local authority as well, of course. David Purchon is extremely concerned about the intended gradient of the finished slopes on the site. When are you going to deal with that as a planning authority? When are you going to reassure the public that those issues will be properly addressed and that the

David Purchon. Mae gennych hawl i wneud hynny, wrth gwrs, ond mae gwahaniaeth barn amlwg ynghylch sefydlogrwydd y safle. Dywedwch chi eich bod yn fodlon gyda sefydlogrwydd y safle, dywedodd David Purchon nad ydyw; nid oes unrhyw fodd ar wyneb y ddaear y gall pobl allan yn y fan yna gael hyder yn y math yna o sylwadau cwbl gyferbyniol. Gwyddom fod yn rhaid inni symud i dawelu meddwl pobl a rhaid inni gael safle sefydlog. Felly mae angen cael rhyw fesur o gytundeb ynghylch sut mae sicrhau bod gennym sefydlogrwydd ar y safle yn y tymor byr ac, yn wir, yn y tymor hir. Felly beth arall allwn ni ei wneud, a beth allwch chi ei wneud, i dawelu meddwl pobl, gan gydweithio, wrth gwrs, gyda'r awdurdod lleol, sydd, mi gredaf, yntau â chyfrifoldeb arwyddocaol yr un modd?

Mae'r awdurdod lleol, mewn llythyr atom dyddiedig 16 Ionawr, braidd yn feirniadol o argymhellion David Purchon a'r problemau y mae wedi'u hachosi i'r cyngor. Nodaf, ac yr wyf yn siwr y croesewir hyn yn fawr, y penderfyniad i roi'r gorau i ddympio gwastraff ty yn Nantygwyddon. Gwnaethpwyd y penderfyniad hwnnw, ac yr wyf yn siwr y'i croesawyd, er gwaethaf yr amheuan cryf iawn ynghylch gwneud hynny gan eich cyfarwyddwr grwp chi'ch hun yn ei lythyr dyddiedig 21 Rhagfyr. Yr wyf yn siwr fod pobl wedi croesawu hynny. Ond mae'n codi'r cwestiwn, yn wir, pam na wnaethoch hynny yn llawer cynt yn hytrach nag aros tan nawr? [Cynulleidfa: 'Clywch, clywch.'] Clywch, clywch, yn wir. Dyna lle yr ydym. Ni allwn wneud fawr ddim am ddiffyg gweithredu yn y gorffennol, ni allwn ond symud ymlaen i sicrhau ein bod yn ceisio ailadeiladu hyder y cyhoedd. Mae rhai materion eraill i'r awdurdod lleol yn ogystal, wrth gwrs. Mae David Purchon yn eithriadol o bryderus am raddiant bwriedig y llethrau gorffenedig ar y safle. Pa bryd yr ydych yn mynd i ddelio â hynny fel awdurdod

local authority will accept its responsibilities in that regard? Finally, to Bro Taf, just looking at the comments in the report about, I think, 16.15, you certainly question—yes, it is 16.15; I had made a note, but I could not find it—you seem to put a lot of emphasis on the resource implications of implementing that recommendation. Do you oppose the recommendation in principle? Do you not think that, given the state of public confidence, we need a belt and braces approach when we are doing health risk appraisals and assessments? Is it not absolutely essential now, certainly in the short and medium term as we seek to restore public confidence, that we do all that we can, and more, to ensure that the information that is available with regard to potential health risks is in the public domain and is well understood?

[129] **Richard Edwards:** You have waited a long time to ask your questions, Tom. There are questions there to all three bodies. I will ask the Environment Agency to answer first.

Dr Phillips: Certainly. About the stability of the site, it is a requirement of the licence that there is an investigation into the stability of the site every two years. The last investigation, to which we referred in our evidence, was in 2000, and a further study is due this year as a requirement of the site licence.

cynllunio? Pa bryd yr ydych yn mynd i sicrhau'r cyhoedd y caiff y materion hynny sylw priodol ac y gwnaiff yr awdurdod lleol dderbyn ei gyfrifoldebau yn hynny o beth? Yn olaf, i Bro Taf, dim ond o edrych ar y sylwadau yn yr adroddiad oddeutu, mi gredaf, 16.15, yr ydych yn sicr yn cwestiynu—ie, 16.15 ydyw; yr oeddwn wedi gwneud nodyn, ond ni allwn ddod o hyd iddo—yr ydych fel pe baech yn rhoi pwyslais mawr ar oblygiadau gweithredu'r argymhelliad hwnnw o ran adnoddau. A ydych yn gwrthwynebu'r argymhelliad mewn egwyddor? Onid ydych yn meddwl, o gofio cyflwr hyder y cyhoedd, fod angen mynd ati â gofal deublyg pan fyddwn yn gwerthuso ac yn asesu peryglon iechyd? Onid yw'n gwbl hanfodol yn awr, yn sicr yn y tymor byr a chanolig wrth inni geisio adfer hyder y cyhoedd, inni wneud popeth a allwn, a mwy, i sicrhau fod y wybodaeth sydd ar gael ynglyn â pheryglon iechyd posibl ar gael i'r cyhoedd ac yn cael ei ddeall yn dda?

[129] **Richard Edwards:** Yr ydych wedi aros amser maith i ofyn eich cwestiynau, Tom. Mae cwestiynau yn y fan honno i'r tri chorff. Gofynnaf i Asiantaeth yr Amgylchedd ateb yn gyntaf.

Dr Phillips: Siwr iawn. Ynglyn â sefydlogrwydd y safle, mae'n un o ofynion y drwydded y ceir ymchwiliad i sefydlogrwydd y safle bob dwy flynedd. Cafwyd yr ymchwiliad diwethaf, y cyfeiriwyd ato yn ein tystiolaeth, yn 2000, a gwneir astudiaeth bellach eleni i ateb gofynion y drwydded safle.

Ms Jarman: Could I answer regarding the group director's alleged concern about the recommendation? I make it clear that we have not expressed concern about the recommendation that household waste dumping should cease, but have sought clarification about the investigator's final view on the timing of such action. The report seems to suggest that this should take place over a period of time, whereas Mr Purchon said verbally at the last meeting that it should take place immediately. The difference is significant for our short-term operational planning and any fast-tracking of our waste strategy, because there will be extra costs involved. The council has directed refuse away from Nantygwyddon in the short term for operational and safety reasons. A combination of the shortest days of the year, the Christmas period with its heavy waste volumes, and the implementation of its new recycling collection service just after Christmas, meant that any complications with depositing waste at Nantygwyddon could have had serious implications for this key service delivery to residents. So the question needs to be asked of Mr Purchon, if he meant 'now', why was 'now' not in his first recommendation?

