



**Cynulliad Cenedlaethol Cymru  
(Y Cofnod Swyddogol)**

**The National Assembly for Wales  
(The Official Record)**

**Dydd Iau 18 Gorffennaf 2002**

**Thursday 18 July 2002**

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Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y Siambr.  
Yn y golofn dde, cynhwyswyd cyfieithiad o'r areithiau hynny.

*In the left-hand column, the proceedings are recorded in the language in which they were spoken in the Chamber. In the right-hand column, a translation of those speeches has been included.*

*Cyfarfu'r Cynulliad am 9.05 a.m. gyda'r Dirprwy Lywydd yn y Gadair.  
The Assembly met at 9.05 a.m. with the Deputy Presiding Officer in the Chair.*

### **Ethol i'r Pwyllgor Deddfau Election to the Legislation Committee**

**The Business Minister (Carwyn Jones):** I **Y Trefnydd (Carwyn Jones):** Cynigiau fod  
propose that

*the National Assembly, in accordance with Standing Order No. 8.4, elects Rosemary Butler (Labour), Ann Jones (Labour) and Karen Sinclair (Labour), to replace Janice Gregory (Labour), Gwenda Thomas (Labour) and Val Lloyd (Labour) on the Legislation Committee. (NDM1141)*

*y Cynulliad Cenedlaethol, yn unol â Rheol Sefydlog Rhif 8.4, yn ethol Rosemary Butler (Llafur), Ann Jones (Llafur) a Karen Sinclair (Llafur) i gymryd lle Janice Gregory (Llafur), Gwenda Thomas (Llafur) a Val Lloyd (Llafur) ar y Pwyllgor Deddfau. (NDM1141)*

*Cynnig: O blaid 32, Ymatal 0, Yn erbyn 0.  
Motion: For 32, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Chapman, Christine  
Dafis, Cynog  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Graham, William  
Griffiths, John  
Hancock, Brian  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Pugh, Alun  
Randerson, Jenny  
Sinclair, Karen  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**Cwestiynau i'r Gweinidog dros Ddiwylliant, Chwaraeon a'r Gymraeg  
Questions to the Minister for Culture, Sport and the Welsh Language**

**Cais Caerdydd i fod yn Brifddinas Diwylliant Ewrop  
Cardiff's Cultural Capital of Europe Bid**

**Q1 Karen Sinclair:** How will Cardiff's bid for Cultural Capital of Europe status benefit Wales as a whole? (OAQ19043)

**The Minister for Culture, Sport and the Welsh Language (Jenny Randerson):** Cardiff's bid for Cultural Capital of Europe status in 2008 has the support of local authorities throughout Wales. A successful bid will raise Wales's profile abroad and bring increased cultural activity to all parts of Wales as projects are developed.

**Karen Sinclair:** If the bid is successful, what responsibility will Cardiff County Council have to the rest of Wales?

**Jenny Randerson:** The match funding we are providing for the bid's first stages is given on the basis that it is an all-Wales bid. There must be two-way movement; cultural activity in Cardiff must go out and benefit the rest of Wales and the rest of Wales should contribute to Cardiff's bid. I hope that the enthusiasm that I have seen so far for the bid from distant parts of Wales, continues throughout the coming months.

**Rhodri Glyn Thomas:** Datganaf fuddiant fel aelod o fwrdd Caerdydd 2008 Cyf. A wnewch chi ymuno â mi i longyfarch y tîm a drefnodd ymweliad dyfarnwyr Prifddinas Diwylliant Ewrop 2008 â Chaerdydd yn ddiweddar, a chadarnhau bod y brifddinas ac ystod diwylliant Cymru wedi creu argraff ffafriol arnynt?

**Jenny Randerson:** At the end of the visit, the judging panel left with a positive impression of Cardiff. I congratulate those involved in ensuring that that was the case. The judges were clearly impressed by the scale of the Wales Millennium Centre, and the exciting prospect of having seven organisations working together in the completed centre.

**C1 Karen Sinclair:** Sut y bydd Cymru gyfan yn elwa o gais Caerdydd i fod yn Brifddinas Diwylliant Ewrop? (OAQ19043)

**Y Gweinidog dros Ddiwylliant, Chwaraeon a'r Gymraeg (Jenny Randerson):** Cefnogir cais Caerdydd i fod yn Brifddinas Diwylliant Ewrop yn 2008 gan awdurdodau lleol drwy Gymru gyfan. Bydd cais llwyddiannus yn codi proffil Cymru dramor ac yn dod â mwy o weithgarwch diwylliannol i bob rhan o Gymru wrth i brosiectau gael eu datblygu.

**Karen Sinclair:** Os bydd y cais yn llwyddiannus, pa gyfrifoldeb fydd gan Gyngor Sir Caerdydd dros weddill Cymru?

**Jenny Randerson:** Caiff yr arian cyfatebol yr ydym yn ei ddarparu ar gyfer camau cyntaf y cais ei roi ar y sail mai cais dros Gymru gyfan ydyw. Rhaid cael symud dwy ffordd; rhaid i weithgaredd diwylliannol yng Nghaerdydd ymestyn y tu hwnt i'r brifddinas er budd gweddill Cymru a dylai gweddill Cymru gyfrannu at gais Caerdydd. Gobeithiaf y bydd y brwdfrydedd a welais hyd yma dros y cais, a hynny gan rannau o Gymru sydd ymhell o Gaerdydd, yn parhau drwy gydol y misoedd sydd i ddod.

**Rhodri Glyn Thomas:** I declare an interest as a member of the board of Cardiff 2008 Ltd. Will you join me in congratulating the team that arranged the recent visit of the Cultural Capital of Europe 2008 judges to Cardiff, and confirm that the capital and the range of Wales's culture created a favourable impression upon them?

**Jenny Randerson:** Ar ddiwedd yr ymweliad, aeth y panel dyfarnwyr oddi yma gydag argraff gadarnhaol o Gaerdydd. Llongyfarchaf bawb a gyfrannodd at sicrhau hynny. Gwnaeth maint Canolfan Mileniwm Cymru, a'r rhagolygon cyffrous o gael saith corff yn cydweithio yn y ganolfan orffenedig, argraff amlwg ar y dyfarnwyr.

**Lorraine Barrett:** Were you as pleased as I that the judging team not only visited Immtech to see the media training work that it does, with ethnic minorities in particular, but also the Pop Factory to see the work undertaken in the Valleys and beyond? That demonstrates that opportunities exist outside Cardiff.

**Jenny Randerson:** I was pleased that the decision was made to ensure that the judging panel saw work well beyond Wales; I believe that the panel also met students from Newport. That is symbolically important. Had the panel been able to spend more than a day in Wales, it would have been appropriate to take its members much further afield.

**Glyn Davies:** Yr ydym i gyd yn gobeithio y bydd Caerdydd yn llwyddiannus yn y cais i ennill statws Prifddinas Diwylliant Ewrop. Ond a ydych yn cytuno, mewn gwirionedd, na fydd hynny'n gwneud llawer o les i'r Canolbarth a'r Gogledd? Os nad ydych yn derbyn hynny, mae arnaf ofn y bydd y Canolbarth a'r Gogledd ar eu colled unwaith eto.

**Jenny Randerson:** I do not agree. The concept of Cardiff as the capital of the whole of Wales is important to this bid. When Glasgow was the Cultural Capital of Europe a few years ago, people heard about the whole of Scotland as a result. We are working on the basis that people will hear about the whole of Wales through Cardiff. It is important that consensus and agreement on this issue is not undermined by a failure to examine the lessons of the past, which clearly demonstrate that the whole of Wales will benefit from this.

**Lorraine Barrett:** A gawsoch chi eich plesio gymaint â mi fod y tîm dyfarnu wedi ymweld nid yn unig ag Immtech i weld y gwaith hyfforddi ar gyfer y cyfryngau a wneir yno, gyda lleiafrifoedd ethnig yn arbennig, ond hefyd â'r Ffatri Bop i weld y gwaith sy'n digwydd yn y Cymoedd a thu hwnt? Mae hynny'n dangos bod cyfleoedd y tu allan i Gaerdydd.

**Jenny Randerson:** Yr oeddwn yn falch y gwnaethpwyd y penderfyniad i sicrhau y gwelai'r panel dyfarnu waith ymhell y tu hwnt i Gymru; credaf i'r panel gyfarfod â myfyrwyr o Gasnewydd hefyd. Mae hynny'n bwysig yn symbolaidd. Pe bai'r panel wedi gallu treulio mwy na diwrnod yng Nghymru, buasai wedi bod yn briodol mynd â'i aelodau tu hwnt i'r brifddinas.

**Glyn Davies:** We all hope that Cardiff is successful in its bid to win Cultural Capital of Europe status. However, do you agree that, in reality, that will not be of much benefit to mid and north Wales? If you do not accept that, I am afraid that mid and north Wales will lose out yet again.

**Jenny Randerson:** Nid wyf yn cytuno. Mae'r cysyniad o Gaerdydd fel prifddinas Cymru gyfan yn bwysig i'r cais hwn. Pan fu Glasgow yn Brifddinas Diwylliant Ewrop rai blynyddoedd yn ôl, clywodd pobl am yr Alban gyfan o ganlyniad. Yr ydym yn gweithio ar y sail y bydd pobl yn clywed am Gymru gyfan drwy Gaerdydd. Mae'n bwysig na ddylid tanseilio consensws a chytundeb ar y mater hwn wrth inni anwybyddu gwersi'r gorffennol, sy'n dangos yn glir y bydd Cymru gyfan yn elwa o hyn.

### **Cymdeithas Tennis Lawnt Lawn Tennis Association**

**Q2 Mick Bates:** What discussions has the Minister had with the Lawn Tennis Association to develop a centre of excellence in Wales? (OAQ19037)

**Jenny Randerson:** I have not held any discussions with the Lawn Tennis

**C2 Mick Bates:** Pa drafodaethau y mae'r Gweinidog wedi'u cael â'r Gymdeithas Tennis Lawnt i ddatblygu canolfan ragoriaeth yng Nghymru? (OAQ19037)

**Jenny Randerson:** Nid wyf wedi cynnal unrhyw drafodaethau gyda'r Gymdeithas

Association on this issue.

**Mick Bates:** I am sure that you will have discussions at some stage. Although I believe that excellent facilities are available in Swansea, are you aware of the shortage of facilities in mid Wales—which would be an excellent area to site a centre of excellence? Do you take a strategic view to ensure that the whole of Wales has adequate facilities?

**Jenny Randerson:** You will be delighted to hear that Tennis Wales, funded in part by the Lawn Tennis Association, is working on a national facilities plan. That will involve establishing more tennis court facilities in mid Wales and further discussions will be held between the Sports Council for Wales and Powys County Council. I will be pleased to provide you with further information as it becomes available. A strategic approach is taken to tennis facilities in Wales, as to all other sports facilities.

**David Lloyd:** Yn ogystal â datblygu rhagoriaeth chwaraeon yng Nghymru, mae eich strategaeth ddiwylliant yn nodi bod angen mwy o gefnogaeth ar chwaraeon amatur ar lefel gymunedol. Sut yr ydych wedi mynd ati i sicrhau hynny?

**Jenny Randerson:** The sports council has an excellent range of schemes, such as Dragon Sport and Coach Cymru, which deliver sporting excellence at a community level. The council is constantly building upon those schemes, and making it easier to access the money. In addition, £48.5 million of new opportunities fund money will become available later this year. It will be used in community facilities—mainly based in schools—in line with the advice of the sports council and local authority procedures.

**Christine Chapman:** I welcome your comments, Jenny, but would you agree that, in order to encourage the take-up of tennis in Wales, we need to improve access, develop more facilities and, most importantly, eliminate the exclusivity that tends to be associated with the sport across the United Kingdom? Would you also agree that developing a strategy for tennis in poorer

Tenis Lawnt ar y mater hwn.

**Mick Bates:** Yr wyf yn siŵr y cewch drafodaethau ar ryw bwynt. Er y credaf fod cyfleusterau ardderchog ar gael yn Abertawe, a ydych yn ymwybodol o'r prinder cyfleusterau yn y Canolbarth—a fyddai'n ardal ardderchog i leoli canolfan ragoriaeth? A ydych yn cymryd golwg strategol i sicrhau y caiff Cymru gyfan gyfleusterau digonol?

**Jenny Randerson:** Byddwch yn falch iawn o gael gwybod bod Tennis Cymru, a ariennir yn rhannol gan y Gymdeithas Tennis Lawnt, yn gweithio ar gynllun cyfleusterau cenedlaethol. Bydd hynny'n golygu sefydlu mwy o gyfleusterau cyrtiau tenis yn y Canolbarth a chynhelir trafodaethau pellach rhwng Cyngor Chwaraeon Cymru a Chyngor Sir Powys. Byddaf yn falch o roi mwy o wybodaeth ichi pan ddaw i law. Yn yr un modd â chyda'r holl gyfleusterau chwaraeon eraill, ystyrir darpariaeth cyfleusterau tenis mewn modd strategol.

**David Lloyd:** In addition to developing sporting excellence in Wales, your culture strategy notes that community level amateur sports require more support. What steps have you taken to ensure that that happens?

**Jenny Randerson:** Mae gan y cyngor chwaraeon ystod ardderchog o gynlluniau, fel Campau'r Ddraig a Coach Cymru, sy'n cyflwyno rhagoriaeth mewn chwaraeon ar lefel gymunedol. Mae'r cyngor wrthi o hyd yn datblygu'r cynlluniau hynny, ac yn ei gwneud yn haws cael yr arian. Hefyd, bydd £48.5 miliwn o'r gronfa cyfleoedd newydd ar gael yn ddiweddarach eleni. Caiff yr arian hwnnw ei wario ar gyfleusterau cymunedol—mewn ysgolion yn bennaf—yn unol â chyngor y cyngor chwaraeon a gweithdrefnau awdurdodau lleol.

**Christine Chapman:** Croesawaf eich sylwadau, Jenny, ond a gytunech, er mwyn annog chwarae tenis yng Nghymru, fod angen inni wella mynediad, datblygu mwy o gyfleusterau ac, yn bwysicaf oll, dileu'r deholrwydd y tueddir i'w gysylltu â'r gamp ledled y Deyrnas Unedig? A gytunech hefyd fod datblygu strategaeth ar gyfer tenis mewn cymunedau tlotach yn allweddol os yw

communities is vital if Wales is to participate in the revival of UK tennis success at the highest level?

9:15 a.m.

**Jenny Randerson:** I agree with your general premise, Christine. It is particularly important that we pay attention to those issues because tennis is a sport that attracts many girls. We are trying to address the major issue of disparity in the uptake of sport by boys and uptake by girls. The Sports Council for Wales has ambitious targets in that regard and developing tennis will be one way to achieve them.

**Jonathan Morgan:** If Great Britain is to produce a Wimbledon champion again then we must become serious about developing tennis, as we should for all sports. Have you discussed reviewing sport provision in schools with the Minister for Education and Lifelong Learning?

**Jenny Randerson:** I have had many discussions with the Minister for Education and Lifelong Learning about sport provision in schools, not least as a result of the physical education and school sport taskforce's report. Work has already begun on that, with £500,000 invested in developing pilot projects this year.