Dr Hopkins: We were just trying to find the details to which you refer. We certainly do not have any difficulty with the wording of recommendation 16.15, and we would certainly welcome the Assembly's considering how communities may get involved in this. I think that where we had some difficulties with the report was under paragraph 8.11, where there was a more detailed discussion around health impact assessment and an individual's right to commission issues. We had some difficulty trying to work out how that might actually work in reality, so I think it may be slightly an issue of semantics and an interpretation of a right, versus consideration of ways and opportunities to

Ms Jarman: A gaf ateb ynglyn â phryder honedig y cyfarwyddwr grwp ynghylch yr argymhelliad? Dywedaf yn glir nad ydym wedi mynegi pryder ynghylch yr argymhelliad y dylid rhoi'r gorau i ddympio gwastraff ty, ond yr ydym wedi ceisio eglurhad ynghylch barn derfynol yr ymchwilydd ar amseriad gweithred o'r fath. Mae'n ymddangos fod yr adroddiad yn awgrymu y dylid gwneud hyn dros gyfnod, tra dywedodd Mr Purchon ar lafar yn y cyfarfod diwethaf y dylai ddigwydd yn syth. Mae'r gwahaniaeth yn arwyddocaol i'n cynllunio gweithredol tymor byr ac unrhyw gynlluniau i roi'n strategaeth gwastraff ar drac cyflym, gan y bydd yn golygu costau ychwanegol. Mae'r cyngor wedi cyfeirio gwastraff i ffwrdd o Nantygwyddon yn y tymor byr am resymau gweithrediadol a diogelwch. Oherwydd cyfuniad o ddiwrnodau byrraf y flwyddyn, cyfnod y Nadolig gyda'i gyfeintiau mawr o wastraff, a gweithrediad ei wasanaeth casglu defnyddiau ailgylchu newydd yn syth wedi'r Wyl, gallai unrhyw gymhlethdodau gyda gwaredu gwastraff yn Nantygwyddon fod wedi golygu goblygiadau difrifol i'r gwasanaeth allweddol hwn i drigolion. Felly mae angen holi Mr Purchon, os mai 'nawr' yr oedd yn ei olygu, pam nad oedd 'nawr' yn ei argymhelliad cyntaf?

Dr Hopkins: Yr oeddem yn ceisio dod o hyd i'r manylion y cyfeiriwch atynt. Yn sicr nid oes gennym unrhyw anhawster gyda geiriad argymhelliad 16.15, a byddem yn sicr yn croesawu bod y Cynulliad yn ystyried sut y gall cymunedau chwarae rhan yn hyn. Yr wyf yn meddwl mai dan baragraff 8.11 y cawsom rai anawsterau gyda'r adroddiad, lle ceid trafodaeth fanylach ynghylch cwestiynau asesu'r effaith ar iechyd a hawl unigolyn i gomisiynu. Cawsom beth anhawster wrth geisio meddwl sut y gallai hynny weithio mewn gwirionedd, felly yr wyf yn meddwl y gallai hynny fod i ryw raddau yn fater o semanteg a'r modd y dehonglir hawl, yn erbyn ystyried ffyrdd a chyfleoedd i gynnwys

involve communities in commissioning. With regard to the actual recommendation 16.15, the health authority would support that.

[130] **Tom Middlehurst:** May I just come back on that? I welcome that commitment. Concerns clearly exist with regard to the operation of this particular site, and there are obviously landfill sites throughout Wales—I am sure that some of them are very well managed and do not cause any problems for their local communities. Notwithstanding that, do you think that we need an all-Wales approach to deal with the issues of health risk assessment? Do we need a sort of framework or matrix, or whatever you want to call it, which is common to all health authorities to ensure that we can reassure the public, with regard to health risks in particular, and that that is in the public domain and readily available?

Dr Hopkins: Yes, absolutely. I think that it would be very helpful for us to take the work forward on health impact assessment. You will be aware that it is at the relatively early stages, but has already begun at an all-Wales level. I think that we need to look at how communities will be involved right from the start, because I think that, as an authority—and I think that we have said this in our submission—one of the issues that we have had difficulties with is how we engage the community. There is no doubt that we have not succeeded in that. I think that the other issue, on health impact assessment, is that we do have opportunities to move this forward given some of the changes that will be happening with the NHS over the next while. I think there are some real opportunities to do that. I would hope that that is something that we will be able to take forward in the future.

cymunedau mewn prosesau comisiynu. O ran argymhelliad 16.15 ei hun, byddai'r awdurdod iechyd yn cefnogi hynny.

[130] **Tom Middlehurst:** A gaf fi ddod yn ôl ar hynny? Croesawaf yr ymrwymiad hwnnw. Mae pryderon yn bodoli yn amlwg ynghylch gweithrediad y safle arbennig hwn, ac yn amlwg mae safleoedd tirlenwi ar hyd a lled Cymru—yr wyf yn siwr fod rhai ohonynt wedi'u rheoli'n dda iawn ac nad ydynt yn peri unrhyw broblemau i'w cymunedau lleol. Er gwaethaf hynny, a ydych yn meddwl fod arnom angen dull dros Gymru gyfan i ddelio â materion asesu peryglon iechyd? A oes arnom angen math o fframwaith, neu fatrics, neu beth bynnag yr hoffech ei alw, sydd yn gyffredin i bob awdurdod iechyd er mwyn sicrhau y gallwn ni dawelu meddwl y cyhoedd, o ran y peryglon i iechyd yn arbennig, a bod hynny ar gael yn rhwydd i'r cyhoedd?

Dr Hopkins: Oes, yn hollol. Yr wyf yn meddwl y byddai'n fuddiol iawn inni fynd â'r gwaith ymlaen ar asesu'r effaith ar iechyd. Byddwch yn ymwybodol ei fod ar y camau cymharol gynnar, ond ei fod eisoes wedi cychwyn ar lefel Cymru gyfan. Credaf fod angen inni edrych ar sut y bydd cymunedau'n ymwneud â hyn o'r cychwyn cyntaf, oherwydd yr wyf yn meddwl, fel awdurdod—a chredaf ein bod wedi dweud hyn yn ein cyflwyniad—mai un o'r materion y cawsom anawsterau ag ef yw'r modd y cyfathrebwn â'r gymuned. Yn ddi-os, nid ydym wedi llwyddo yn hynny. Credaf mai'r mater arall, ar asesu effaith iechyd, yw fod gennym gyfleoedd i symud hyn ymlaen o gofio rhai o'r newidiadau a fydd yn digwydd gyda'r NHS dros y cyfnod sydd i ddod. Credaf fod cyfleoedd gwirioneddol i wneud hynny. Gobeithiaf fod hynny'n rhywbeth y byddwn yn gallu ei symud yn ei flaen yn y dyfodol.

[131] **Richard Edwards:** Dr Phillips, do you want to come in there?

Dr Phillips: Thank you very much. If I could just say, to augment Dr Hopkins's reply, that health impact assessments and environmental impact assessments at the moment are very much at a project level. We would really welcome advice from the National Assembly for Wales, from the Department of Environment, Food and Rural Affairs and, particularly, from the Department of Health, with regard to pushing these assessments up from the project to the strategic level so that we are getting minimum impact strategies. I think that is something that the Committee really needs to consider. Also, if I could follow on from the response from Rhondda Cynon Taff with regard to the decision that it has taken about household waste, the Committee does need to be aware that the decision that it has taken has an implication for recommendation 16.2, when you come to consider that. Mr Purchon suggests that phase 1 should be swiftly completed, and the current working plan would mean that phase 1 would be completed this year. However, obviously, with no household waste going to the site now, that is going to extend over a much longer period of time. So just so that you are aware of that in your deliberations.

[132] **Richard Edwards:** Okay, thank you. Rhodri Glyn, on this point?

[133] **Rhodri Glyn Thomas:** It is on the point that Tom raised about the need for consistency of health impact assessments, which I think is very important. In terms of Bro Taf, you refer in your submission to the fact that, in terms of new-born babies, health at birth is at least as poor, if not worse, at Trecatti. Is that an argument that the operation of the site at Trecatti should also be investigated on the basis of what happened in Nantygwyddon?

[131] **Richard Edwards:** Dr Phillips, a ydych chi eisiau dod i mewn yn y fan hon?

Dr Phillips: Diolch yn fawr. Os caf fi ddweud, i ychwanegu at ateb Dr Hopkins, fod asesiadau effaith iechyd ac asesiadau effaith amgylcheddol ar hyn o bryd i raddau helaeth iawn ar lefel prosiect. Byddem yn wir yn croesawu cyngor gan Gynulliad Cenedlaethol Cymru, gan Adran yr Amgylchedd, Bwyd a Materion Gwledig ac, yn arbennig, gan yr Adran Iechyd, ar gyfer gwthio'r asesiadau hyn i fyny o lefel prosiect i lefel strategol fel y cawn strategaethau effaith leiaf. Credaf fod hynny'n rhywbeth y mae gwir angen i'r Pwyllgor ei ystyried. Hefyd, os caf ddilyn ymlaen o'r ymateb gan Rhondda Cynon Taf ynghylch y penderfyniad y mae wedi'i wneud ynglyn â gwastraff ty, y mae angen i'r Pwyllgor fod yn ymwybodol fod gan y penderfyniad oblygiad i argymhelliad 16.2, pan ddeuwch i ystyried hynny. Awgryma Mr Purchon y dylid cwblhau cam 1 yn sydyn, ac yn ôl y cynllun gwaith cyfredol câi cam 1 ei gwblhau eleni. Fodd bynnag, yn amlwg, heb unrhyw wastraff ty'n mynd i'r safle bellach, mae hynny'n mynd i ymestyn dros gyfnod llawer hwy. Dim ond ichi fod yn ymwybodol o hynny yn eich trafodaethau.

[132] **Richard Edwards:** Iawn, diolch. Rhodri Glyn, ar y pwynt hwn?

[133] **Rhodri Glyn Thomas:** Cyfeiriai at y pwynt a gododd Tom ynghylch yr angen am gysondeb mewn asesiadau effaith iechyd, sydd, yn fy marn i, yn bwysig iawn. O ran Bro Taf, cyfeiriwch yn eich cyflwyniad at y ffaith fod iechyd babanod newydd-anedig o leiaf gynddrwg, os nad yn waeth, yn Nhrecati. A yw hynny'n ddadl y dylid ymchwilio hefyd i weithrediad y safle yn Nhrecati ar sail yr hyn a ddigwyddodd yn Nantygwyddon?

Dr Hopkins: I think that there is an issue that we have to understand about the baseline health status and health requirements of the populations with which we are working. It is not news to any of you, because most of you have raised it during the Committee session, that we have some very poor health in communities across the Valleys. Issues around the environment and issues such as Nantygwyddon tip are added factors to what is already a difficult baseline in health terms. For many of these communities, it is not going to be enough simply to deal with some of those environmental issues, such as landfill. There are much more fundamental issues that have to be dealt with alongside that. I think, alongside that, there is another issue that needs further consideration, and that is around risk—risk communication and what, as a community or a society, we will accept in terms of risk and health. So I think that it is, potentially, a much bigger and more complex issue than landfill sites alone.

[134] **Richard Edwards:** Geraint, on this point?

[135] **Geraint Davies:** It is on this particular point, with regard to health in different parts of south Wales. You state in your response to the report that:

‘The mortality rates near Nantygwyddon are better than other areas within the Rhondda and much better compared to those in Merthyr Tydfil.’

When you refer to the Rhondda, are you referring to the Rhondda, or to Rhondda Cynon Taff?

Dr Hopkins: We were referring to the Rhondda in that.

Dr Hopkins: Credaf fod mater y mae’n rhaid inni ei ddeall ynghylch gwaelodlin y statws iechyd a gofynion iechyd y poblogaethau yr ydym yn gweithio gyda hwy. Nid yw’n newyddion i neb ohonoch chi, oherwydd mae’r rhan fwyaf ohonoch wedi ei godi yn ystod y sesiwn Pwyllgor, fod gennym iechyd gwael iawn mewn cymunedau ar draws y Cymoedd. Mae materion ynghylch yr amgylchedd a materion fel tomen Nantygwyddon yn ffactorau ychwanegol at yr hyn sydd eisoes yn waelodlin anodd yn nhermau iechyd. I lawer o’r cymunedau hyn, ni fydd yn ddigon delio â rhai o’r materion amgylcheddol hynny, fel tirlenwi, yn unig. Mae materion llawer mwy sylfaenol y mae’n rhaid delio â hwy ochr yn ochr â hynny. Credaf, ochr yn ochr â hynny, fod mater arall sydd angen ystyriaeth bellach, a hynny yw risg—cyfathrebu risg a beth, fel cymuned neu gymdeithas, y gwnawn ni ei dderbyn yn nhermau risg ac iechyd. Felly yr wyf yn meddwl ei fod, o bosibl, yn fater llawer mwy ac yn fwy cymhleth na safleoedd tirlenwi yn unig.

[134] **Richard Edwards:** Geraint, ar y pwynt hwn?

[135] **Geraint Davies:** Ar y pwynt arbennig hwn, gyda golwg ar iechyd mewn gwahanol rannau o’r De. Dywedwch yn eich ymateb i’r adroddiad:

‘Mae cyfraddau marwoldeb yng nghyffiniau Nantygwyddon yn well nag mewn ardaloedd eraill yn y Rhondda ac yn llawer gwell o gymharu â chyfraddau ym Merthyr Tudful.’

Pan soniwch am y Rhondda, a ydych yn sôn am y Rhondda, ynteu Rhondda Cynon Taf?

Dr Hopkins: Yr oeddem yn cyfeirio at y Rhondda yn hynny.

[136] **Geraint Davies:** Well, my information, and I obtained this information from Bro Taf, is that health in the Rhondda—in terms of standard mortality rates in the Rhondda and life expectancy—is far worse than it is in Merthyr. I want to challenge your factual information on that.

Dr Temple: The difficulty there is whether we are talking about the whole of Merthyr and some parts of the Rhondda. Rhondda, like the Cynon area, has a very bad history of mortality rates. That is undoubtedly true. The worst rates up in Merthyr are much, much worse. That is the issue. There are some parts of Merthyr that are worse than the particular area in the Rhondda that we were comparing it with.

[137] **Geraint Davies:** Well, Merthyr has a standard mortality rate of 120, whereas Rhondda has an SMR of 189.

Dr Hopkins: May I just try to clarify? The point that we are trying to make here is that, when we are dealing with these issues, the underlying health of the population is extremely important. The figures that we were referring to in our submission relate to ward data, not the whole of the Rhondda area. So Mark has been looking at the ward area surrounding the Nantygwyddon area and the ward area surrounding the Trecatti area. When you look at that, there are pockets of communities with particularly poor health. We are not trying to say at all that health in the Rhondda is good, because it is not. It is poor.