**Rosemary Butler:** The best way to provide access and to improve the quality of tennis throughout Britain is to ensure that excellent facilities are available. I am sure that the Minister would agree that the facilities available in Newport are second to none in Wales. They are located in one of the more deprived areas of the city and all the schools have access to those facilities. The number of children and young people from Newport who are now members of the Welsh squad is beyond anyone's expectations. Therefore, I agree with Mick Bates on this occasion; we need better quality facilities. I would like to point out that these facilities were built by Newport—

**The Deputy Presiding Officer:** Order. You cannot point out matters during questions. Please ask short, sharp and succinct

Cymru i chwarae ei rhan yn yr adfywiad yn llwyddiant y DU mewn tenis ar y lefel uchaf?

**Jenny Randerson:** Cytunaf â'ch rhagdybiaeth gyffredinol, Christine. Mae'n arbennig o bwysig inni roi sylw i'r materion hynny gan fod tenis yn gamp sy'n denu llawer o ferched. Yr ydym yn ceisio mynd i'r afael â phroblem fawr y gwahaniaeth rhwng bechgyn a genethod o ran y niferoedd sy'n ymgymryd â chwaraeon. Mae gan Gyngor Chwaraeon Cymru dargedau uchelgeisiol yn hynny o beth a bydd datblygu tenis yn un ffordd o'u cyflawni.

**Jonathan Morgan:** Os yw Prydain Fawr am gynhyrchu pencampwr Wimbledon eto, rhaid inni fod o ddifrif ynglŷn â datblygu tenis, fel y dylem fod ar gyfer pob chwaraeon. A ydych wedi trafod adolygu'r ddarpariaeth chwaraeon mewn ysgolion gyda'r Gweinidog dros Addysg a Dysgu Gydol Oes?

**Jenny Randerson:** Yr wyf wedi cael llawer o drafodaethau gyda'r Gweinidog dros Addysg a Dysgu Gydol Oes ynghylch darpariaeth chwaraeon mewn ysgolion, nid yn lleiaf yn sgîl adroddiad y tasglu ar addysg gorfforol a chwaraeon ysgol. Mae gwaith yn mynd rhagddo ar hynny eisoes, a buddsoddiwyd £500,000 i ddatblygu prosiectau peilot eleni.

**Rosemary Butler:** Y ffordd orau i ddarparu mynediad ac i wella safon tenis ledled Prydain yw sicrhau bod cyfleusterau rhagorol ar gael. Yr wyf yn siŵr y cytunai'r Gweinidog fod y cyfleusterau yng Nghasnewydd heb eu hail yng Nghymru. Maent wedi'u lleoli yn un o ardaloedd mwy difreintiedig y ddinas a gall yr ysgolion i gyd ddefnyddio'r cyfleusterau hynny. Mae'r nifer o blant a phobl ifanc o Gasnewydd sydd bellach yn aelodau o garfan Cymru y tu hwnt i ddisgwyliadau neb. Felly, cytunaf â Mick Bates y tro hwn; mae angen cyfleusterau gwell. Hoffwn nodi yr adeiladwyd y cyfleusterau hyn gan Gasnewydd—

**Y Dirprwy Lywydd:** Trefn. Ni chewch nodi pethau yn ystod cwestiynau. A fydddech gystal â gofyn cwestiynau byr, cryno ac i'r



questions.

**Rosemary Butler:** Does the Minister agree that Newport should be congratulated on building these facilities without lottery funding?

**Jenny Randerson:** I agree. I have visited these excellent facilities. It is important that we accept that partnership is an important basis for future developments. You pinpoint the success of Newport, Rosemary, in terms of tennis and membership of the Welsh squad; I think that all Members would find the sports council's series of reports on the provision and uptake of sport in each local authority area interesting. They are detailed and contain information of interest to the public, and should be more widely known.

pwynt?

**Rosemary Butler:** A gytuna'r Gweinidog y dylid llongyfarch Casnewydd ar adeiladu'r cyfleusterau hyn heb arian loteri?

**Jenny Randerson:** Cytunaf. Yr wyf wedi ymweld â'r cyfleusterau ardderchog hyn. Mae'n bwysig ein bod yn derbyn bod partneriaeth yn sail bwysig i ddatblygiadau yn y dyfodol. Yr ydych chi'n nodi llwyddiant Casnewydd, Rosemary, ym maes tenis ac aelodaeth o garfan Cymru; credaf y byddai cyfres y cyngor chwaraeon o adroddiadau ar ddarpariaeth a chyfranogiad mewn chwaraeon ym mhob ardal awdurdod lleol o ddiddordeb i bob Aelod. Mae'r adroddiadau'n fanwl ac yn cynnwys gwybodaeth o ddiddordeb i'r cyhoedd, a dylent fod yn fwy hysbys.

### **Dosbarthu Cronfeydd y Loteri Distribution of Lottery Funds**

**C3 Elin Jones:** A yw'r Gweinidog wedi bod yn rhan o unrhyw drafodaethau ynghylch adolygu'r ffordd y mae cronfeydd y loteri yn cael eu dosbarthu yng Nghymru? (OAQ19103)

**Jenny Randerson:** The Secretary of State for Culture, Media and Sport announced a review of the lottery in March. My officials and I have held discussions with the Department for Culture, Media and Sport, and the other devolved administrations, on the review. A consultation document will be issued shortly and I hope that people across Wales will input into the review process.

**Elin Jones:** A ydych yn cytuno y byddai'n symlach pe bai un corff dosbarthu ar gyfer y loteri yng Nghymru a bod hwnnw wedi ei ranbartholi drwy sefydlu swyddfeydd ar hyd a lled y wlad?

**Jenny Randerson:** The concept of one distribution body has been discussed for some time. The DCMS suggested the idea as a possible solution to some of the problems raised and it has gained a great deal of public attention in the press. I have asked my officials to investigate it and I will consider it

**Q3 Elin Jones:** Has the Minister been involved in any discussions about reviewing the way in which lottery funds are distributed in Wales? (OAQ19103)

**Jenny Randerson:** Cyhoeddodd yr Ysgrifennydd Gwladol dros Ddiwylliant, y Cyfryngau a Chwaraeon adolygiad o'r loteri ym mis Mawrth. Yr wyf fi a'm swyddogion wedi cynnal trafodaethau â'r Adran dros Ddiwylliant, y Cyfryngau a Chwaraeon, a'r gweinyddiaethau datganoledig eraill, ar yr adolygiad. Cyhoeddir dogfen ymgynghori cyn bo hir a gobeithiaf y bydd pobl ledled Cymru'n cyfrannu at y broses adolygu.

**Elin Jones:** Do you agree that it would be simpler if there were one distribution body for the lottery in Wales and that this body should be regionalised through the establishment of offices across the country?

**Jenny Randerson:** Yr ydym wedi trafod cysyniad un corff dosbarthu ers tro. Awgrymodd yr Adran dros Ddiwylliant, y Cyfryngau a Chwaraeon y syniad fel ateb posibl i rai o'r problemau a gododd, a chafodd lawer o sylw cyhoeddus yn y wasg. Gofynnais i'm swyddogion edrych ar hyn yn

further in coming months.

fawnl ac fe'i hystyriaf ymhellach yn y misoedd nesaf.

**Eleanor Burnham:** Do you agree that we must ensure that sufficient lottery funds are given to north Wales, to develop tennis in particular? North Wales is bereft of tennis facilities, particularly north-west Wales and Bangor. Do you agree that it is important that funds are given to all areas of Wales? Otherwise, it might be perceived that south and mid Wales receive all the funding.

**Eleanor Burnham:** A gytunwch fod yn rhaid inni sicrhau y rhoddir arian loteri digonol i'r Gogledd, i ddatblygu tenis yn arbennig? Mae cyfleusterau tenis yn brin yn y Gogledd, yn enwedig ym Mangor a'r Gogledd-orllewin. A gytunwch ei bod yn bwysig rhoi arian i bob rhan o Gymru? Fel arall, gellid credu mai'r De a'r Canolbarth sy'n cael yr arian i gyd.

**Jenny Randerson:** Twenty-one per cent of Wales's population lives in the Assembly constituency region of North Wales, yet it received 31 per cent of Sports Council for Wales funding in 2001-02, under local development, and 32 per cent is planned for this year. Since the lottery began, 21 per cent of the population of Wales has received 30 per cent of all regional awards for sport. Therefore, I want to lay to rest the ghost of the rumour that the lottery does not serve the people of north Wales well. They receive more than their share of the total lottery pot.

**Jenny Randerson:** Un ar hugain y cant o boblogaeth Cymru sy'n byw yn etholaeth ranbarthol Gogledd Cymru, eto derbyniodd 31 y cant o gyllid Cyngor Chwaraeon Cymru yn 2001-02, dan bennawd datblygu lleol, ac mae 32 y cant wedi'i glustnodi ar gyfer eleni. Ers dechrau'r loteri, mae 21 y cant o boblogaeth Cymru wedi cael 30 y cant o'r holl ddyfarniadau rhanbarthol ar gyfer chwaraeon. Felly, hoffwn roi taw ar y sibrydion nad yw'r loteri'n rhoi gwasanaeth da i bobl y Gogledd. Cânt fwy na'u siâr o gyfanswm arian y loteri.

**William Graham:** Will the Minister outline the total amount of money donated to charitable and good causes throughout Wales?

**William Graham:** A wnaiff y Gweinidog amlinellu beth oedd cyfanswm yr arian a roddwyd i achosion da ac elusennol ledled Cymru?

**Jenny Randerson:** Do you mean by the lottery?

**Jenny Randerson:** Gan y loteri?

**William Graham:** Yes.

**William Graham:** Ie.

**Jenny Randerson:** I cannot give you information on that now. I need clarification of the purpose of your question. If you write to me, I will provide you with more details. However, £620 million-worth of lottery money has gone to Wales as a whole. Not all of that is for charitable causes, but I can give you further figures on the community fund, for example, later.

**Jenny Randerson:** Ni allaf roi unrhyw wybodaeth ichi ar hynny yn awr. Mae arnaf angen eglurhad o ddiben eich cwestiwn. Os ysgrifennwch ataf, fe roddaf fwy o fanylion ichi. Fodd bynnag, mae gwerth £620 miliwn o arian y loteri wedi dod i Gymru'n gyffredinol. Nid yw hynny i gyd wedi mynd at achosion elusennol, ond gallaf roi ffigurau pellach ichi ar y gronfa gymunedol, er enghraifft, yn ddiweddarach.

There seems to be an end-of-term spirit in the Assembly Chamber this morning, given all the talking going on.

Mae'n ymddangos bod hwyliau diwedd tymor yn Siambr y Cynulliad y bore yma, gyda'r holl siarad.

**John Griffiths:** Minister, will you continue to do all that you can to ensure fairness across Wales and that constituencies such as

**John Griffiths:** Weinidog, a wnewch chi barhau i wneud popeth a allwch i sicrhau tegwch ar draws Cymru a bod etholaethau fel

Newport East, which has contributed most to the lottery but has received the least in funds, get fair play in future?

**Jenny Randerson:** I spend much of my time trying to ensure that lottery distributors pay a lot of attention to this issue. In several constituencies, not just Newport East, take-up has not been as great as we had hoped. However, the lottery review is at least partly inspired by that issue, and I hope that the review's outcome will assist areas such as Newport East. The fair shares initiative, which does not include Newport East, points out that other factors need to be taken into account, such as deprivation, as well as the percentage of lottery funding.

Dwyrain Casnewydd, sydd wedi cyfrannu'r mwyaf i'r loteri ond wedi derbyn y lleiaf o arian o'i chronfeydd, yn cael chwarae teg yn y dyfodol?

**Jenny Randerson:** Treuliaf lawer o f'amser yn ceisio sicrhau bod dosbarthwyr y loteri'n rhoi cryn sylw i'r mater hwn. Mewn sawl etholaeth, nid dim ond Dwyrain Casnewydd, ni fanteisiwyd ar yr arian gymaint ag yr oeddem wedi gobeithio. Fodd bynnag, y mater hwnnw, yn rhannol o leiaf, sydd wedi ysbrydoli'r adolygiad o'r loteri, a gobeithiaf y bydd canlyniad yr adolygiad yn helpu ardaloedd fel Dwyrain Casnewydd. Mae'r cynllun cyfran deg, nad yw'n cynnwys Dwyrain Casnewydd, yn nodi bod angen ystyried ffactorau eraill, fel amddifadedd, yn ogystal â chanran yr arian loteri.

#### **Defnyddio Arwynebeddau at Bob Tywydd Use of All-weather Surfaces**

**Q4 Mick Bates:** Will the Minister make a statement on the use of all-weather surfaces in rural Wales? (OAQ19096)

**Jenny Randerson:** Last year, the Sports Council for Wales evaluated the use of multi-use games areas in parts of rural Wales, which revealed that young people mainly use these facilities through clubs and schools.

**Mick Bates:** I am sure that you agree that, because of the sparsity factor, rural Wales needs additional facilities. Welshpool High School is a case in point and is waiting to hear when funds will be available. When will new opportunities fund money be available to help schools develop all-weather surfaces?

**Jenny Randerson:** Having visited Welshpool High School, I am aware of its plans. It is hoped that the new opportunities fund money will be distributed in the autumn, probably at the end of September or October. That will be done in line with local authorities' preferences, the advice of the sports council and clearly established criteria. In terms of providing all-weather surfaces, factors such as community need, the ability to

**C4 Mick Bates;** A wnaiff y Gweinidog ddatganiad ar y defnydd o arwynebeddau at bob tywydd yng Nghymru wledig? (OAQ19096)

**Jenny Randerson:** Y llynedd, mesurodd Cyngor Chwaraeon Cymru y defnydd o feysydd chwarae aml-ddefnydd mewn rhannau o gefn gwlad Cymru, a gwelwyd bod pobl ifanc yn defnyddio'r cyfleusterau hyn yn bennaf drwy glybiau ac ysgolion.

**Mick Bates:** Yr wyf yn siŵr y cytunwch, oherwydd natur wasgaredig yr ardal, fod angen cyfleusterau ychwanegol ar y Gymru wledig. Mae Ysgol Uwchradd y Trallwng yn enghraifft, ac mae'n disgwyl i glywed pa bryd y bydd arian ar gael. Pa bryd y bydd arian y gronfa cyfleoedd newydd ar gael i helpu ysgolion i ddatblygu meysydd pob tywydd?

**Jenny Randerson:** Ymwelais ag Ysgol Uwchradd y Trallwng a deuthum yn ymwybodol o'i chynlluniau. Gobeithir dosbarthu arian y gronfa cyfleoedd newydd yn yr hydref, tua diwedd Medi neu fis Hydref, mae'n debyg. Gwneir hynny'n unol â dewisiadau'r awdurdodau lleol, cyngor y cyngor chwaraeon a meini prawf sefydledig clir. O ran darparu meysydd pob tywydd, rhoddir ystyriaeth i ffactorau fel yr angen yn

manage the facility, the numbers of people who will benefit, and the links between secondary and primary schools, will be taken into account.

**Brian Hancock:** Many all-weather surfaces could be provided in all communities in Wales if you, the Minister for Environment and the Minister for Economic Development considered using the old tyre mountain. With the help and support of small environmental companies—such as one in my constituency—we could provide these surfaces throughout Wales.

9:25 a.m.