[138] **Geraint Davies:** You say it is worse in Merthyr. Therefore, you are saying that you do not need to worry as much as if you were living in Merthyr. That is what you were saying.

Dr Hopkins: No. We are not saying—

[136] **Geraint Davies:** Wel, fy ngwybodaeth i, a chefais y wybodaeth hon gan Bro Taf, yw fod iechyd yn y Rhondda—yn nhermau cyfraddau marwoldeb safonol yn y Rhondda a disgwyliad oes—yn llawer gwaeth nag ydyw ym Merthyr. Yr wyf eisiau herio'ch gwybodaeth ffeithiol ar hynny.

Dr Temple: Yr anhawster yma yw ai sôn yr ydym am y cyfan o Ferthyr a rhai rhannau o'r Rhondda. Mae gan y Rhondda, fel ardal Cynon, hanes gwael iawn o ran cyfraddau marwoldeb. Mae hynny heb os yn wir. Mae'r cyfraddau gwaethaf i fyny ym Merthyr yn llawer, llawer gwaeth. Dyna'r pwynt. Mae rhai rhannau o Ferthyr sydd yn waeth na'r ardal yn y Rhondda yr oeddem yn ei chymharu â hi.

[137] **Geraint Davies:** Wel, mae gan Ferthyr gyfradd marwoldeb safonol o 120, tra bod gan y Rhondda gyfradd o 189.

Dr Hopkins: A gaf geisio egluro? Y pwynt yr ydym yn ceisio'i wneud yma yw fod iechyd gwaelodol y boblogaeth yn eithriadol o bwysig wrth ddelio â'r materion hyn. Mae'r ffigurau yr oeddem yn cyfeirio atynt yn ein cyflwyniad yn ymwneud â data wardiau, nid y cyfan o ardal y Rhondda. Felly mae Mark wedi bod yn edrych ar ardal y ward o gwmpas ardal Nantygwyddon ac ardal y ward o gwmpas ardal Trecati. Pan edrychwch ar hynny, mae pocedi o gymunedau gydag iechyd arbennig o wael. Nid ydym yn ceisio dweud o gwbl fod iechyd yn y Rhondda yn dda, oherwydd nid ydyw. Mae'n wael.

[138] **Geraint Davies:** Dywedwch chi ei fod yn waeth ym Merthyr. Felly, yr ydych yn dweud nad oes angen ichi boeni cymaint â phe baech yn byw ym Merthyr. Dyna yr oeddech yn ei ddweud.

Dr Hopkins: Na. Nid ydym yn dweud—

[139] **Geraint Davies:** That is what the report says.

Dr Hopkins: We are trying to make the point that were you to take a decision to move the waste from Nantygwyddon up to Trecatti, for example, before you make that decision, you need to understand the health of the population surrounding not only the Nantygwyddon site, but also the Trecatti site. It is not simply an issue of knowing about the health of the population in a single community area. We have big problems in Wales. We have big problems in the Valleys with the basic level of health. I am sorry if we have not articulated that clearly, but it was not intended to say that we do not have an issue at Nantygwyddon and you must not worry about it. That is not the issue. The point that we were trying to make was trying to widen it into the issue that when you are making your decisions around Nantygwyddon and on where waste is going to go in the future, there are going to be broader community issues that will also have to be considered.

[140] **Geraint Davies:** Can you check the facts, because it is misleading, to say the least?

Dr Hopkins: Certainly. I would be very happy to do that.

[141] **Richard Edwards:** That would be helpful.

[139] **Geraint Davies:** Dyna y mae'r adroddiad yn ei ddweud.

Dr Hopkins: Yr ydym yn ceisio gwneud y pwynt pe baech yn penderfynu symud y gwastraff o Nantygwyddon i fyny i Drecati, er enghraifft, cyn ichi wneud y penderfyniad hwnnw, bod angen ichi ddeall iechyd y boblogaeth nid yn unig o gwmpas safle Nantygwyddon, ond hefyd o gwmpas safle Trecati. Nid yw'n fater syml o wybod am iechyd y boblogaeth mewn un ardal gymunedol. Mae gennym broblemau mawr yng Nghymru. Mae gennym broblemau mawr yn y Cymoedd gyda lefel sylfaenol iechyd. Mae'n ddrwg gennyf os nad ydym wedi cyfleu hynny'n glir, ond ni fwriadwyd dweud nad oes gennym broblem yn Nantygwyddon ac nad oes raid ichi boeni amdani. Nid dyna'r pwynt. Y pwynt yr oeddem yn ceisio'i wneud oedd ceisio ei ehangu i ystyried pan fyddwch yn gwneud eich penderfyniadau ynghylch Nantygwyddon ac ynghylch ble mae'r gwastraff yn mynd i fynd yn y dyfodol, y bydd cwestiynau cymunedol ehangach y bydd yn rhaid eu hystyried hefyd.

[140] **Geraint Davies:** A allwch archwilio'r ffeithiau, oherwydd y mae'n gamarweiniol, â dweud y lleiaf?

Dr Hopkins: Siwr iawn. Byddwn yn hapus iawn i wneud hynny.

[141] **Richard Edwards:** Byddai hynny'n gymorth.

[142] **Eleanor Burnham:** I think that it is a very complicated and complex arena. We all realise this, and we all have to take a role, do we not, really? It is incumbent upon us all to take a holistic approach—preventative, educational. Basically, if you just look at the business aspect—the packaging that we all have to dispose of etcetera—it is a whole myriad of issues. This has been a very interesting exercise for me personally, and it has taught me a great deal.

I appreciate that councils have huge difficulties, but, for instance, if the report had not called for this immediate closure, which perhaps you have found very difficult to cope with, Councillor Jarman, what other kind of strategy did you have? I am sure that you had been working hard on this. Do you feel that Mr Purchon has jumped the gun and that you have been put in an impossible situation?

Ms Jarman: I think that it is important to emphasise that, in my opening remarks, I said that we were working toward the closure of Nantygwyddon, and that we needed to develop a robust waste management strategy to deliver that. That would have been the ultimate outcome in any event. We are progressing with the implementation of our waste strategy. Just after Christmas, we started major recycling initiatives throughout the whole of the county borough. Ultimately, it would have delivered the closure of Nantygwyddon and meant less use of landfill throughout the whole of the county borough. It would, ultimately, have provided a cleaner, safer environment for the residents of Rhondda Cynon Taff.

[142] **Eleanor Burnham:** Yr wyf yn meddwl ei fod yn faes cymhleth dros ben. Yr ydym i gyd yn sylweddoli hyn, ac mae'n rhaid inni i gyd gymryd rôl, onid oes, mewn gwirionedd? Mae'n rheidrwydd arnom i gyd i fynd ati mewn ffordd gyfannol—ataliol, addysgol. Yn y bôn, os edrychwch ar yr agwedd fusnes yn unig—y pcedi y mae'n rhaid inni i gyd gael gwared arnynt ac ati—mae yma fyrdd o broblemau. Bu hwn yn ymarfer diddorol iawn i mi yn bersonol, ac yr wyf wedi dysgu llawer iawn.

Sylweddolaf fod cynghorau'n wynebu anawsterau anferth, ond, er enghraifft, pe na bai'r adroddiad wedi galw am gau yn syth fel hyn, sydd efallai wedi bod yn alwad anodd iawn ichi ymdopi â hi, Gynghorydd Jarman, pa fath arall o strategaeth oedd gennych? Yr wyf yn siwr eich bod wedi bod yn gweithio'n galed ar hyn. A ydych yn teimlo fod Mr Purchon wedi ymateb yn rhy fyrbwyll a'ch bod chi wedi'ch rhoi mewn sefyllfa amhosibl?

Ms Jarman: Yr wyf yn meddwl ei bod yn bwysig pwysleisio y dywedais, yn fy sylwadau agoriadol, ein bod yn gweithio tuag at gau Nantygwyddon, a bod gennym angen datblygu strategaeth reoli gwastraff gadarn i gyflawni hynny. Dyna fyddai'r canlyniad yn y pen draw beth bynnag. Yr ydym yn symud ymlaen gyda gweithredu'n strategaeth reoli gwastraff. Ychydig wedi'r Nadolig, cychwynasom gynlluniau ailgylchu mawr drwy'r holl fwrdeistref sirol. Yn y pen draw, byddai wedi caniatáu inni gau Nantygwyddon a golygu llai o ddefnydd o dirlenwi drwy'r holl fwrdeistref sirol. Byddai, yn y pen draw, wedi darparu amgylchedd glanach, mwy diogel, i drigolion Rhondda Cynon Taf.

The closure or non-disposal of domestic waste at Nantygwyddon on the day following your last meeting, means that we now need to accelerate the remediation of that site, and that will cost an awful lot of money.

[143] **Richard Edwards:** Can I just say that I am aiming to finish the meeting by about 5.10 p.m., so that witnesses are aware of that.

[144] **Karen Sinclair:** Just very quickly, I would like to ask Dr Helen Phillips about recommendation 16.4, which is

‘I recommend that leachate be treated on site before discharge.’

What is the Environment Agency’s position on that?

Dr Phillips: I think that I may have alluded to this before. However, just for clarity, the company is currently considering this. One of the main drivers for the company considering it is because it will reduce the cost that it incurs in discharging to the sewerage network.

Undoubtedly, as I said to Mrs Jones, it would afford a secondary layer of environmental protection, and from that point of view would be desirable.

[145] **Helen Mary Jones:** For the record, Chair, I am not a Mrs, I am a Ms.

Dr Phillips: Ms. Apologies.

[146] **Helen Mary Jones:** I may look that old, but—[*Laughter.*]

[147] **Richard Edwards:** We are not going to get into a great debate about your age now.

Oherwydd cau Nantygwyddon neu beidio â gwaredu gwastraff ty yno ar y diwrnod ar ôl eich cyfarfod diwethaf, yn awr mae angen cyflymu’r gwaith o adfer y safle, a bydd hynny’n costio llawer iawn o arian.

[143] **Richard Edwards:** A gaf ddweud fy mod yn anelu at orffen y cyfarfod erbyn rhyw 5.10 p. m., fel bod tystion yn ymwybodol o hynny.

[144] **Karen Sinclair:** Yn gyflym iawn, hoffwn holi Dr Helen Phillips am argymhelliad 16.4, sef

‘Argymhellaf fod trwytholchion yn cael eu trin ar y safle cyn ei ollwng.’

Beth yw safbwynt Asiantaeth yr Amgylchedd ar hynny?

Dr Phillips: Efallai fy mod wedi crybwyll hyn o’r blaen. Fodd bynnag, er mwyn eglurder, mae’r cwmni ar hyn o bryd yn ystyried hyn. Un o’r prif symbyliadau i’r cwmni ystyried y peth yw oherwydd y bydd yn lleihau’r gost y mae’n ei hwynebu am arllwys i’r rhwydwaith carthffosydd. Heb amheuaeth, fel y dywedais wrth Mrs Jones, byddai’n rhoi ail haen o warchodaeth amgylcheddol, ac o’r safbwynt hwnnw byddai’n ddymunol.

[145] **Helen Mary Jones:** Hoffwn gofnodi, Gadeirydd, nad Mrs ydwyf, ond Ms.

Dr Phillips: Ms. Ymddiheuraf.

[146] **Helen Mary Jones:** Efallai fy mod yn edrych mor hen â hynny, ond—[*Chwerthin.*]

[147] **Richard Edwards:** Nid ydym am fynd i ddadl fawr am eich oed yn awr.

[148] **Helen Mary Jones:** No, but assumptions about people's titles and status are not acceptable in the Assembly.

[149] **Richard Edwards:** Fine. That point is noted.

[150] **Karen Sinclair:** May I just ask about the difference between something that is 'desirable' and something that would be written in as imperative on the licence?

Dr Phillips: My understanding is that it is not written in as a licence condition, but certainly it is something that we are discussing with the company as a part of its operating plan. I do not know, John, whether you can throw any further light upon that.

Mr Harrison: Yes, that is correct. The company is exploring this proposal as described. There are a number of factors that it has to go through in discussions with the sewerage provider, Welsh Water, to understand the implications of that. Once it has those proposals, they will come forward and be included in the company's working plan. As was said, it will afford another degree of protection for the environment within the area. However, the renewed pipeline that has been put in by Amgen Rhondda ensures that the leachate on site discharges to the sewer. So there are no proposals to discharge untreated leachate into the adjoining streams or river, as has unfortunately happened in the past due to the deficiencies of the previous operator. So the system that it has at the moment does provide the standard required, but this additional treatment on site in the future will provide another layer of protection.

[148] **Helen Mary Jones:** Na, ond nid yw rhagdybiaethau am deitl a statws pobl yn dderbyniol yn y Cynulliad.

[149] **Richard Edwards:** Iawn. Mae'r pwynt hwnnw wedi'i nodi.

[150] **Karen Sinclair:** A gaf fi holi ynglyn â'r gwahaniaeth rhwng rhywbeth sydd yn 'ddymunol' a rhywbeth a fyddai wedi'i ysgrifennu fel rhywbeth angenrheidiol ar y drwydded?

Dr Phillips: Fy nealltwriaeth i yw nad yw wedi'i ysgrifennu fel amod ar y drwydded, ond yn sicr y mae'n rhywbeth yr ydym yn ei drafod â'r cwmni yn rhan o'i gynllun gweithredu. Ni wn, John, a allwch chi fwrw unrhyw oleuni pellach ar hynny.

Mr Harrison: Ydyw, mae hynny'n gywir. Mae'r cwmni'n ymchwilio i'r cynnig hwn fel a ddisgrifiwyd. Mae nifer o ffactorau y mae'n rhaid iddo fynd drwyddynt mewn trafodaethau â'r darparwr carthffosiaeth, Dwr Cymru, i ddeall goblygiadau hynny. Unwaith y bydd ganddo'r cynigion hynny, deuant ger bron a chael eu cynnwys yng nghynllun gwaith y cwmni. Fel y dywedwyd, bydd yn rhoi gradd arall o warchodaeth i'r amgylchedd yn yr ardal. Fodd bynnag, mae'r bibell wedi'i hadnewyddu a osodwyd gan Amgen Rhondda yn sicrhau fod trwytholchion ar y safle yn arllwys i'r garthffos. Felly nid oes unrhyw gynigion i arllwys trwytholchion heb eu trin i'r nentydd cyfagos na'r afon, fel a ddigwyddodd yn anffodus yn y gorffennol oherwydd diffygion y gweithredwr blaenorol. Felly mae'r system sydd ganddo ar y funud yn darparu'r safon ofynnol, ond bydd y driniaeth ychwanegol ar y safle yn y dyfodol yn darparu haen arall o warchodaeth.