**Jenny Randerson:** One hundred multi-use games areas have been provided throughout Wales. This is a good record. All of those areas were developed using lottery funding, while others have been developed using alternative sources of funding. I am sure that the company in your constituency will have benefited from business generated as a result of the creation of some of those games areas. It is important to bear in mind that the type of area provided must suit the local community—bigger, more densely populated areas need bigger playing surfaces, while smaller playing surfaces is the norm in rural areas.

**David Davies:** Perhaps I should declare an interest as my brother is a former professional tennis player.

Do you agree that there is an enormous amount of tennis talent throughout Wales, not only in Newport, and that one reason why we are failing to develop this talent is the policy of the new opportunities fund to allocate money on a per capita basis, thereby discriminating against rural areas?

**Jenny Randerson:** The new opportunities fund in Wales does not have a policy of allocating money on a per capita basis. The formula used in Wales was adapted from the one used in England. Rural areas have benefited greatly as a result of that adaptation. Therefore the premise of your question is wrong.

y gymuned, y gallu i reoli'r cyfleuster, y nifer o bobl a gaiff fudd, a'r cysylltiadau rhwng ysgolion uwchradd a chynradd.

**Brian Hancock:** Gellid darparu sawl maes pob tywydd ym mhob cymuned yng Nghymru pe baech chi, y Gweinidog dros yr Amgylchedd a'r Gweinidog dros Ddatblygu Economaidd yn ystyried defnyddio'r mynydd o hen deiars. Gyda chymorth a chefnogaeth cwmnïau amgylcheddol bychain—fel un sydd yn fy etholaeth i—gallem ddarparu'r meysydd hyn drwy Gymru gyfan.

**Jenny Randerson:** Mae 100 o feysydd chwaraeon aml-ddefnydd wedi'u darparu drwy Gymru gyfan. Mae hynny'n record dda. Datblygwyd y meysydd hynny i gyd gan ddefnyddio arian y loteri, tra datblygwyd eraill gan ddefnyddio ffynonellau ariannol amgen. Yr wyf yn siŵr y bydd y cwmni yn eich etholaeth chi wedi elwa ar fusnes a gynhyrchwyd yn sgîl creu rhai o'r meysydd chwaraeon hynny. Mae'n bwysig cofio bod yn rhaid i'r math o faes a ddarperir fod yn addas i'r gymuned leol—mae angen meysydd chwarae mwy ar ardaloedd mwy poblog a mwy o faint, ond meysydd chwarae llai a welir fel arfer mewn ardaloedd gwledig.

**David Davies:** Efallai y dylwn ddatgan buddiant gan fod fy mrawd yn gyn chwaraewr tenis proffesiynol.

A gytunwch fod peth wmbreth o dalent tennis ledled Cymru, nid dim ond yng Nghasnewydd, ac mai un rheswm pam yr ydym yn methu datblygu'r dalent hon yw polisi'r gronfa cyfleoedd newydd o ddyrannu arian ar sail y pen, gan wahaniaethu felly yn erbyn ardaloedd gwledig?

**Jenny Randerson:** Nid oes gan y gronfa cyfleoedd newydd bolisi o ddyrannu arian ar sail y pen. Mae'r fformiwla a ddefnyddir yng Nghymru yn addasiad o'r un a ddefnyddir yn Lloegr. Mae ardaloedd gwledig wedi elwa'n fawr o ganlyniad i'r addasiad hwnnw. Felly mae rhagdybiaeth eich cwestiwn yn anghywir.

## Hybu Cerflunio Promoting Sculpture

**Q5 David Melding:** Will the Minister make a statement on measures to promote sculpture in Wales? (OAQ19027)

**Jenny Randerson:** The Arts Council of Wales funds Cywaith Cymru/Artworks Wales and the Cardiff Bay Arts Trust, who commission and promote sculpture. The council also supports sculptors through its artists in residence programme. Creative Future:Cymru Greadigol encourages the installation of public art, as well as assisting artists to find studio spaces, bursaries and commissions.

**David Melding:** Do you not think that the return of public statues to fashion is long overdue? The Edwardians and Victorians could be said to have commissioned too many statues, but we should consider the greats of Welsh history. The statue of David Lloyd George, which stands opposite City Hall, should perhaps now stand at the top of Lloyd George Avenue. He could be joined by statues of Henry VII, Iolo Morgannwg and Bishop William Morgan, just to mention a few. I am not predicting a premature demise, but there should no doubt be a statue of Ron Davies, when it becomes appropriate, placed perhaps at the other end of Lloyd George Avenue.

**Jenny Randerson:** It is obvious that it is the end of term. I caution you, David, following the unfortunate recent beheading of Mrs Thatcher—I refer to the statue, of course—that the concept of statues might not be popular with everyone. However, I agree that examples of statues, such as Robert Thomas's excellent public statue of Aneurin Bevan in Cardiff's Queen Street, are all too rare nowadays. I am keen to encourage public art of this nature.

**Phil Williams:** In the 1930s, Sweden was the first country to introduce a rule that 1 per cent of the cost of all public buildings should be spent on art. At home, I have several hundred photographs of sculptures that add to

**C5 David Melding:** A wnaiff y Gweinidog ddatganiad ar y mesurau i hybu cerflunio yng Nghymru? (OAQ19027)

**Jenny Randerson:** Mae Cyngor Celfyddydau Cymru'n ariannu Cywaith Cymru/Artworks Wales ac Ymddiriedolaeth Gelfyddydau Bae Caerdydd, sy'n comisiynu ac yn hyrwyddo cerflunio. Mae'r cyngor yn cefnogi cerflunwyr hefyd drwy ei raglen artistiaid preswyl. Mae Creative Future:Cymru Greadigol yn annog gwaith celf cyhoeddus, yn ogystal â chynorthwyo artistiaid i ganfod lle stiwdio, bwrsariau a chomisiynau.

**David Melding:** Onid ydych yn meddwl ei bod yn hen bryd i gerfluniau cyhoeddus ddychwelyd i'r ffasiwn? Gellid dweud bod pobl oes Edward a Victoria wedi comisiynu gormod o gerfddelwau, ond dylem ni ystyried cewri hanes Cymru. Efallai y dylai cerflun David Lloyd George, sy'n sefyll gyferbyn â Neuadd y Ddinas, gael ei symud i ben uchaf Rhodfa Lloyd George. Gallai fwynhau cwmni cerfluniau o Harri VII, Iolo Morgannwg a'r Esgob William Morgan, i enwi dim ond ychydig. Nid wyf yn rhagweld tranc annhymig, ond heb amheuaeth dylai fod cerflun o Ron Davies, pan ddaw'r adeg briodol, wedi'i osod efallai ar ben arall Rhodfa Lloyd George.

**Jenny Randerson:** Mae'n amlwg ei bod yn ddiweddd tymor. Fe'ch rhybuddiaf, David, yn dilyn dienyddiad anffodus diweddar Mrs Thatcher—cyfeirio yr wyf at y cerflun, wrth gwrs—nad yw'r syniad o gerfddelwau efallai'n boblogaidd gyda phawb. Fodd bynnag, cytunaf fod enghreifftiau o gerfddelwau, fel cerflun cyhoeddus gwych Robert Thomas o Aneurin Bevan yn Heol y Frenhines, Caerdydd, yn rhy brin y dyddiau hyn. Yr wyf yn awyddus i annog celf gyhoeddus o'r math hwn.

**Phil Williams:** Yn y 1930au, Sweden oedd y wlad gyntaf i gyflwyno rheol y dylai 1 y cant o gost pob adeilad cyhoeddus gael ei wario ar gelfyddyd. Gartref, mae gennyf rai cannoedd o ffotograffau o gerfluniau sy'n ychwanegu

the quality of schools, hospitals and social housing in every town and village in Sweden. Introducing such a rule in Wales would be within the Assembly's powers. Does the Government have any plans to introduce a similar scheme in Wales, as I can think of nothing that would do more to promote sculpture and the love of art throughout Wales?

**Jenny Randerson:** I am aware that my colleague, Sue Essex, has considered the concept of spending a percentage of building costs on art. This issue is part of the deliberations of the design commission established by the Minister for Environment, and therefore you should rightly address your points to her, because she has a keen interest in the subject.

at ansawdd ysgolion, ysbytai a thai cymdeithasol ym mhob tref a phentref yn Sweden. Byddai cyflwyno rheol o'r fath yng Nghymru o fewn pwerau'r Cynulliad. A oes gan y Llywodraeth unrhyw gynlluniau i gyflwyno cynllun tebyg yng Nghymru, gan na allaf feddwl am ddim a wnâi fwy i hybu cerflunio a chariad at gelfyddyd drwy Gymru gyfan?

**Jenny Randerson:** Gwn fod fy nghyd-Aelod, Sue Essex, wedi ystyried y cysyniad o wario canran o gostau adeiladu ar gelfyddyd. Mae'r mater hwn yn rhan o drafodaethau'r comisiwn dylunio a sefydlwyd gan y Gweinidog dros yr Amgylchedd, ac felly dylech, mewn gwirionedd, gyfeirio'ch pwyntiau ati hi, gan fod ganddi ddiddordeb brwd yn y pwnc.

### Canolfan Mileniwm Cymru The Wales Millennium Centre

**Q6 Delyth Evans:** Will the Minister make a statement on the construction of the Wales Millennium Centre? (OAQ19093)

**C6 Delyth Evans:** A all y Gweinidog wneud datganiad ar adeiladu Canolfan Mileniwm Cymru? (OAQ19093)

**Jenny Randerson:** Since my Plenary statement in April setting out the details of the contingent liabilities, I am delighted to report considerable progress. You can all see the speed and scale at which the steelwork is being developed on site. The proscenium arch is now visible within the structure. The construction phase is on budget and on timetable.

**Jenny Randerson:** Ers imi amlinellu manylion y rhwymedigaethau amodol yn fy natganiad i'r Cyfarfod Llawn yn Ebrill, yr wyf yn falch o adrodd y cymerwyd camau sylweddol ymlaen. Mae cyflymder a graddfa datblygiad y gwaith dur ar y safle yn amlwg i bawb. Mae ffrâm y llwyfan bellach yn weladwy o fewn yr adeiladwaith. Mae'r gwaith adeiladu o fewn ei gyllideb ac o fewn ei amserlen.

**Delyth Evans:** I am pleased that construction is on timetable. Will you assure us that the building is currently due to be completed on time, although I have no information to the contrary? I am concerned that Welsh National Opera has a full programme to stage at the Wales Millennium Centre after the opening date so I am keen for the commitment to be met.

**Delyth Evans:** Yr wyf yn falch fod y gwaith adeiladu o fewn ei amserlen. A roddwch sicrwydd inni y disgwylir i'r adeilad ar hyn o bryd gael ei gwblhau yn brydlon, er nad oes gennyf ddim gwybodaeth i'r gwrthwyneb? Yr wyf yn bryderus fod gan y Cwmni Opera Cenedlaethol raglen lawn i'w llwyfannu yng Nghanolfan y Mileniwm ar ôl y dyddiad agor ac felly yr wyf yn awyddus i'r ymrwymiad hwn gael ei gadw.

**Jenny Randerson:** At this stage, there is every indication that the centre will be completed on time. In terms of the building timetable, laying the foundations is the most difficult phase, and the builders were blessed with dry weather during that stage of

**Jenny Randerson:** Ar hyn o bryd, mae'n edrych yn debyg y caiff y ganolfan ei chwblhau'n brydlon. O ran yr amserlen adeiladu, gosod y sylfeini yw'r cam anoddaf, a bendithiwyd yr adeiladwyr â thywydd sych yn ystod y cam hwnnw o'r gwaith. Mae'r

construction. The external work is going ahead quickly. I will make a more detailed statement on progress early in the next session.

**The Deputy Presiding Officer:** Before calling the Deputy First Minister to respond to questions, I appeal for short questions and answers.

gwaith allanol yn mynd rhagddo'n gyflym. Gwnaf ddatganiad mwy manwl ar hynt y gwaith yn gynnar yn y tymor nesaf.

**Y Dirprwy Lywydd:** Cyn galw ar y Dirprwy Brif Weinidog i ymateb i gwestiynau, apelïaf am gwestiynau ac atebion byr.

**Cwestiynau i Ddirprwy Brif Weinidog Cymru  
a'r Gweinidog dros Ddatblygu Gwledig a Chymru Dramor  
Questions to the Deputy First Minister  
and Minister for Rural Development and Wales Abroad**

**Y Gwaharddiad 20 diwrnod  
The 20-day Standstill**

**Q1 Phil Williams:** Will the Minister report on any discussions that he has had with the Department for Environment, Food and Rural Affairs regarding the 20-day standstill? (OAQ19074)

**The Deputy First Minister and Minister for Rural Development and Wales Abroad (Michael German):** The Welsh Assembly Government is fully engaged in ongoing inter-departmental discussions on livestock movements.

**Phil Williams:** You must be aware that the 20-day standstill has seriously damaged the live auction system, depressed livestock prices and now threatens movement traceability, which has health implications. Do you agree with the Farmers Union of Wales that DEFRA's economic evaluation of its effect is deeply flawed, and that reviewing the standstill before the autumn sales must be a priority for the Welsh Assembly Government?

**Michael German:** I am aware of the concerns about the consequences of the 20-day standstill. However, DEFRA has lead responsibility for this, and it is waiting until the publication of the two reports—the report of the Royal Society inquiry, chaired by Sir Brian Follett, which has been published, and the Anderson inquiry on lessons learnt, which is due to be published next week—before making a decision on the 20-day standstill. Further discussions are planned once the

**C1 Phil Williams:** A wnaiff y Gweinidog gyflwyno adroddiad ar unrhyw drafodaethau y mae wedi'u cael ag Adran yr Amgylchedd, Bwyd a Materion Gwledig ynghylch y gwaharddiad 20 diwrnod? (OAQ19074)

**Dirprwy Brif Weinidog Cymru a'r Gweinidog dros Ddatblygu Gwledig a Chymru Dramor (Michael German):** Mae Llywodraeth Cynulliad Cymru yn cymryd rhan lawn mewn trafodaethau rhyng-adrannol parhaus ar symudiadau da byw.

**Phil Williams:** Gwyddoch, mae'n siŵr, fod y gwaharddiad 20 diwrnod wedi peri niwed difrifol i'r drefn arwerthiannau byw, wedi gwthio prisiau da byw i lawr a'i fod yn awr yn bygwth y gallu i olrhain symudiadau, sy'n fater ag iddo oblygiadau iechyd. A gytunwch ag Undeb Amaethwyr Cymru fod arfarniad economaidd DEFRA o effaith y gwaharddiad yn ddifrifol wallus, a bod rhaid i Lywodraeth Cynulliad Cymru roi blaenoriaeth i adolygu'r gwaharddiad cyn arwerthiannau'r hydref?

**Michael German:** Yr wyf yn ymwybodol o'r pryderon ynghylch canlyniadau'r gwaharddiad 20 diwrnod. Er hynny, gan DEFRA y mae'r cyfrifoldeb arweiniol ynglŷn â hyn, ac mae'n aros hyd nes y cyhoeddir y ddau adroddiad—adroddiad ymchwiliad y Gymdeithas Frenhinol, a gadeiriwyd gan Syr Brian Follett, sydd wedi'i gyhoeddi, ac ymchwiliad Anderson ar wersi a ddysgwyd, sydd i'w gyhoeddi yr wythnos nesaf—cyn gwneud penderfyniad ar y gwaharddiad 20

recommendations are known.

**Arweinydd yr Wrthblaid (Ieuan Wyn Jones):** Rhoddaf fwy o bwysau ar y Gweinidog. Gwn mai DEFRA fydd yn gwneud y penderfyniad terfynol ar hyn. Byddai'n ddefnyddiol pe gwyddem safbwynt y Gweinidog a Llywodraeth y Cynulliad ar y rheol 20-diwrnod. Byddai hynny'n dangos i ffermwyr Cymru eich bod o ddifrif ynglŷn â'u pryderon. Os nad oes modd newid y rheol yn syth, a wnaiff y Gweinidog bwysu am hyblygrwydd o fewn y drefn? Mae ffermwyr yn dioddef yn sgîl anhyblygrwydd y system bresennol, fel yr eglurodd Phil Williams.

**Michael German:** Any opinion must be based on veterinary and scientific advice. We are currently advised to adhere to the 20-day standstill rule. Some changes may occur following the publication of the two inquiries, and the rules may be relaxed. I am aware of the constraints that the 20-day rule places upon the marketplace and the movement of animals. However, the decision must be based on the advice given following the publication of the second report next week. I expect developments on this within the next month.

**Glyn Davies:** A ydych wedi trafod y rheol 20 diwrnod gyda phobl sy'n rhedeg marchnadoedd da byw yng Nghymru? Mae ffermwyr yn credu bod yr Arglwydd Whitty yn benderfynol o gau marchnadoedd da byw ac mai dyna bwrpas y rheol hon. Pryd y byddwch yn rhoi trefn ar bethau?

**Michael German:** I have discussed this issue with auctioneers and the farming unions in Wales. I am aware of the concerns and of the impact of the rule on communities. However, we must wait until both inquiry reports are published. We must have a regime that is based on veterinary and scientific advice. The Royal Society's advice has been published, and we await the publication of the lessons learnt inquiry. Once they have been determined, those negotiations can open, but you cannot open them without the information before you. That is the basis for the negotiation and discussion that will take

diwrnod. Bwriedir cynnal trafodaethau pellach unwaith y bydd yr argymhellion yn hysbys.

**The Leader of the Opposition (Ieuan Wyn Jones):** I wish to press the Minister further. I know that it is DEFRA that will make the final decision on this. It would be useful for us to know the viewpoint of the Minister and the Assembly Government on the 20-day rule. That would demonstrate to Welsh farmers that you take their concerns seriously. If the rule cannot be changed immediately, will the Minister press for flexibility within the system? Farmers are suffering as a result of the inflexibility of the current system, as Phil Williams explained.

**Michael German:** Rhaid i unrhyw farn gael ei seilio ar gyngor milfeddygol a gwyddonol. Fe'n cynghorir ar hyn o bryd i lynu at y gwaharddiad 20 diwrnod. Efallai y ceir rhai newidiadau ar ôl cyhoeddi'r ddau ymchwiliad, ac efallai y caiff y rheolau eu llacio. Yr wyf yn ymwybodol o'r cyfyngiadau y mae'r gwaharddiad 20 diwrnod yn eu gosod ar y farchnad ac ar symudiad anifeiliaid. Fodd bynnag, rhaid i'r penderfyniad gael ei seilio ar y cyngor a roddir ar ôl cyhoeddi'r ail adroddiad yr wythnos nesaf. Disgwyliaf ddatblygiadau ar hyn o fewn y mis nesaf.

**Glyn Davies:** Have you discussed the 20-day rule with those who run livestock markets in Wales? Farmers believe that Lord Whitty is determined to close livestock markets, and that that is the purpose of this rule. When will you sort this out?

**Michael German:** Yr wyf wedi trafod y mater hwn gydag arwerthwyr ac undebau'r amaethwyr yng Nghymru. Yr wyf yn ymwybodol o'r pryderon ac o effaith y rheol ar gymunedau. Er hynny, rhaid inni aros nes bydd adroddiadau'r ddau ymchwiliad wedi'u cyhoeddi. Rhaid inni gael trefn sy'n seiliedig ar gyngor milfeddygol a gwyddonol. Mae cyngor y Gymdeithas Frenhinol wedi'i gyhoeddi, a disgwyliwn gyhoeddiad yr ymchwiliad i'r gwersi a ddysgwyd. Unwaith y byddant wedi'u terfynu, gall y negodiadau hynny ddechrau, ond ni allwch eu dechrau heb y wybodaeth o'ch blaenau. Dyna'r sail ar



place during the next month.

gyfer y negodi a'r trafod a fydd yn digwydd yn ystod y mis nesaf.

9:35 a.m.

### **Cyswllt Ffermio Farming Connect**

**Q2 Kirsty Williams:** How many consultants are employed to undertake Farming Connect business plans? (OAQ19059)

**C2 Kirsty Williams:** Faint o ymgynghorwyr sydd wedi'u cyflogi i ymgymryd â chynlluniau Cyswllt Ffermio? (OAQ19059)

**Michael German:** The total number of accredited Farming Connect business consultants currently stands at 106.

**Michael German:** Cyfanswm ymgynghorwyr busnes trwyddedig Cyswllt Ffermio ar hyn o bryd yw 106.

**Kirsty Williams:** The principle and ideas behind Farming Connect are welcome. However, there is concern in rural communities at the slow pace of undertaking business plans. What will you do to ensure that the principles and the great ideas behind Farming Connect become a reality for more farmers?

**Kirsty Williams:** Croesewir yr egwyddor a'r syniadau y tu ôl i Cyswllt Ffermio. Er hynny, mae pryder mewn cymunedau gwledig ynghylch yr arafwch wrth ymgymryd â chynlluniau busnes. Beth a wnewch chi i sicrhau y daw'r egwyddorion a'r syniadau da y tu ôl i Cyswllt Ffermio yn realiti i ragor o ffermwyr?

**Michael German:** You are right that the speed with which the business development plans can be put in place is crucial to the process of drawing down funding for grant aid on farms. That is what is causing the current blockage. As we cannot seek out unqualified consultants, we must seek to speed up the process. This can be done by streamlining the whole approach so that there does not have to be such a lengthy process before people can put their business plans together. Secondly, we must secure more time from the consultants who are currently spending less than 30 per cent of their time, on average, on this work. Both those issues are high priorities for me, and I have asked the Welsh Development Agency to consider them as a matter of urgency.

**Michael German:** Yr ydych yn iawn fod pa mor gyflym y gellir sefydlu'r cynlluniau datblygu busnes yn allweddol i'r broses o dynnu cyllid i lawr ar gyfer cymhorthdal i ffermydd. Dyna sy'n achosi'r dagfa ar hyn o bryd. Gan na allwn fynd ar ofyn ymgynghorwyr digymhwyster, rhaid inni geisio cyflymu'r broses. Gellir gwneud hyn drwy symleiddio'r holl drefn fel nad oes raid cael proses mor hirfaith cyn y gall pobl lunio'u cynlluniau busnes. Yn ail, rhaid sicrhau mwy o amser gan yr ymgynghorwyr sydd ar hyn o bryd yn treulio llai na 30 y cant o'u hamser, ar gyfartaledd, ar y gwaith hwn. Mae'r ddau fater hynny'n flaenoriaethau uchel i mi, ac yr wyf wedi gofyn i Awdurdod Datblygu Cymru eu hystyried ar fyrder.

**Rhodri Glyn Thomas:** Gyda 106 o ymgynghorwyr yn gwneud y gwaith hwn bellach, sut yr esboniwch yr oedi, a beth a wnewch i sicrhau bod ffermwyr, a oedd yn disgwyl cymaint oddi wrth Cyswllt Ffermio, yn cael yr ymweliadau hyn cyn gynted â phosibl fel y gallant gyflwyno eu cynlluniau?

**Rhodri Glyn Thomas:** With 106 consultants now undertaking this work, how can you explain the delay, and what will you do to ensure that farmers, who expected so much from Farming Connect, receive these visits as soon as possible so that they can submit their plans?

**Michael German:** There is a balance to be drawn between the number of consultants that we have and finding more consultants

**Michael German:** Mae angen taro cydbwysedd rhwng y nifer o ymgynghorwyr sydd gennym a chanfod rhagor o

who can undertake this work, and some consultants are presently training to do this work. However, it is important that people receive the best advice available. A certain number of suitable consultants are available, but those consultants, on the whole, are not giving all their time to this project. Therefore, I must find a way of ramping up their commitment to the programme in order to speed up the process of creating farm business plans. Secondly, we must also streamline the process to ensure that the work can be done more rapidly than at present. That is my challenge.

ymgynghorwyr a all wneud y gwaith hwn, ac mae rhai ymgynghorwyr ar hyn o bryd yn hyfforddi i wneud y gwaith hwn. Fodd bynnag, mae'n bwysig i bobl dderbyn y cyngor gorau sydd ar gael. Mae nifer penodol o ymgynghorwyr addas ar gael, ond nid yw'r ymgynghorwyr hynny, ar y cyfan, yn rhoi eu holl amser i'r prosiect hwn. Felly, rhaid imi ganfod ffordd o gynyddu eu hymrwymiad i'r rhaglen er mwyn cyflymu'r broses o greu cynlluniau busnes i ffermydd. Yn ail, rhaid inni hefyd symleiddio'r broses i sicrhau y gellir gwneud y gwaith yn gyflymach nag ar hyn o bryd. Dyna'r her i mi.

### **Cymorth Ariannol i Amaethwyr Financial Assistance to Farmers**

**C3 Gareth Jones:** Pa gymorth ariannol y gall y Cynulliad ei gynnig i amaethwyr sydd ar incwm lefel isel? (OAQ19065)

**Q3 Gareth Jones:** What financial assistance can the Assembly offer farmers on a low level of income? (OAQ19065)

**Michael German:** Financial assistance to farmers, whatever their income, is constrained by European Union state aid regulations. However, individuals and families on low incomes can apply for income support, working families tax credit and council tax benefit under UK Government schemes.

**Michael German:** Caiff cymorth ariannol i amaethwyr, beth bynnag fo'u hincwm, ei gyfyngu gan reoliadau'r Undeb Ewropeaidd ar gymorth gwladwriaethol. Fodd bynnag, gall unigolion a theuluoedd ar incwm isel wneud cais am gymorth incwm, credyd treth i deuluoedd sy'n gweithio a budd-dal treth cyngor o dan gynlluniau Llywodraeth y DU.

**Gareth Jones:** Deallaf fod cyfyngiadau. Fodd bynnag, pa ganran o'r arian ychwanegol ar gyfer amaethyddiaeth a gyhoeddwyd yn yr adolygiad cynhwysfawr o wariant gan y Canghellor yn gynharach yr wythnos hon a glustnodir ar gyfer diwygio'r diwydiant ac, yn benodol, i gywiro a chodi lefelau incwm isel ffermwyr?

**Gareth Jones:** I understand that there are constraints. However, what percentage of the additional funding for agriculture announced in the comprehensive spending review by the Chancellor earlier this week will be earmarked for reforming the industry and, specifically, for rectifying and raising farmers' low income levels?

**Michael German:** In the forthcoming budget planning round, the Cabinet will discuss how to spend the money for Wales resulting from the CSR; it will be announced to the Assembly in due course. The route for agricultural development in Wales is clearly laid out in 'Farming for the Future', which was widely approved by the industry and all parties in the Assembly. We must look to the future, which is what that programme does. I suggest that you look at the clues in 'Farming for the Future' as to the direction in which we might move.

**Michael German:** Yn nghylch cynllunio nesaf y gyllideb, bydd y Cabinet yn trafod sut i wario'r arian a ddaw i Gymru yn sgîl yr adolygiad cynhwysfawr o wariant; fe'i cyhoeddir i'r Cynulliad maes o law. Mae'r ffordd ar gyfer datblygiad amaethyddol yng Nghymru wedi'i ddangos yn glir yn 'Ffermio ar gyfer y Dyfodol', a gymeradwywyd yn gyffredinol gan y diwydiant a phob plaid yn y Cynulliad. Rhaid inni edrych i'r dyfodol, a dyna a wna'r rhaglen hon. Awgrymaf eich bod yn edrych ar yr awgrymiadau yn 'Ffermio ar gyfer y Dyfodol' am y cyfeiriad y gallem symud iddo.

**John Griffiths:** Do you agree that much greater co-operation is vital to boost farm incomes? Will you join me in welcoming the impressive progress made by the Wales Co-operative Centre in promoting and developing co-operatives in Welsh agriculture?

**Michael German:** I have no doubt that co-operation is the way forward to ensure that the market is led by demand, rather than by a push in supply. That means that we need to ensure that farmers work together to break into the market. There are welcome moves, such as considering the creation of Antur Cig Cymru and with developments in processes and entry into the market. I observed such developments in New York, where farmers' produce from north-west Wales went straight into the marketplace through a programme of co-operation. I commend the work of the Wales Co-operative Centre and others in bringing that together.

**The Leader of the Welsh Conservatives (Nick Bourne):** Undoubtedly, a contributing factor in farmers' poverty in Wales, and throughout Britain, is the illegal ban on British beef being perpetrated by France. What are you doing with colleagues in DEFRA to ensure that that ban is lifted? What are you doing to ensure that the £100,000 per day fine reaches those who have suffered because of the ban, namely British and Welsh farmers?

**Michael German:** You are right that the European Commission has taken swift action in moving this matter forward. It is seeking approval from the courts to impose a £100,000 per day fine on the French Government. Significant pressure was put on the French delegation at the European council of agriculture Ministers on Monday. We know that British beef is safe; European experts have stated that it is safe. This is a matter of European law, and France should stick to the rules. If we are to have a level playing field, France must come into line.

**John Griffiths:** A gytunwch fod llawer mwy o gydweithredu'n hanfodol i hybu incwm ffermydd? A wnewch chi ymuno â mi i groesawu'r camau sylweddol ymlaen a gymerwyd gan Ganolfan Gydweithredol Cymru wrth hyrwyddo a datblygu mentrau cydweithredol ym myd amaeth yng Nghymru?

**Michael German:** Nid wyf yn amau o gwbl nad cydweithredu yw'r ffordd ymlaen i sicrhau yr arweinir y farchnad gan y galw, yn hytrach na chan chynnydd mewn cyflenwadau. Golyga hynny fod angen inni sicrhau bod ffermwyr yn cydweithio i dorri i mewn i'r farchnad. Mae symudiadau a groesewir, fel ystyried creu Antur Cig Cymru, a chyda datblygiadau mewn prosesau a mynediad i'r farchnad. Sylwais ar ddatblygiadau o'r fath yn Efrog Newydd, lle'r aeth cynnyrch ffermwyr o ogledd-orllewin Cymru yn syth i'r farchnad drwy raglen o gydweithredu. Cymeradwyaf waith Canolfan Gydweithredol Cymru ac eraill wrth ddod â hynny ynghyd.

**Arweinydd Ceidwadwyr Cymru (Nick Bourne):** Heb os, un ffactor sy'n cyfrannu at dlodi amaethwyr yng Nghymru, a ledled Prydain, yw'r gwaharddiad anghyfreithlon ar gig eidion o Brydain a weithredir gan Ffrainc. Beth yr ydych yn ei wneud gyda chydweithwyr yn DEFRA i sicrhau y codir y gwaharddiad hwnnw? Beth yr ydych yn ei wneud i sicrhau y bydd y ddirwy o £100,000 y dydd yn cyrraedd y rhai a ddioddefodd yn sgîl y gwaharddiad, sef amaethwyr Prydain a Chymru?