[151] **Helen Mary Jones:** First, I would like to build a little on the answers that the local authority gave to Eleanor Burnham in terms of its plans, Mr Morgan. Can you tell us a bit more about what your waste disposal strategy is and give us some of the timescales associated with that? Perhaps, in the light of some of the comments that have been made about your decision, in light of what the investigator said at the meeting before Christmas, can you tell us how that decision impacts on the rest of the strategy? It is obviously bound to have an impact.

Although this is a bit like us asking you what you want to be told, could you give us some idea of what actions you suggest that we recommend be taken by the authority? Is there anything over and above what you are already planning to do to address some of the concerns that are raised in the investigator's report?

We have seen the letters that went to the investigator before Christmas. It might be helpful to us for you to tell us whether there are specific questions that you feel need clarifying in the investigator's report before we submit it to Plenary, that would be helpful for you as one of the main bodies that must take action on this, to find out about?

In terms of your waste disposal strategy, we have heard a lot about public confidence today and about occasions in the past where, perhaps, the agencies involved have not fully informed the public or taken the public with them. I wonder whether you could tell us how you know that the strategy you have come up with is the one that is right as far as the residents of Rhondda Cynon Taff are concerned.

[151] **Helen Mary Jones:** Yn gyntaf, hoffwn adeiladu ychydig ar yr atebion a roddodd yr awdurdod lleol i Eleanor Burnham ynglyn â'i gynlluniau, Mr Morgan. A allwch ddweud ychydig mwy wrthym ynghylch beth yw eich strategaeth waredu gwastraff a rhoi inni rai o'r amserlenni cysylltiedig â hynny? Efallai, yng ngolau rhai o'r sylwadau a wnaethpwyd am eich penderfyniad, yng ngolau'r hyn a ddywedodd yr ymchwilydd yn y cyfarfod cyn y Nadolig, a allwch ddweud wrthym sut y mae'r penderfyniad hwnnw'n effeithio ar weddill y strategaeth? Mae'n amlwg yn siwr o gael effaith.

Er bod hyn braidd yn debyg i ofyn ichi beth yr hoffech inni ei ddweud wrthy ch ei wneud, a allech roi rhyw syniad inni beth yr awgrymwch y dylem argymhell y dylai'r awdurdod ei wneud? A oes unrhyw beth yn ychwanegol at yr hyn yr ydych eisoes yn cynllunio i'w wneud i ateb rhai o'r pryderon a godir yn adroddiad yr ymchwilydd?

Yr ydym wedi gweld y llythyron a aeth at yr ymchwilydd cyn y Nadolig. Efallai y byddai o gymorth i ni pe dywedech wrthym a oes cwestiynau penodol y teimlwch fod angen eglurhad arnynt yn adroddiad yr ymchwilydd cyn inni ei gyflwyno i'r Cyfarfod Llawn, y byddai o gymorth i chi fel un o'r prif gyrff fydd yn gorfod gweithredu ar hyn, gael gwybod amdanynt?

O ran eich strategaeth waredu gwastraff, yr ydym wedi clywed llawer am hyder y cyhoedd heddiw ac am achlysuron yn y gorffennol lle, efallai, nad yw'r asiantaethau perthnasol wedi hysbysu'r cyhoedd yn llawn neu wedi cario'r cyhoedd gyda hwy. Tybed a allech ddweud wrthym sut y gwyddoch mai'r strategaeth yr ydych wedi'i llunio yw'r un sydd yn iawn cyn belled ag y bo trigolion Rhondda Cynon Taf yn y cwestiwn.

Moving on from your strategy, are there recommendations that this Committee could make that would help you put it into action or are there things that the Government of Wales could do that would assist you in putting this strategy into action?

Mr Morgan: Our waste strategy is called 'Respecting Waste'. It is about changing attitudes to waste disposal within the community. It consists of education and awareness-raising programmes; waste reduction and re-use initiatives; full-scale kerbside recycling, which has already started; community and home composting initiatives; a new materials recycling facility; more civic amenity sites; more community recycling facilities; partnerships with community recycling organisations; less landfill; reduction of landfill to Bryn Pica; and the closure of Nantygwyddon. Overall, it is a 20-year plus strategy, but it has an initial three-year costed action plan. In that plan, Nantygwyddon is to be permanently closed and remediated with proper engineering. The speed of the final closure largely depends on the resources, which, obviously, are scarce. This can be done far more quickly if additional capital resources can be provided from outside the authority. As far as public support for the strategy is concerned, we carried out an innovative, consensus-building approach in the development of that strategy, through a community waste forum, which the Minister, in fact, was good enough to commend as an example of good practice. Representatives from all aspects of the community were involved and there was full consultation through focus groups, questionnaires, mail shots, newspapers and the internet. Of those consulted, 80 per cent supported the scheme. I do not think that you would have that kind of support outside eastern Europe, would you, normally? Or the former eastern Europe, sorry.

A symud ymlaen oddi wrth eich strategaeth, a oes argymhellion y gallai'r Pwyllgor hwn eu gwneud a fyddai'n eich helpu chi i'w rhoi ar waith, neu a oes pethau y gallai Llywodraeth Cymru eu gwneud a fyddai'n eich helpu i roi'r strategaeth hon ar waith?

Mr Morgan: 'Parchu Gwastraff' yw'r enw ar ein strategaeth reoli gwastraff. Ei nod yw newid agweddau at waredu gwastraff o fewn y gymuned. Mae'n cynnwys rhaglenni addysg a chodi ymwybyddiaeth; cynlluniau lleihau ac aildefnyddio gwastraff; ailgylchu ar raddfa fawr ar ochr y lôn, sydd eisoes wedi dechrau; cynlluniau compostio cymunedol a chartref; cyfleuster newydd i ailgylchu defnyddiau; mwy o safleoedd mwynderau dinesig; mwy o gyfleusterau ailgylchu cymunedol; partneriaethau gyda chyrrff ailgylchu cymunedol; llai o dirlenwi; lleihau tirlenwi ym Mryn Pica; a chau Nantygwyddon. Yn gyffredinol, mae'n strategaeth dros 20 mlynedd a mwy, ond mae ganddo gynllun gweithredu wedi'i gostio am dair blynedd i ddechrau. Yn y cynllun hwnnw, caiff Nantygwyddon ei gau'n barhaol a'i adfer gyda gwaith peirianyddol priodol. Mae cyflymder y cau terfynol yn dibynnu i raddau helaeth ar yr adnoddau, sydd, wrth reswm, yn brin. Gellir gwneud hyn yn llawer cyflymach os gellir darparu adnoddau cyfalaf ychwanegol o'r tu allan i'r awdurdod. O ran sicrhau cefnogaeth y cyhoedd i'r strategaeth, aethom ati mewn modd arloesol, gan adeiladu consensws, i ddatblygu'r strategaeth honno, drwy fforwm gwastraff cymunedol, y bu'r Gweinidog, a dweud y gwir, yn ddigon da i'w ganmol fel enghraifft o ymarfer da. Cafwyd cyfranogiad cynrychiolwyr pob agwedd ar y gymuned a bu ymgynghori llawn drwy grwpiau ffocws, holiaduron, ymgyrchoedd post, papurau newydd a'r rhyngrwyd. O'r rheini yr ymgynghorwyd â hwy, cefnogodd 80 y cant y cynllun. Nid wyf yn meddwl y caech y math yna o gefnogaeth y tu allan i ddwyrain Ewrop, gaech

chi, fel arfer? Neu'r hen ddwyrain Ewrop, mae'n ddrwg gennyf.