**Michael German:** Yr ydych yn iawn fod y Comisiwn Ewropeaidd wedi gweithredu'n sydyn i symud y mater hwn yn ei flaen. Mae'n ceisio cymeradwyaeth gan y llysoedd i osod dirwy o £100,000 y dydd ar Lywodraeth Ffrainc. Rhoddwyd pwysau sylweddol ar y ddirprwyaeth Ffrengig yng nghyngor Gweinidogion amaethyddiaeth Ewrop ddydd Llun. Gwyddom fod cig eidion Prydain yn ddiogel; mae arbenigwyr Ewropeaidd wedi datgan ei fod yn ddiogel. Mater o gyfraith Ewrop yw hyn, a dylai Ffrainc lynu at y rheolau. Os ydym am gael maes chwarae gwastad, rhaid i Ffrainc gydymffurfio.

## **Caffael Bwyd yn Lleol** **Local Procurement of Food**

**Q4 Peter Black:** Is the Welsh Assembly Government preparing a strategy to encourage the local procurement of food by the public sector? (OAQ19066) [R]

**Michael German:** Professor Kevin Morgan of Cardiff University is undertaking a study for the Welsh Development Agency of the practices adopted by our European neighbours. His study will also identify opportunities for Wales. DEFRA is also exploring opportunities under the relevant legislation. The findings of both investigations will be available to me in the early autumn and I will then give further consideration to a specific strategy for Wales, to encourage local procurement of food by the public sector.

**Peter Black:** Do you agree that the procurement of locally grown food strengthens local economies? When you receive the report, will you consider encouraging the public sector to issue an annual social responsibility statement, including figures on local procurement?

**Michael German:** That is one consideration that I will have in mind. Clearly, we must examine the experience of others who have been successful in Europe in ensuring local procurement of food, particularly by the public sector. There are routes for examining this matter and we must consider how contracts are specified. Also, we know that the public sector's take-up of public contracts in Wales from Welsh suppliers has been extremely low. We must attack on both sides of this process.

**Cynog Dafis:** Yr wyf yn falch o glywed ymateb y Gweinidog. A yw'n cytuno bod cryn gyfle i gaffael cyhoeddus fod yn offeryn i ddatblygu'r economi yn ehangach nag ym maes bwyd yn unig? Mae coed yn sector posibl arall. A yw wedi trafod â Fforwm Pren Cymru a Choed Cymru i glywed eu cynlluniau ar gyfer darparu yn lleol a chenedlaethol yng Nghymru? Sut allai gefnogi'r cynlluniau hynny?

**Michael German:** The information we gain

**C4 Peter Black:** A yw Llywodraeth Cynulliad Cymru'n paratoi strategaeth i annog y sector cyhoeddus i gaffael bwyd yn lleol? (OAQ19066) [R]

**Michael German:** Mae'r Athro Kevin Morgan o Brifysgol Caerdydd yn gwneud astudiaeth ar ran Awdurdod Datblygu Cymru o'r arferion a fabwysiadwyd gan ein cymdogion Ewropeaidd. Bydd ei astudiaeth yn nodi cyfleoedd i Gymru hefyd. Mae DEFRA hefyd yn ymchwilio i gyfleoedd dan y ddeddfwriaeth berthnasol. Bydd canfyddiadau'r ddau ymchwiliad ar gael i mi ddechrau'r hydref ac wedyn byddaf yn gallu rhoi ystyriaeth bellach i strategaeth benodol i Gymru, i annog y sector cyhoeddus i gaffael bwyd yn lleol.

**Peter Black:** A gytunwch fod caffael bwyd a dyfwyd yn lleol yn cryfhau economïau lleol? Pan gewch yr adroddiad, a wnewch chi ystyried annog y sector cyhoeddus i gyhoeddi datganiad cyfrifoldeb cymdeithasol blynyddol, gan gynnwys ffigurau ar gaffael lleol?

**Michael German:** Dyna un ystyriaeth y byddaf yn cadw mewn golwg. Yn amlwg, rhaid inni edrych ar brofiad eraill a fu'n llwyddiannus yn Ewrop o ran sicrhau caffael bwyd yn lleol, yn enwedig gan y sector cyhoeddus. Mae ffyrdd i archwilio'r mater hwn a rhaid inni ystyried sut fanylebion a roddir mewn contractau. Hefyd, gwyddom fod gan y sector cyhoeddus record wael iawn o ran ymgymryd â chontractau cyhoeddus yng Nghymru gan gyflenwyr Cymreig. Rhaid inni ymosod ar ddwy ochr y broses hon.

**Cynog Dafis:** I am pleased to hear the Minister's response. Does he agree that there is considerable scope for public procurement to be an instrument for developing the wider economy, not just in the area of food? Wood is another potential sector. Has he had discussions with the Welsh Timber Forum and Coed Cymru to hear their plans for local and national provision in Wales? How could he support those plans?

**Michael German:** Bydd y wybodaeth a

on the food sector will inform the rest of the public sector. There was a suggestion yesterday that we might consider wood chips, but I do not think that that applies here. Wood pellets, biomass and crops are also ways of considering local procurement through local energy schemes. They will be actively considered in coming months.

**Alun Cairns:** Procuring Welsh food is important to the agriculture sector and to the economy. It can also enhance tourism. Will the Minister wish the Wales national culinary team well in its efforts in the forthcoming world cup? Does he recognise that other international culinary teams' funding is generous in comparison to the Welsh team's funding from the Assembly and its sponsored public bodies? Will the Minister agree to consider the Wales national culinary team's funding?

9:45 a.m.

**Michael German:** I am always keen to encourage tourism in Wales through the promotion of Welsh food. If quality food is a trademark of Wales, we can use it to attract people here. I wish the Welsh culinary team well. I have eaten its excellent food, as I am sure that you and many Assembly Members have done. I am pleased to promote it.

gawn ar y sector bwyd yn hysbysu gweddill y sector cyhoeddus. Yr oedd awgrym ddoe y gallem ystyried sglodion pren, ond nid wyf yn meddwl bod hynny'n berthnasol yma. Mae pelenni pren, biomas a chnydau hefyd yn ffyrdd o ystyried caffael lleol drwy gynlluniau ynni lleol. Eir ati i'w hystyried yn y misoedd sydd i ddod.

**Alun Cairns:** Mae caffael bwyd Cymreig yn bwysig i'r sector amaethyddiaeth ac i'r economi. Gall hefyd hybu twristiaeth. A wnaiff y Gweinidog ddymuno'n dda i dîm coginio cenedlaethol Cymru yn ei ymdrechion yng nghystadleuaeth cwpan y byd cyn bo' hir? A ydyw'n cydnabod bod cyllid timau coginio rhyngwladol eraill yn hael o'i gymharu â'r cyllid a gaiff tîm Cymru gan y Cynulliad a'r cyrff cyhoeddus a noddir ganddo? A wnaiff y Gweinidog gytuno i ystyried cyllid tîm coginio cenedlaethol Cymru?

**Michael German:** Yr wyf bob amser yn awyddus i hybu twristiaeth yng Nghymru drwy hyrwyddo bwyd Cymru. Os yw bwyd o ansawdd da yn nodweddiadol o Gymru, gallwn ei ddefnyddio i ddenu pobl yma. Dymunaf yn dda i dîm coginio Cymru. Yr wyf wedi bwyta'i fwyd ardderchog, fel chi a sawl Aelod arall o'r Cynulliad, mae'n siŵr. Yr wyf yn falch o'i hyrwyddo.

### **Pobl Ifanc mewn Cymunedau Gwledig Young People in Rural Areas**

**Q5 Janice Gregory:** What measures are being taken to help young people stay in rural areas to live and work if they wish to? (OAQ 19081)

**Michael German:** This is an important issue. Concern about the outward migration of young people from rural communities has been recognised in several Welsh Assembly Government key policy documents, including, 'Plan for Wales 2001' and 'A Winning Wales'. In addition the Welsh Assembly Government has commissioned a study to identify the extent of the problem and the factors influencing out-migration of young people from rural areas of Wales, and to produce an action plan to encourage

**C5 Janice Gregory:** Pa fesurau sy'n cael eu cymryd i helpu pobl ifanc i aros mewn cymunedau gwledig i fyw a gweithio os dyna yw eu dymuniad? (OAQ19081)

**Michael German:** Mae hyn yn fater pwysig. Mae pryder ynghylch allfudiad pobl ifanc o gymunedau gwledig wedi'i gydnabod mewn nifer o ddogfennau polisi allweddol gan Lywodraeth Cynulliad Cymru, gan gynnwys 'Cynllun i Gymru 2001' a 'Cymru'n Ennill'. At hynny, mae Llywodraeth Cynulliad Cymru wedi comisiynu astudiaeth i ganfod maint y broblem a'r ffactorau sy'n dylanwadu ar allfudiad pobl ifanc o ardaloedd gwledig Cymru, ac i gynhyrchu cynllun gweithredu i annog pobl i aros mewn

people to stay in, or more importantly perhaps, to return to rural communities. We will receive a report in the autumn, which will inform our future policies.

**Janice Gregory:** Do you agree that the way to ensure strong, safe and sustainable communities throughout Wales is through a strong economy and affordable local housing? Can you give more details regarding how you will take this forward with Cabinet colleagues in order to ensure actions and results?

**Michael German:** The new Cabinet sub-committee on rural regeneration will be a means of bringing together all of the appropriate parts of the Welsh Assembly Government. It includes every spending Minister, which gives us an opportunity to consider these problems holistically—whether they be in housing, planning, health education. The report that we are expecting in the autumn will inform that process. All of these matters will be considered in light of that. Rural housing is a high priority and one which we must put high on the agenda.

**Helen Mary Jones:** Do you agree that a thriving agriculture industry must be the basis of the rural economy in the future? Do you also agree that in order to achieve that thriving economy more young people must enter the agriculture industry? If you agree, can you tell me what progress has been made on considering a young entrants' scheme to enable young people to enter farming?

**Michael German:** The purpose of the balanced community study is to try to find a way forward. Two weeks ago I spoke to young students who had just finished their studies in farming. Many were considering moving out of farming, even though they had qualified and had skills in farming. That must be a worry and the new study will help us find a way forward in order to keep people in the countryside. The real solution would be to ensure that farming has a viable economic future and is a workable business for young people. To achieve that we must tackle issues regarding marketing and processing, ensure co-operation between farmers, and give discretionary help to young people to enter

cymunedau gwledig neu, yn bwysicach efallai, i ddychwelyd iddynt. Cawn adroddiad yn yr hydref, yn darparu gwybodaeth a fydd yn sail i'n polisiau i'r dyfodol.

**Janice Gregory:** A gytunwch mai'r ffordd i sicrhau cymunedau cryf, diogel a chynaliadwy drwy Gymru gyfan yw drwy economi gref a thai lleol y gellir eu fforddio? A allwch roi mwy o fanylion ynghylch sut y byddwch yn bwrw ymlaen â hyn gyda'ch cyd-aelodau yn y Cabinet er mwyn sicrhau gweithredu a chanlyniadau?

**Michael German:** Bydd is-bwyllgor newydd y Cabinet ar adfywio gwledig yn fodd i ddod â holl rannau priodol Llywodraeth Cynulliad Cymru ynghyd. Bydd yn cynnwys pob Gweinidog sy'n gwario, gan roi cyfle inni ystyried y problemau hyn yn holistaidd—boent ym maes tai, cynllunio, iechyd neu addysg. Bydd yr adroddiad a ddisgwylir yn yr hydref yn hysbysu'r broses honno. Ystyrir y materion hyn i gyd yng ngoleuni hynny. Mae tai gwledig yn flaenoriaeth uchel ac yn un y mae'n rhaid inni ei gosod yn uchel ar yr agenda.

**Helen Mary Jones:** A gytunwch fod rhaid i ddiwydiant amaethyddol ffyniannus fod yn sail i'r economi wledig yn y dyfodol? A gytunwch hefyd, er mwyn sicrhau'r economi ffyniannus honno, fod angen inni gael mwy o bobl ifanc yn y diwydiant amaethyddiaeth? Os cytunwch, a allwch ddweud wrthyf pa gynnydd a wnaed ar ystyried cyflwyno cynllun i newydd-ddyfodiaid ifanc i alluogi pobl ifanc i ddechrau ffermio?

**Michael German:** Pwrpas yr astudiaeth cymuned gytbwys yw ceisio canfod ffordd ymlaen. Bythefnos yn ôl siaradais â myfyrwyr ifanc a oedd newydd orffen eu hastudiaethau ffermio. Yr oedd llawer yn ystyried symud allan o ffermio, er eu bod wedi cymhwyso a bod ganddynt sgiliau ffermio. Rhaid i hynny fod yn destun pryder, a bydd yr astudiaeth newydd yn ein helpu i ganfod ffordd ymlaen er mwyn cadw pobl yng nghefn gwlad. Yr ateb go iawn fyddai sicrhau bod gan ffermio ddyfodol economaidd hyfyw a'i fod yn fusnes a all weithio i bobl ifanc. I gyflawni hynny rhaid inni fynd i'r afael â materion yn ymwneud â marchnata a phrosesu, sicrhau

farming. Farm investment grants and farm enterprise grants are already a bonus for younger farmers.

**William Graham:** The initiative to actively recruit farmers as part-time firemen is a positive step in allowing young people to work in rural areas. Has the Minister identified other professions that could offer further part-time employment opportunities allowing young people to remain in farming and in Wales?

**Michael German:** That is a welcome move for those who need to do alternative work to supplement income. Diversity in the rural economy is important. You have noted one of many opportunities that we must examine. Economic opportunities for young people are crucial; farming must not be lost and we must not lose the backbone of Welsh agricultural life, which is the family farm. We must consider diverse opportunities, whether they be through the farming structure, food processing or other opportunities in the countryside.

cydweithrediad rhwng ffermwyr, a rhoi cymorth dewisol i bobl ifanc fynd i mewn i ffermio. Mae grantiau buddsoddi mewn ffermydd a grantiau menter fferm eisoes yn fonws i ffermwyr iau.

**William Graham:** Mae'r fenter i fynd ati i recriwtio ffermwyr fel diffoddwyr tân rhan-amser yn gam cadarnhaol i ganiatáu i bobl ifanc weithio mewn ardaloedd gwledig. A ydyw'r Gweinidog wedi nodi proffesiynau eraill a allai gynnig cyfleoedd cyflogaeth rhan-amser pellach a fyddai'n caniatáu i bobl ifanc aros ym myd ffermio ac yng Nghymru?

**Michael German:** Mae hynny'n gam i'w groesawu ar gyfer pobl sydd angen gwneud gwaith arall i ategu eu hincwm. Mae arallgyfeirio'n bwysig yn yr economi wledig. Yr ydych wedi nodi un o'r llu o gyfleoedd y mae'n rhaid inni edrych arnynt. Mae cyfleoedd economaidd i bobl ifanc yn allweddol; rhaid peidio â cholli ffermio a rhaid inni beidio â cholli asgwrn cefn bywyd amaethyddol Cymru, sef y fferm deuluol. Rhaid inni ystyried cyfleoedd amrywiol, boed hwy drwy'r fframwaith ffermio, prosesu bywyd neu gyfleoedd eraill yng nghefn gwlad.

### **Tanwariant yn y Portffolio Underspend in the Portfolio**

**C6 Rhodri Glyn Thomas:** A wnewch chi ddatganiad ar y tanwariant o £40 miliwn yn ei bortffolio? (OAQ19071)

**Michael German:** In 2001-02, the agriculture and rural development budget underspent by £37.9 million. Of this, £17.6 million fell within the annually managed expenditure sector of the budget, which includes market support schemes; £20.3 million fell within the departmental expenditure limit. This £20.3 million underspend was largely an effect of the foot and mouth disease outbreak on the timing of expenditure.

**Rhodri Glyn Thomas:** A wnaiff y Gweinidog gadarnhau bod yr £17.6 miliwn sy'n dod o wariant a reolir gan y Cynulliad, wedi'i golli ac nad oes modd ei drosglwyddo i'r flwyddyn ariannol bresennol? Os mai dyna yw'r sefyllfa, pam y bu ichi ddweud wrth y Pwyllgor yr wythnos diwethaf fod yr

**Q6 Rhodri Glyn Thomas:** Will you make a statement on the £40 million underspend within his portfolio? (OAQ19071)

**Michael German:** Yn 2001-02, tanwariwyd £37.9 miliwn ar y gyllideb amaethyddiaeth a datblygu gwledig. O hyn, yr oedd £17.6 miliwn o fewn y sector gwariant a reolir yn flynyddol yn y gyllideb, sy'n cynnwys cynlluniau cefnogi'r farchnad; yr oedd £20.3 miliwn o fewn y terfyn gwariant adrannol. Achoswyd y tanwariant hwn o £20.3 miliwn i raddau helaeth gan effaith clwy'r traed a'r genau ar amseriad gwariant.

**Rhodri Glyn Thomas:** Will the Minister confirm that the £17.6 million, which comes from the Assembly's annually managed expenditure, has been lost, and that it cannot be transferred to the present financial year? If that is the case, why did you tell the Committee last week that all the money can

holl arian yn gallu cael ei drosglwyddo i'r flwyddyn ariannol bresennol?

**Michael German:** Both statements are incorrect. First, as you know, the minutes of the meeting were amended to reflect the correct statement. Secondly, it is incorrect to state that annually managed expenditure is lost, as it is demand-driven. If people applied for that money this year, they could be eligible for it. You misunderstand the meaning of annually managed expenditure. However, if you are suggesting that people should have trampled all over farms during the foot and mouth disease crisis, I suggest that you re-examine Plaid Cymru policy.

**David Davies:** One of my constituents lost everything because DEFRA slaughtered animals—which did not belong to him—on his land, shut down his shooting business and then refused to pay a penny in compensation because he was not a farmer. Do you agree that it is obscene, in the light of that, that your department has failed to spend £20 million of its budget, and does it not highlight the failure of the Liberal/Labour Government of Wales to deliver for agriculture in Wales?

**Michael German:** It demonstrates a misunderstanding by the Conservatives of the foot and mouth disease crisis. If it was Conservative Party policy in the Assembly to allow people to trample over farms in the middle of the epidemic, then you must inform people of that. You are misunderstanding that as a result of the foot and mouth disease crisis—*[Interruption.]*

**David Davies:** Answer the question.

**Michael German:** I will answer the question in a moment. You are stating incorrectly that people could claim money for activity that could not take place on farms because of the foot and mouth disease crisis. In respect of the individual case that you mentioned, if you write to me, I will take it on board. However, you are also incorrect to state that the money has been lost. Of that £20 million expenditure, some £8 million to £10 million has been ring-fenced as match funding for Objective 1 and regional development projects and will therefore roll forward. A

be transferred to the present financial year?

**Michael German:** Mae'r ddau osodiad yn anghywir. Yn gyntaf, fel y gwyddoch, diwygiwyd cofnodion y cyfarfod i adlewyrchu'r datganiad cywir. Yn ail, mae'n anghywir dweud bod gwariant a reolir yn flynyddol wedi'i gollu, gan mai'r galw sy'n ei yrru. Pe gwnâi pobl gais am yr arian hwnnw eleni, gallent fod yn gymwys i'w gael. Yr ydych yn camddeall ystyr gwariant a reolir yn flynyddol. Fodd bynnag, os ydych yn awgrymu y dylasai pobl fod wedi trampio dros ffermydd yn ystod argyfwng clwy'r traed a'r genau, awgrymaf y dylech ailedrych ar bolisi Plaid Cymru.

**David Davies:** Collodd un o fetholwyr bopeth oherwydd i DEFRA ladd anifeiliaid—nad oedd yn eiddo iddo ef—ar ei dir, cau ei fusnes saethu ac wedyn gwrthod talu ceiniog o iawndal oherwydd nad oedd yn ffermwr. A gytunwch ei bod yn wrthun, yng ngoleuni hynny, fod eich adran chi wedi methu gwario £20 miliwn o'i chyllideb, ac onid yw'n amlygu methiant Llywodraeth Ryddfrydol/Lafur Cymru i weithredu dros amaethyddiaeth yng Nghymru?

**Michael German:** Mae'n dangos camddealltwriaeth gan y Ceidwadwyr o argyfwng clwy'r traed a'r genau. Os mai polisi'r Blaid Geidwadol yn y Cynulliad oedd caniatáu i bobl drampio dros ffermydd yng nghanol yr haint, yna rhaid ichi ddweud hynny wrth bobl. Yr ydych yn camddeall mai canlyniad argyfwng clwy'r traed a'r genau—*[Torri ar draws.]*

**David Davies:** Atebwch y cwestiwn.

**Michael German:** Atebaf y cwestiwn mewn munud. Yr ydych yn datgan yn anghywir y gallai pobl hawlio arian am weithgaredd na allai ddigwydd ar ffermydd oherwydd argyfwng clwy'r traed a'r genau. Ynglŷn â'r achos unigol a grybwyllwyd gennych, os ysgrifennwch ataf, mi roddaf sylw i hynny. Fodd bynnag, yr ydych yn anghywir hefyd pan ddywedwch fod yr arian wedi'i gollu. O'r gwariant £20 miliwn hwnnw, mae rhyw £8 miliwn i £10 miliwn wedi'i bridianu fel arian cyfatebol ar gyfer prosiectau Amcan 1 a datblygu rhanbarthol ac felly bydd yn treiglo



sum of £3 million has been agreed to roll forward for Tir Gofal, and the remaining £7 to £9 million, as I explained to the Agriculture and Rural Development Committee yesterday, has been left for discussion by the Finance Minister during the current round. Your statement is inaccurate.

ymlaen. Cytunwyd ar swm o £3 miliwn i dreiglo ymlaen ar gyfer Tir Gofal, a gadawyd y £7 i 9 miliwn sy'n weddill, fel yr eglurais wrth y Pwyllgor Amaethyddiaeth a Datblygu Gwledig ddoe, i'w drafod gan y Gweinidog Cyllid yn ystod y cylch cyfredol. Mae eich datganiad yn anghywir.

### **Pris Llaeth Price of Milk**

**Q7 Karen Sinclair:** What steps are being taken to improve the milk price on the farm from its current level? (OAQ19050)

**C7 Karen Sinclair:** Pa gamau sy'n cael eu cymryd i wella pris llaeth ar y fferm o'i lefel bresennol? (OAQ19050)

**Michael German:** Milk prices reflect market conditions. There has been sustained downward pressure on the farm gate price of milk since the autumn of 2001. Surplus UK production and continuing weak world dairy markets are the main factors responsible for the current low price. The Assembly Government cannot control milk prices.

**Michael German:** Mae prisiau llaeth yn adlewyrchu amodau'r farchnad. Bu pwysau cyson ar i lawr ar bris llaeth wrth lidiart y fferm ers hydref 2001. Gorgynhyrchu yn y Deyrnas Unedig a gwendid parhaus marchnadoedd llaeth y byd yw'r prif ffactorau sy'n gyfrifol am y pris isel cyfredol. Ni all Llywodraeth y Cynulliad reoli prisiau llaeth.

**Karen Sinclair:** I am aware of that. Supermarkets continue to use milk as a loss leader. What talks have you had with the supermarkets, since your appointment as Minister for Rural Development, to get a better price for producers?

**Karen Sinclair:** Yr wyf yn ymwybodol o hynny. Mae archfarchnadoedd yn parhau i ddefnyddio llaeth fel nwydd ar golled. Pa drafodaethau yr ydych chi wedi'u cael gyda'r archfarchnadoedd, ers eich penodi'n Weinidog dros Ddatblygu Gwledig, i gael pris gwell i'r cynhyrchwyr?

**Michael German:** I have made arrangements to meet with the chief executives and chairs of the big six supermarkets in the near future, and that will be one of the issues that I will discuss with them. However, we must develop products in Wales which compete on quality not on price, and which are well branded. That route will assist us in this market, which is demonstrated by the development of innovative products, such as yogurt made by Rachel's Organic Dairy and Merlin Liquor. We can provide assistance through grant aid for processing and marketing, and I am keen to see that taken forward.

**Michael German:** Yr wyf wedi gwneud trefniadau i gyfarfod â phrif weithredwyr a chadeiryddion y chwe archfarchnad fawr yn y dyfodol agos, a bydd hynny'n un o'r materion a drafodaf gyda hwy. Fodd bynnag, rhaid inni ddatblygu cynhyrchion yng Nghymru sy'n cystadlu ar ansawdd, nid pris, ac sydd wedi'u brandio'n dda. Bydd hynny'n ein helpu yn y farchnad hon, fel y gwelir gyda datblygiad cynhyrchion newydd, fel iogwrt Rachel's Organic Dairy a Merlin Liquor. Gallwn roi cymorth drwy gymhorthdal ar gyfer prosesu a marchnata, ac yr wyf yn awyddus i weld symud ymlaen â hynny.

**Elin Jones:** Beth yw eich neges i ffermwyr llaeth yn fy etholaeth i, sydd wedi gweld pris llaeth yn disgyn o 19.5 ceiniog y litr y mis hwn i 17.5 ceiniog y litr? Pa fath o ddyfodol a ragwelwch i ffermwyr sydd yn gorfod dioddef prisiau felly yn y farchnad

**Elin Jones:** What is your message to dairy farmers in my constituency, who have seen the price of milk falling from 19.5 pence per litre to 17.5 pence per litre this month? What kind of future do you see for farmers who are suffering those kind of prices in the present

bresennol?

**Michael German:** There are no quick fixes to assisting milk producers beyond the strategy of adding value to milk. Developing new markets, boosting market demand and improving efficiency are all part of the action plan for the dairy sector, which we have announced and are implementing.

9:55 a.m.

### **Datganiad gan y Dirprwy Lywydd Statement by the Deputy Presiding Officer**

**The Deputy Presiding Officer:** I make this statement on behalf of the Presiding Officer. On Tuesday, the leader of the Welsh Conservatives raised a point of order on ministerial responsibilities and accountability and how they affect Assembly questions. He also raised a point of order on questions to the Business Minister on his responsibilities for matters other than Assembly business. The Presiding Officer has given these matters further consideration. He is absent today as he is conferring degrees at University of Wales, Bangor, and has therefore asked me to read the following statement.

The previous rulings on questions have been concerned principally with oral questions and the difficulty arising from references in Standing Order No. 6.3 (vi) to fields of accountability. The leader of the Welsh Conservatives drew the Presiding Officer's attention to the more permissive wordings of Standing Orders Nos. 6.26 and 6.33, which suggest that questions may be tabled that deal with subjects of responsibility. It has been previously indicated that the somewhat anomalous position of Standing Orders Nos. 6.3 (vi), 6.26 and 6.33 must be resolved through amendments to Standing Orders. This is now under consideration by the Business Committee. I hope that these changes can be made as soon as possible. However, in the meantime, it would be inconsistent and confusing to allow the tabling of written questions that are not allowed as oral questions. Therefore, until the appropriate changes to Standing Orders are made, the Presiding Officer will use his discretion under Standing Orders Nos. 6.28

market?

**Michael German:** Nid oes atebion parod i gynorthwyo cynhyrchwyr llaeth y tu hwnt i'r strategaeth o ychwanegu gwerth i laeth. Mae datblygu marchnadoedd newydd, hybu galw'r farchnad a gwella effeithlonrwydd i gyd yn rhan o'r cynllun gweithredu ar gyfer y sector llaeth, yr ydym wedi'i gyhoeddi ac yn ei weithredu.

**Y Dirprwy Lywydd:** Gwnaf y datganiad hwn ar ran y Llywydd. Ddydd Mawrth, cododd arweinydd Ceidwadwyr Cymru bwynt o drefn ar gyfrifoldebau ac atebolrwydd gweinidogol a sut y maent yn effeithio ar gwestiynau'r Cynulliad. Cododd bwynt o drefn hefyd ar gwestiynau i'r Trefnydd ar ei gyfrifoldebau am faterion ar wahân i fusnes y Cynulliad. Mae'r Llywydd wedi rhoi ystyriaeth bellach i'r materion hyn. Mae'n absennol heddiw gan ei fod yn cyflwyno graddau ym Mhrifysgol Cymru, Bangor, ac felly gofynnodd i mi ddarllen y datganiad a ganlyn.

Mae'r dyfarniadau blaenorol ar gwestiynau wedi ymwneud yn bennaf â chwestiynau llafar a'r anhawster sy'n codi o gyfeiriadau yn Rheol Sefydlog Rhif 6.3 (vi) at feysydd atebolrwydd. Tynnodd arweinydd Ceidwadwyr Cymru sylw'r Llywydd at eiriad mwy goddefol Rheolau Sefydlog Rhifau 6.26 a 6.33, sy'n awgrymu y gellir cyflwyno cwestiynau sy'n delio â phynciau cyfrifoldeb. Nodwyd yn flaenorol fod yn rhaid datrys sefyllfa braidd yn afreolaidd Rheolau Sefydlog Rhifau 6.3 (vi), 6.26 a 6.33 drwy ddiwygio'r Rheolau Sefydlog. Mae hyn yn cael ei ystyried yn awr gan y Pwyllgor Busnes. Gobeithiaf y gellir gwneud y newidiadau hyn cyn gynted ag sy'n bosibl. Fodd bynnag, yn y cyfamser, byddai'n anghyson ac yn peri dryswch pe caniateid cyflwyno cwestiynau ysgrifenedig na chât eu caniatáu fel cwestiynau llafar. Felly, hyd nes bydd y newidiadau priodol i'r Rheolau Sefydlog wedi'u gwneud, bydd y Llywydd yn defnyddio'i ddisgresiwn dan Reolau Sefydlog Rhifau 6.28 a 6.34 ac yn gofyn i'r

and 6.34 and ask the Table Office to continue to interpret the ruling as applying to all questions, oral and written, and to continue to refuse any questions that do not relate to a Minister's field of accountability.