[152] **Richard Edwards:** I take it that that is a parallel you can draw, is it?

Mr Morgan: It was a joke, Chairman.

It is obviously our strategy. However, the final point that we as an authority want from this investigation which, as Councillor Jarman says, we fully support, is that we must have clarity on the issue of the non-disposal of domestic waste onto the site. That is absolutely crucial for our strategy. Then, of course, in the event of that proposal of the investigator becoming a firm proposal which is endorsed by the Assembly, there will obviously be a requirement for additional resources. I take you back to Councillor Jarman's final point in our opening statement: we do not see why local residents—the victims of this—should be the ones who have to pay to get out of the mess. That is an important message that I hope this Committee and the Assembly would take on board.

[153] **Brian Gibbons:** I am interested in pursuing this, because I represent the Aberavon constituency in Neath Port Talbot. We also have a big problem with regard to waste management and, clearly, I am sure that we would also like extra assistance to deal with our problems. I am just wondering what sort of guidance you feel would be suitable to help arbitrate on getting this extra assistance.

[153] **Richard Edwards:** Yr wyf yn cymryd fod honno'n gymhariaeth y gallwch ei gwneud, ydyw?

Mr Morgan: Jôc ydoedd, Gadeirydd.

Ein strategaeth ydyw, yn amlwg. Fodd bynnag, y pwynt olaf yr ydym ni fel awdurdod eisiau ei gael o'r ymchwiliad hwn sydd, fel y dywed y Cynghorydd Jarman, yn rhywbeth yr ydym yn ei gefnogi'n llawn, yw fod yn rhaid inni gael eglurder ar fater peidio â gwaredu gwastraff ty ar y safle. Mae hynny'n gwbl allweddol i'n strategaeth. Wedyn, wrth gwrs, os daw'r cynnig hwnnw o eiddo'r ymchwilydd yn gynnig pendant a ategir gan y Cynulliad, yn amlwg bydd angen adnoddau ychwanegol. Af â chi'n ôl at bwynt olaf y Cynghorydd Jarman yn ein datganiad agoriadol: ni welwn pam mai trigolion lleol—y rhai sydd yn dioddef yn hyn—ddylai orfod talu am ddod allan o'r twll. Dyna neges bwysig a gobeithiaf y gwnaiff y Pwyllgor hwn a'r Cynulliad ei derbyn.

[153] **Brian Gibbons:** Mae gennyf ddiddordeb mewn mynd ar ôl hyn, oherwydd yr wyf yn cynrychioli etholaeth Aberafan yng Nghastell-nedd Port Talbot. Mae gennym ninnau broblem fawr gyda rheoli gwastraff ac, wrth reswm, yr wyf yn siwr yr hoffem ninnau gael cymorth ychwanegol i ddelio â'n problemau. Meddwl yr wyf tybed pa fath o arweiniad y teimlwch fyddai'n addas i helpu cymrodeddu ar gael y cymorth ychwanegol hwn.

Ms Jarman: Much has been said today about the cost when we decided to no longer send our domestic waste to Nantygwyddon and all sorts of figures are being plucked out of the air. From a day-to-day, operational point of view, the cost is cost neutral. From a remediation point of view, there will be a significant capital cost to that. That is presently being worked up. I was interested to hear the Environment Agency's assessment of £6 million. I do not know whether that is exclusively for remediation. The Minister mentioned earlier the £2.5 million that Rhondda Cynon Taff council attracted. Each local authority had a shout on that particular special grant announcement, but the money from the Minister's budget was money to help us to develop and deliver a waste strategy.

Our waste strategy in Rhondda Cynon Taff is a revenue commitment. We recently employed a significant number of people to load the materials for recycling and to go to different depots. We think that we have used that money that the Minister has given very wisely. It is up to local choice at the end of the day. Neath Port Talbot County Borough Council and Swansea City and County Council have to manage their waste, and it is very unfortunate that they chose the incinerator option. However, I can only speak for the initiative in my council, which is one of being really progressive, with the waste forum. We had diverse views from local industry and commerce, which are massive producers of waste, through to citizens of Rhondda Cynon Taff, again producers of waste, and the waste tip operators. So given the diversity of interests in that forum, it was not easy. The mediation process that brought all of these different interests together, and then saw each of them giving their seal of approval to this strategy, was quite remarkable. It was long, it was tortuous, but there is total commitment from all the bodies that I have mentioned.

Ms Jarman: Dywedwyd llawer heddiw am y gost pan benderfynasom roi'r gorau i anfon ein gwastraff ty i Nantygwyddon ac mae pob math o ffigurau'n cael eu tynnu o'r awyr. O safbwynt gweithredol, o ddydd i ddydd, cost niwtral ydyw. O safbwynt gwaith adfer, bydd cost gyfalaf sylweddol ar hynny. Mae hynny'n cael ei weithio allan ar hyn o bryd. Diddorol oedd clywed asesiad Asiantaeth yr Amgylchedd o £6 miliwn. Ni wn a yw hynny ar gyfer gwaith adfer yn unig. Soniodd y Gweinidog yn gynharach am y £2.5 miliwn a ddenodd cyngor Rhondda Cynon Taf. Cafodd pob awdurdod lleol gynnig ar y cyhoeddiad grant arbennig hwnnw, ond yr oedd yr arian o gyllideb y Gweinidog yn arian i'n helpu ni i ddatblygu a llunio strategaeth reoli gwastraff.

Mae'n strategaeth reoli gwastraff ni yn Rhondda Cynon Taf yn ymrwymiad refeniw. Yn ddiweddar bu inni gyflogi nifer sylweddol o bobl i lwytho'r defnyddiau i'w hailgylchu a mynd i wahanol ddepos. Yr ydym yn meddwl ein bod wedi defnyddio'r arian a gawsom gan y Gweinidog yn ddoeth iawn. Mater i'w ddewis yn lleol ydyw ar ddiwedd y dydd. Mae'n rhaid i Gyngor Bwrdeistref Sirol Castell-nedd Port Talbot a Chyngor Sir a Dinas Abertawe reoli eu gwastraff hwy, ac mae'n anffodus iawn eu bod wedi dewis opsiwn llosgi. Fodd bynnag, ni allaf fi ond siarad ar ran y cynllun yn fy nghyngor i, sydd yn un blaengar iawn, gyda'r fforwm gwastraff. Cawsom amrywiaeth o sylwadau o ddiwydiant a masnach lleol, sydd yn gynhyrchwyr gwastraff enfawr, hyd at ddinasyddion Rhondda Cynon Taf, sydd eto'n gynhyrchwyr gwastraff, a gweithredwyr tomenni gwastraff. Felly o gofio'r amrywiaeth buddiannau yn y fforwm hwnnw, nid oedd yn hawdd. Yr oedd y broses ganoli a ddaeth â'r holl fuddiannau gwahanol hyn ynghyd, ac wedyn a welodd bob un ohonynt yn rhoi sêl bendith i'r strategaeth hon, yn un hynod. Yr oedd yn hir ac

[154] **Richard Edwards:** Okay. Brian, did you want to come back on that?