On the other point of order, Standing Order No. 6.3 (iii) makes clear that there should be a Plenary slot at least once a month for questions to the Business Minister on his responsibilities other than for Assembly business. Following a request from the Business Committee, the Government has agreed to provide Members with a comprehensive list of Ministers' accountabilities and their other responsibilities in good time for Members to table questions on the first tabling day of the autumn term. Once this opportunity has been provided, I expect an opportunity for questions to the Business Minister, in accordance with Standing Order 6.3 (iii), to be timetabled in the business statement as soon as possible following the summer recess.

Swyddfa Gyflwyno barhau i ddehongli'r rheol fel un sy'n berthnasol i bob cwestiwn, llafar ac ysgrifenedig, a pharhau i wrthod unrhyw gwestiynau nad oes a wnelont â maes atebolrwydd Gweinidog.

Ar y pwynt o drefn arall, dywed Rheol Sefydlog Rhif 6.3 (iii) yn glir y dylai fod lle mewn Cyfarfod Llawn o leiaf un waith y mis ar gyfer cwestiynau i'r Trefnydd ar ei gyfrifoldebau ar wahân i fusnes y Cynulliad. Yn dilyn cais gan y Pwyllgor Busnes, mae'r Llywodraeth wedi cytuno i ddarparu rhestr gynhwysfawr i'r Aelodau o atebolrwyddau'r Gweinidogion a'u cyfrifoldebau eraill mewn da bryd i'r Aelodau gyflwyno cwestiynau ar ddiwrnod cyflwyno cyntaf tymor yr hydref. Unwaith y bydd y cyfle hwn wedi'i ddarparu, disgwyliaf y caiff cyfle i holi'r Trefnydd, yn unol â Rheol Sefydlog Rhif 6.3 (iii), ei amserlennu yn y datganiad busnes cyn gynted ag y bo modd wedi gwyliau'r haf.

### **Cynnig Cyfansawdd: Cymeradwyo Gorchmynion Composite Motion: Approval of Orders**

**The Deputy Presiding Officer:** Under Standing Order No. 22.25, this motion is not subject to debate.

**Y Dirprwy Lywydd:** Dan Reol Sefydlog Rhif 22.25, nid yw'r cynnig hwn yn destun dadl.

**The Business Minister (Carwyn Jones):** I propose that

**Y Trefnydd (Carwyn Jones):** Cynigiaf fod

*the National Assembly, acting under Standing Order No. 22.25:*

*y Cynulliad Cenedlaethol, gan weithredu o dan Reol Sefydlog Rhif 22.25:*

*1. approves the Seed (Fees) (Amendment) (Wales) (No. 2) Regulations 2002, laid in the Table Office on 2 July 2002;*

*1. yn cymeradwyo Rheoliadau Hadau (Ffioedd) (Diwygio) (Cymru) (Rhif 2) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002;*

*2. considers:*

*2. yn ystyried:*

*a) the report of the Legislation Committee which has not identified any matters for concern in the draft Order the Seed (Fees) (Amendment) (Wales) (No. 2) Regulations 2002, laid in the Table Office on 9 July 2002; and*

*a) Adroddiad y Pwyllgor Deddfau nad yw wedi nodi unrhyw faterion sy'n destun pryder yn y Gorchmyn drafft, Rheoliadau Hadau (Ffioedd) (Diwygio) (Cymru) (Rhif 2) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 9 Gorffennaf 2002; ac*

*b) the regulatory appraisal, laid in the Table Office on 2 July 2002;*

*b) yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002;*

3. approves the Education (Assisted Places) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 2 July 2002;
3. yn cymeradwyo Rheoliadau Addysg (Lleoedd a Gynorthwyir) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002;
4. considers the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Education (Assisted Places) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 9 July 2002;
4. yn ystyried adroddiad y Pwyllgor Deddfau nad yw wedi nodi unrhyw faterion sy'n destun pryder yn y Gorchymyn drafft, Rheoliadau Addysg (Lleoedd a Gynorthwyir) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 9 Gorffennaf 2002;
5. approves the Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 2 July 2002;
5. yn cymeradwyo Rheoliadau Addysg (Lleoedd a Gynorthwyir) (Mân Dreuliau) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002;
6. considers the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 9 July 2002;
6. yn ystyried adroddiad y Pwyllgor Deddfau nad yw wedi nodi unrhyw faterion sy'n destun pryder yn y Gorchymyn drafft, Rheoliadau Addysg (Lleoedd a Gynorthwyir) (Mân Dreuliau) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 9 Gorffennaf 2002;
7. approves the Contaminants in Food (Wales) Regulations 2002 laid in the Table Office on 18 June 2002;
7. yn cymeradwyo Rheoliadau Halogion mewn Bwyd (Cymru) 2002 a osodwyd yn y Swyddfa Gyflwyno ar 18 Mehefin 2002;
8. considers:
8. yn ystyried:
- a) the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Contaminants in Food (Wales) Regulations 2002, laid in the Table Office on 2 July 2002;
- a) adroddiad y Pwyllgor Deddfau, nad yw wedi nodi unrhyw faterion sy'n destun pryder yn y Gorchymyn drafft, Rheoliadau Halogion mewn Bwyd (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002;
- b) the regulatory appraisal and annexes, laid in the Table Office on 18 June 2002, and
- b) yr arfarniad rheoliadol a'i atodiadau, a osodwyd yn y Swyddfa Gyflwyno ar 18 Mehefin 2002;
- c) the memorandum of corrections laid in the Table Office on 2 July 2002;
- c) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002;
9. approves the Local Authorities (Companies) (Amendment) (Wales) Order 2002 laid in the Table Office on 18 June 2002; and
9. yn cymeradwyo Gorchymyn Awdurdodau Lleol (Cwmnïau) (Diwygio) (Cymru) 2002 a osodwyd yn y Swyddfa Gyflwyno ar 18 Mehefin 2002; ac
10. considers the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Local Authorities (Companies) (Amendment) (Wales) Order 2002, laid in the Table Office
10. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw wedi nodi unrhyw faterion sy'n destun pryder yn y Gorchymyn drafft, Gorchymyn Awdurdodau Lleol (Cwmnïau) (Diwygio) (Cymru) 2002 a osodwyd yn y

on 2 July 2002;

Swyddfa Gyflwyno ar 2 Mehefin 2002;

11. approves the Local Authorities (Capital Finance) (Approved Investments) (Amendment) (No. 2) (Wales) Regulations 2002, laid in the Table Office on 18 June 2002;

11. yn cymeradwyo Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Buddsoddiadau wedi'u Cymeradwyo) (Diwygio) (Rhif 2) (Cymru) 2002 a osodwyd yn y Swyddfa Gyflwyno ar 18 Mehefin 2002; ac

12. considers the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Local Authorities (Capital Finance) (Approved Investments) (Amendment) (No. 2) (Wales) Regulations 2002, laid in the Table Office on 2 July 2002;

12. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw wedi nodi unrhyw faterion sy'n destun pryder yn y Gorchymyn drafft, Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Buddsoddiadau wedi'u Cymeradwyo) (Diwygio) (Rhif 2) (Cymru) 2000, a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002;

13. approves the Undersized Spider Crabs (Wales) Order 2002 laid in the Table Office on 25 June 2002;

13. yn cymeradwyo Gorchymyn Crancod Heglog Rhy Fach (Cymru) 2002 a osodwyd yn y Swyddfa Gyflwyno ar 25 Mehefin 2002; ac

14. considers:

14. yn ystyried:

a) the report of the Legislation Committee which has not identified any matters for concern in the draft order the Undersized Spider Crabs (Wales) Order 2002, laid in the Table Office on 2 July 2002; and

a) adroddiad y Pwyllgor Deddfau, nad yw wedi nodi unrhyw faterion sy'n destun pryder yn y Gorchymyn drafft, Gorchymyn Crancod Heglog Rhy Fach (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002; ac

b) the regulatory appraisal, laid in the Table Office on 25 June 2002;

b) yr arfarniad rheoliadol, a osodwyd yn y Swyddfa Gyflwyno ar 25 Mehefin 2002;

15. approves the Shellfish (Specification of Crustaceans)(Wales) Regulations 2002 laid in the Table Office on 25 June 2002; and

15. yn cymeradwyo Rheoliadau Pysgod Cregyn (Dynodi Cramenogion) (Cymru) 2002 a osodwyd yn y Swyddfa Gyflwyno ar 25 Mehefin 2002; ac

16. considers the report of the Legislation Committee which has not identified any matters for concern in the draft Order the Shellfish (Specification of Crustaceans) (Wales) Regulations 2002, laid in the Table Office on 2 July 2002. (NDM1142)

16. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw wedi nodi unrhyw faterion sy'n destun pryder yn y Gorchymyn drafft, Rheoliadau Pysgod Cregyn (Dynodi Cramenogion) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002. (NDM1142)

Cynnig: O blaid 47, Ymatal 0, Yn erbyn 0.

Motion: For 47, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter

Bourne, Nick  
 Burnham, Eleanor  
 Butler, Rosemary  
 Cairns, Alun  
 Chapman, Christine  
 Dafis, Cynog  
 Davidson, Jane  
 Davies, David  
 Davies, Geraint  
 Davies, Glyn  
 Davies, Janet  
 Davies, Ron  
 Essex, Sue  
 Evans, Delyth  
 German, Michael  
 Gibbons, Brian  
 Graham, William  
 Gregory, Janice  
 Griffiths, John  
 Halford, Alison  
 Hancock, Brian  
 Hutt, Jane  
 Jarman, Pauline  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Law, Peter  
 Lloyd, David  
 Lloyd, Val  
 Melding, David  
 Middlehurst, Tom  
 Morgan, Jonathan  
 Morgan, Rhodri  
 Pugh, Alun  
 Ryder, Janet  
 Sinclair, Karen  
 Thomas, Gwenda  
 Thomas, Owen John  
 Thomas, Rhodri Glyn  
 Williams, Kirsty  
 Williams, Phil

*Derbyniwyd y cynnig.  
 Motion carried.*

### **Pwynt o Drefn Point of Order**

**Geraint Davies:** Point of order. I raise this under Standing Order 6.3 (a). The administration has a reputation for being Cardiff-centric, but will the Minister for Culture, Sport and the Welsh Language reflect on her answer to a question by Lorraine Barrett on the Pop Factory. In her answer, she gave the impression that the Pop Factory was situated outside Wales. I remind her that—

**Geraint Davies:** Pwynt o drefn. Codaf hyn dan Reol Sefydlog Rhif 6.3 (a). Mae gan y weinyddiaeth enw am fod yn Gaerdydd-ganoledig, ond a wnaiff y Gweinidog dros Ddiwylliant, Chwaraeon a'r Gymraeg fyfyrion ar ei hateb i gwestiwn gan Lorraine Barrett am y Ffatri Bop. Yn ei hateb, rhoddodd yr argraff fod y Ffatri Bop wedi'i lleoli y tu allan i Gymru. Fe'i hatgoffaf fod—

**The Deputy Presiding Officer:** Order. What **Y Dirprwy Lywydd:** Trefn. Eu cyfrifoldeb

Ministers say is their own responsibility. It is not a point of order for me. I want Members to address points of order for me, not on the accuracy of what a Minister says.

**Geraint Davies:** Further to that point of order. Can we correct the Record?

**The Deputy Presiding Officer:** No, you cannot. However, what you have just said will appear in the Record.

hwy yw'r hyn a ddywed Gweinidogion. Nid yw'n bwynt o drefn i mi. Mae arnaf eisiau i Aelodau gyfeirio pwyntiau o drefn i mi, nid ar gywirdeb yr hyn a ddywed Gweinidog.

**Geraint Davies:** Ymhellach i'r pwynt hwnnw o drefn. A gawn ni gywiro'r Cofnod?

**Y Dirprwy Lywydd:** Na chewch. Fodd bynnag, bydd yr hyn yr ydych newydd ei ddweud yn ymddangos yn y Cofnod.

**Cymeradwyo Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd)  
(Diwygio) (Cymru) 2002**  
**Approval of the Town and Country Planning (Use Classes)(Amendment) (Wales)  
Order 2002**

**The Minister for Environment (Sue Essex):** I propose that

*the National Assembly considers the principle of the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2002, laid in the Table Office on 2 July 2002. (NDM1143)*

I propose that

*the Assembly:*

*1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5, in relation to the draft Order, the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2002, laid in the Table Office on 9 July 2002;*

*2. approves that the Order is made in accordance with the draft laid in the Table Office on 2 July 2002. (NDM1144)*

The proposed legislation is to exclude from Class B8 (storage or distribution) of the Town and Country Planning (Use Classes) Order 1987, as amended, use of building or land for the storage of, or as a distribution centre for, radioactive material and waste if the building or other land is situated in Wales. This is a Wales-only Order. It follows on from Christine Gwyther's motion, which was carried in Plenary on 6 March 2001, which instructed me to bring forward such

**Y Gweinidog dros yr Amgylchedd (Sue Essex):** Cynigiau fod

*y Cynulliad Cenedlaethol yn ystyried egwyddorion Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002. (NDM1143)*

Cynigiau fod

*y Cynulliad:*

*1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 9 Gorffennaf 2002;*

*2. yn cymeradwyo gwneud y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002. (NDM1144)*

Amcan y ddeddfwriaeth yw cau allan o Ddosbarth B8 (storio neu ddsbarthu) Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987, fel y'i diwygiwyd, ddefnydd adeilad neu dir ar gyfer storio, neu fel canolfan ddsbarthu ar gyfer, deunydd a gwastraff ymbelydrol os yw'r adeilad neu dir yng Nghymru. Gorchymyn i Gymru'n unig yw hwn. Mae'n dilyn oddi ar gynig Christine Gwyther, a dderbyniwyd yn y Cyfarfod Llawn ar 6 Mawrth 2001, a'm

legislation. Her motion was as follows:

‘The Assembly resolves to instruct the Minister for Environment to bring forward subordinate legislation, the effect of which will be to amend the Use Classes Order of 1987 to exclude the storage of radioactive material from Class B8 (storage and distribution).

The objective to be achieved is that future proposals for storage and distribution facilities would not allow storage of radioactive materials unless planning application specifically is applied for and granted.

This is a complicated area of planning regulation. The Use Classes Order describes classes of use for the purposes of identifying development under planning legislation where a planning application must be made for development. Changing the use of a building or other land does not involve development if the new use and former use are within the same specified class. It is important to understand that.

The intended effect of the amendment to the Use Classes Order is to insert a new provision into Article 3 providing that, when a building or land is situated in Wales, Class B8 does not include use for the storage of, or as a distribution centre for, radioactive material or waste.

Proposals involving the storage of radioactive waste would usually involve a planning application. Local planning authorities and the Assembly can have a direct role in that process. Such proposals could be determined by the local planning authority or by the National Assembly if called in.

Some forms of land use development may not require planning consent; for example, certain changes of use, from industry to storage. There have been suggestions that that could, possibly, be a loophole, allowing for factories to be used for storing radioactive waste without planning consent. As regards the storage of radioactive waste, an

cyfarwyddodd i i ddwyn ymlaen ddeddfwriaeth o'r fath. Ei chynnig hi oedd fod:

‘y Cynulliad yn cytuno i gyfarwyddo Gweinidog yr Amgylchedd i gyflwyno is-ddeddfwriaeth, a fydd yn diwygio Gorchymyn Mathau Dosbarthiadau Defnydd 1987 i eithrio storio deunydd ymbelydrol o Ddosbarth B8 (storio a dosbarthu).