[155] **Brian Gibbons:** No, no. I am happy with that.

[156] **Geraint Davies:** One of the things that impressed me about RANT was the way that it found information on the health problems, in particular, with regard to gastroschisis. It has been noted in your report that the chance of this cluster of the condition occurring would be one in 1,000. To me, that is enough evidence to ring great alarm bells. I think that it should not be up to the public to discover problems like this; it should have been the responsibility of the area health authority. Can you clarify—I am not sure whether you have already mentioned this, but I would like you to clarify it, and confirm it—whether you will tell this Committee to recommend in its report to Plenary that adequately funded and regular health surveys be undertaken to pick up on problems such as gastroschisis clusters in areas around landfill sites?

Dr Hopkins: I think that the authority has made it very clear that one of the big areas that we see as a gap is the availability of routine morbidity data. That is a huge gap, and an area that we have to work upon. On issues such as congenital abnormalities and gastroschisis, I think that we already have a robust system in place now as a result of some of the early concerns a number of years ago on congenital anomalies around Wales, through a body called CARIS—the Congenital Abnormality Register Information System. I think that I have the acronym right; apologies if I have not quite got it right. It has been working very hard over the last couple of years to try to ensure that we have full reporting and robust data

yn anodd, ond mae ymrwymiad llwyr gan yr holl gyrff a grybwyllais.

[154] **Richard Edwards:** Iawn. Brian, a oeddech eisiau dod yn ôl ar hynny?

[155] **Brian Gibbons:** Na, na. Yr wyf yn hapus â hynny.

[156] **Geraint Davies:** Un o'r pethau a wnaeth argraff arnaf fi ynglyn â RANT oedd y ffordd y daeth o hyd i wybodaeth am y problemau iechyd, yn enwedig, yn gysylltiedig â gastrosgisis. Nodwyd yn eich adroddiad y byddai'r siawns i'r clwstwr hwn o'r cyflwr ddigwydd yn un mewn 1,000. I mi, mae hynny'n ddigon o dystiolaeth i ganu clychau larwm mawr. Credaf na ddylid ei gadael i'r cyhoedd ddarganfod problemau fel hyn; dylasai fod yn gyfrifoldeb yr awdurdod iechyd rhanbarthol. A allwch egluro—nid wyf yn siwr a ydych eisoës wedi sôn am hyn, ond hoffwn ichi ei eglurhau, a'i gadarnhau—a fyddwch yn dweud wrth y Pwyllgor am argymhell yn ei adroddiad i'r Cyfarfod Llawn y dylid gwneud arolygon iechyd rheolaidd a'u hariannu'n ddigonol er mwyn canfod problemau fel clystyrau gastrosgisis mewn ardaloedd o gwmpas safleoedd tirlenwi?

Dr Hopkins: Yr wyf yn meddwl fod yr awdurdod wedi dweud yn glir mai un o'r meysydd mawr lle gwelwn fwlch yw y data ar farwolaethau sydd ar gael fel mater of drefn. Mae hwnnw'n fwlch enfawr, ac yn faes y mae'n rhaid inni weithio arno. Ar faterion fel annormaleddau adeg geni a gastrosgisis, yr wyf yn meddwl fod gennym eisoës system gadarn yn ei lle bellach o ganlyniad i rai o'r pryderon cynnar ychydig flynyddoedd yn ôl ynghylch namau cynhenid o gwmpas Cymru, drwy gorff o'r enw CARIS—sef y System Wybodaeth Gofrestru Annormaleddau Adeg Geni. Credaf fod yr acronym yn iawn gennyf; ymddiheuraf os nad yw'n berffaith iawn. Mae CARIS yn gweithio'n galed iawn ers

so that exactly these sorts of issues can be picked up, so that we know whether there are clusters occurring, and whether they need investigation. I think that we are just about getting to the point in Wales where that register is going to become useful. We think that we have got to a point where the reporting in is fairly complete, so that it can become useful. So, 'yes' is the answer. We would be very supportive of any recommendation that will further improve the information base in Wales.

[157] **Richard Edwards:** Thank you, Dr Hopkins. I will press on while the going is good, and thank Committee members for their questions this afternoon. I also thank the witnesses for their attendance, and for attending for such a long period of time. I also thank all the bodies and individuals who have taken the trouble to respond to the investigator's report. I also thank the audience in the public gallery for, how can I put it, their vocal interest in today's proceedings.

The final stage of the Committee's investigation will now take place in two weeks' time, when the investigator will be present. We will then deliberate on our final recommendations to Plenary, based on his report and responses to it. It will hopefully be presented to Plenary in late February or early March. Again, I thank everybody for their attendance and their participation this afternoon.

blwyddyn neu ddwy'n ceisio sicrhau fod gennym adroddiadau llawn a data cadarn fel y gellir canfod yr union fathau hyn o faterion, fel y gwyddom ym mhle y mae clystyrau'n digwydd, ac a oes angen ymchwilio iddynt. Credaf ein bod yn cyrraedd y pwynt yng Nghymru lle y bydd y gofrestr honno'n ddefnyddiol. Yr ydym yn meddwl ein bod wedi cyrraedd pwynt lle mae'r adroddiadau'n weddol gyflawn, fel y gall fod o ddefnydd. Felly, 'byddem' yw'r ateb. Byddem yn gefnogol iawn i unrhyw argymhelliad a fydd yn gwella ymhellach y sylfaen wybodaeth yng Nghymru.

[157] **Richard Edwards:** Diolch, Dr Hopkins. Daliaf ati tra bo cyfle, a diolch i aelodau'r Pwyllgor am eu cwestiynau y prynhawn yma. Diolchaf hefyd i'r tystion am eu presenoldeb, ac am fod yma am gyfnod mor hir. Diolch hefyd i'r holl gyrrff ac unigolion a aeth i'r drafferth i ymateb i adroddiad yr ymchwilydd. Diolchaf hefyd i'r gynulleidfa yn yr oriel gyhoeddus am, sut allaf fi ddweud hyn, eu diddordeb llafar yn y drafodaeth heddiw.

Bydd cam olaf ymchwiliad y Pwyllgor yn digwydd yn awr ymhen pythefnos, pryd y bydd yr ymchwilydd yn bresennol. Byddwn wedyn yn penderfynu ar ein hargymhellion terfynol i'r Cyfarfod Llawn, ar sail yr adroddiad hwn a'r ymatebion iddo. Gobeithiwn eu cyflwyno i'r Cyfarfod Llawn ddiwedd Chwefror neu ddechrau Mawrth. Eto, diolch i bawb am ddod ac am gymryd rhan y prynhawn yma.

*Daeth y cyfarfod i ben am 5.05 p.m.
The meeting ended at 5.05 p.m.*