Amcan hyn yw sicrhau na fydd cynigion yn y dyfodol ar gyfer cyfleusterau storio a dosbarthu yn caniatáu storio deunydd ymbelydrol oni wneir cais am ganiatâd cynllunio yn benodol at ddiben o'r fath a bod y cais hwnnw yn llwyddiannus.’

Dyma faes cymhleth o reolaeth gynllunio. Mae'r Gorchymyn Dosbarthiadau Defnydd yn disgrifio dosbarthiadau defnydd i ddibenion nodi datblygiad dan ddeddfwriaeth gynllunio lle mae'n rhaid gwneud cais cynllunio ar gyfer datblygu. Nid yw newid defnydd adeilad neu dir yn golygu datblygu os yw'r defnydd newydd a'r hen ddefnydd yn yr un dosbarth penodedig. Mae'n bwysig deall hynny.

Yr effaith y bwriedir i'r diwygio ei chael ar y Gorchymyn Dosbarthiadau Defnydd yw gosod darpariaeth newydd i mewn i Erthygl 3 yn darparu, pan fo adeilad neu dir yng Nghymru, nad yw Dosbarth B8 yn cynnwys defnydd ar gyfer storio defnydd neu wastraff ymbelydrol, nac fel canolfan i'w dosbarthu.

Byddai cynigion yn ymwneud â storio gwastraff ymbelydrol fel arfer yn galw am gais cynllunio. Gall awdurdodau cynllunio lleol a'r Cynulliad gael rôl uniongyrchol yn y broses honno. Gallai cynigion o'r fath gael eu penderfynu gan yr awdurdod cynllunio lleol neu gan y Cynulliad Cenedlaethol pe'u gelwid i mewn.

Gall rhai ffurfiau ar ddatblygiad defnydd tir beidio â bod angen caniatâd cynllunio; er enghraifft, rhai newidiadau defnydd, o ddiwydiant i storio. Awgrymwyd y gallai hynny, o bosibl, fod yn fan gwan, a adawai i ffatrïoedd gael eu defnyddio i storio gwastraff ymbelydrol heb ganiatâd cynllunio. O ran storio gwastraff ymbelydrol, byddai



environmental statement would be required under Schedule 1 or 2 to the environmental impact assessment regulations. If an environment statement is required, the permitted development rights would be overridden. A planning application would be also be required in addition to the environment statement.

In addition to planning controls, HM Nuclear Installations Inspectorate and the Environment Agency exercise other controls on the storage of radioactive waste. These controls would not be affected by the proposed change. Some of these powers exercised by the inspectorate are not devolved but others exercised by the Environment Agency are an Assembly responsibility.

The only situation in which the storage of radioactive waste might be possible without planning consent is in the case of changes from types of storage. The current B8 storage class under the Use Classes Order does not differentiate between the types of materials stored; therefore materials stored on land or in buildings can be changed without 'development' being involved. Removing the storage of radioactive material from the B8 category of the Use Classes Order 1987 could help to ensure that proposals to change the use of land from storage of one type of material to the storage of radioactive material could not go ahead automatically without planning permission and consideration being given to the environmental impact assessment.

The effect of the Use Classes Order is entirely permissive. It does not follow that excluding the storage of certain materials would always mean that 'development' was involved and hence that a planning application would be required. The question in each case would be whether there had been a material change in the use of the land or building. Each case would be determined on a matter of fact and degree. I urge Assembly Members to approve the draft Order.

**Janet Davies:** Plaid Cymru supports this motion. I tried my best to follow that long and complicated explanation. It is important to ensure that the distribution and storage of

angen datganiad amgylcheddol dan Atodlen 1 neu 2 i'r rheoliadau asesu effaith amgylcheddol. Os bydd angen datganiad amgylcheddol, byddai hynny'n drech na'r hawliau datblygiad a ganiateir. Byddai angen cais cynllunio hefyd yn ogystal â'r datganiad amgylcheddol.

Yn ogystal â mesurau rheoli cynllunio, mae Arolygaeth Sefydliadau Niwclear Ei Mawrhydi ac Asiantaeth yr Amgylchedd yn arfer mesurau rheoli eraill ar storio gwastraff ymbelydrol. Nid effeithid ar y mesurau hyn gan y newid arfaethedig. Mae rhai o'r pwerau a arferir gan yr arolygaeth heb eu datganoli ond mae eraill a weithredir gan Asiantaeth yr Amgylchedd yn gyfrifoldeb y Cynulliad.

Yr unig sefyllfa lle gallai fod yn bosibl storio gwastraff ymbelydrol heb ganiatâd cynllunio yw yn achos newidiadau o fathau o storio. Nid yw'r dosbarth storio B8 cyfredol dan y Gorchymyn Dosbarthiadau Defnydd yn gwahaniaethu rhwng y mathau o ddefnyddiau a storir; felly gall defnyddiau sy'n cael eu storio ar dir neu mewn adeiladau gael eu newid heb i unrhyw 'ddatblygu' ddigwydd. Gallai tynnu storio defnydd ymbelydrol allan o gategori B8 Gorchymyn Dosbarthiadau Defnydd 1987 helpu i sicrhau na allai cynigion i newid defnydd tir o storio un math o ddefnydd i storio defnydd ymbelydrol fynd yn eu blaen yn awtomatig heb ganiatâd cynllunio a heb ystyried yr asesiad effaith amgylcheddol.

Mae effaith y Gorchymyn Dosbarthiadau Defnydd yn hollol oddefol. Nid yw'n dilyn y byddai cau allan storio rhai defnyddiau bob amser yn golygu fod 'datblygu' yn digwydd ac felly y byddai angen cais cynllunio. Y cwestiwn ym mhob achos fyddai a fu newid sylweddol yn nefnydd y tir neu'r adeilad. Penderfynid ar bob achos ar sail ffaith a gradd. Anogaf Aelodau'r Cynulliad i gymeradwyo'r Gorchymyn drafft.

**Janet Davies:** Mae Plaid Cymru yn cefnogi'r cynnig hwn. Ceisiais fy ngorau i ddilyn yr esboniad hir a chymhleth hwnnw. Mae'n bwysig sicrhau bod rheolaeth mor dynn â

radioactive waste and material is as tightly controlled as possible, for everybody's sake.

10:05 a.m.

**Eleanor Burnham:** The Welsh Liberal Democrats also support this draft Order, as radioactive waste should be treated differently to non-radioactive waste. Given the heightened tensions following the atrocities of 11 September, and the danger of the 'dirty bomb'—where radioactive material is placed next to explosive material to spread it as widely as possible—we support moves to increase the security of radioactive materials.

The plan to use Trecŵn in Pembrokeshire as a site to dump nuclear waste was met with widespread local condemnation; a local petition has received around 30,000 signatures. This Order will prevent the area from becoming a dumping site, and will contribute to a nuclear-free Wales. It will also help to protect health, the environment, local economies and security, and we hope that it achieves the cross-party support that it deserves.

During the Easter recess, I attended a meeting of the British-Irish Inter-parliamentary body in Dublin, where we ratified a report highlighting grave concerns about Sellafield, particularly its role in reprocessing global radioactive waste and its inherent storage problems. Therefore, I am well aware that this is a contentious issue. We support this Order.

**David Davies:** The Welsh Conservatives recognise that members of the public can sometimes become hysterical over issues relating to radioactive waste, and there is a danger that some less responsible politicians and political pressure groups will be only too happy to exploit that. It is important to take a balanced view. However, in view of the public's concern over the potential storage of radioactive waste, it seems right and proper that storage is a matter for the planning process. Therefore we will support the motion.

**Christine Gwyther:** Two days ago, a member of the Welsh Conservative group

phosibl ar ddsbarthu a storio gwastraff a defnydd ymbelydrol, er mwyn pawb.

**Eleanor Burnham:** Mae Democratiaid Rhyddfrydol Cymru'n cefnogi'r Gorchymyn drafft hwn hefyd, gan y dylid trin gwastraff ymbelydrol yn wahanol i wastraff anymbelydrol. Yn wyneb y tensiynau uwch yn dilyn erchyllterau 11 Medi, a pherygl y 'bom budr'—lle gosodir deunydd ymbelydrol wrth ddeunydd ffirwydrol i'w ledaenu mor eang â phosibl—cefnogwn symudiadau i gynyddu diogelwch defnyddiau ymbelydrol.

Cafodd y cynllun i ddefnyddio Trecŵn yn Sir Benfro fel safle i waredu gwastraff niwclear ei gondemnio'n helaeth yn lleol; cafwyd tua 30,000 o lofnodion ar ddeiseb leol. Bydd y Gorchymyn hwn yn atal yr ardal rhag mynd yn domen wastraff, a bydd yn cyfrannu at Gymru ddi-niwclear. Bydd hefyd yn helpu i warchod iechyd, yr amgylchedd, economïau lleol a diogelwch, a gobeithiwn y caiff y gefnogaeth drawsbleidiol y mae'n ei haeddu.

Yn ystod gwyliau'r Pasg, mynychais gyfarfod o gorff rhyng-seneddol Prydain-Iwerddon yn Nulyn, lle cadarnhawyd adroddiad yn amlygu pryderon dwys ynghylch Sellafield, yn enwedig ei rôl yn ailbrosesu gwastraff ymbelydrol y byd a'r problemau storio yno. Felly yr wyf yn ymwybodol iawn fod hyn yn bwnc llosg. Cefnogwn y Gorchymyn hwn.

**David Davies:** Mae Ceidwadwyr Cymru'n cydnabod y gall aelodau'r cyhoedd weithiau boeni i raddau afresymol am faterion yn ymwneud â gwastraff ymbelydrol, ac mae perygl y bydd rhai carfanau pwyso a gwleidyddion llai cyfrifol yn ddigon hapus i fanteisio ar hynny. Mae'n bwysig edrych yn gytbwys ar hyn. Fodd bynnag, yn wyneb pryder y cyhoedd ynghylch y posibilrwydd o storio gwastraff ymbelydrol, mae'n ymddangos yn iawn ac yn briodol cynnwys storio yn y broses gynllunio. Cefnogwn y cynnig felly.

**Christine Gwyther:** Ddeuddydd yn ôl, dywedodd aelod o grŵp Ceidwadwyr Cymru

said in the Chamber that he thought that politicians should not have anything to do with legislation. I hope that he has since changed his mind—although he is not here to tell me so—as I seek the support of all Members for this subordinate legislation.

Members will recall the situation at Trecŵn in Pembrokeshire, where the valley, including a series of tunnels, was purchased by Omega Pacific, ostensibly to develop an aero engine refurbishment depot. The site had previously been given class B8 planning permission for storage, because the tunnels are ideal for a data repository or for storing cheese and wine, which all sounds benign. However, having acquired the site at a knock-down price from the Ministry of Defence, Omega Pacific signalled its early intention to market the site as a nuclear waste storage facility, using the tunnels as deep dumping ground. It could do that because class B8 planning permission meant that anything could be stored.

That signal of intent has had disastrous economic consequences for the surrounding farms, hotels and businesses and has affected house prices. It is a clear case of planning blight, where the presumption of an activity is causing untold harm and distress to those people who must live with it.

Sue has already highlighted that the Environment Agency regulates the safe storage, discharge and disposal of radioactive materials and, in Wales, the agency answers to Sue Essex. Should anyone apply to the agency for a licence to store such material, the water table and other aspects of the valley's geology would have to be examined. In my opinion—and that of the people who know the site well—such an examination would find it unsuitable for the storage of toxic material. No application has yet been made for such a licence, and the possibility continues to hang like a cloud over the valley and surrounding area.

This legislation will delete the storage of radioactive materials from the catch-all class B8 planning regulation. As Sue said, any proposal to change storage use from one type

yn y Siambr y credai na ddylai gwleidyddion gael dim i'w wneud â deddfu. Gobeithiaf ei fod wedi newid ei feddwl ers hynny—er nad yw yma i ddweud wrthyf—gan fy mod yn gofyn am gefnogaeth pob Aelod i'r is-ddeddfwriaeth hon.

Bydd Aelodau'n cofio'r sefyllfa yn Nhrecŵn yn Sir Benfro, lle cafodd y dyffryn, yn cynnwys cyfres o dwneli, ei brynu gan Omega Pacific, yn honedig i ddatblygu depo adnewyddu peiriannau awyrennau. Yr oedd y safle wedi cael caniatâd cynllunio dosbarth B8 o'r blaen ar gyfer storio, gan fod y twneli'n ddelfrydol ar gyfer storfa ddata neu ar gyfer cadw caws a gwin, sydd i gyd yn swnio'n ddiniwed. Fodd bynnag, wedi prynu'r safle'n rhad oddi wrth y Weinyddiaeth Amddiffyn, cyhoeddodd Omega Pacific ei fwriad cynnar i farchnata'r safle fel cyfleuster storio gwastraff niwclear, gan ddefnyddio'r twneli fel tomen danddaearol. Gallai wneud hynny oherwydd golygai caniatâd cynllunio dosbarth B8 y gellid storio unrhyw beth yno.

Cafodd y cyhoeddiad hwnnw o fwriad ganlyniadau economaidd trychinebus i'r ffermydd, gwestai a busnesau yn y cyffiniau ac effeithiodd ar brisiau tai. Mae'n achos clir o falltodd cynllunio, lle mae rhagdybiaeth am weithgaredd yn achosi niwed a phoen difesur i'r bobl sy'n gorfod byw gyda'r peth.

Mae Sue eisoes wedi nodi bod Asiantaeth yr Amgylchedd yn gyfrifol am reoliadau ar gyfer storio, gollwng a gwaredu defnyddiau ymbelydrol yn ddiogel ac, yng Nghymru, mae'r asiantaeth yn ateb i Sue Essex. Pe gwnâi unrhyw un gais i'r asiantaeth am drwydded i storio defnydd o'r fath, byddai'n rhaid archwilio'r lefel trwythiad ac agweddau eraill ar ddaearog y dyffryn. Yn fy marn i—a barn y bobl sy'n adnabod y safle'n dda—byddai archwiliad o'r fath yn canfod ei fod yn anaddas ar gyfer storio deunydd gwenwynig. Nid oes cais wedi'i wneud eto am drwydded o'r fath, ac mae'r posibilrwydd yn dal i hofran fel cwmwl dros y dyffryn a'r ardal o'i amgylch.

Bydd y ddeddfwriaeth hon yn dileu storio defnyddiau ymbelydrol o reol gynllunio hollgynhwysol dosbarth B8. Fel y dywedodd Sue, ni all unrhyw gynnig i newid defnydd

of material to radioactive material cannot go ahead automatically, without the need for planning consent and a proper impact assessment.

If we pass this legislation today, it will mean that communities across Wales will have more control over their own destiny, in terms of the storage of nuclear waste. As well as discussing the matter in public meetings, as was done in Pembrokeshire, councils will be able to voice their objections formally, in their own chambers. It is a simple piece of legislation, which will give power to the elbow of local communities, when and where they need it most. It is precisely the sort of legislation with which politicians should be involved. I hope that the Assembly will support it.

**The Minister for Environment (Sue Essex):** I thank Members for their contributions and support. I commend Christine Gwyther for using the opportunity of the ballot to bring this issue to the Assembly's attention and suggest this legislation. I also commend Richard Edwards, in his absence, for his long-term support for people in the Trecŵn area. As Christine said, this shows the Assembly in a good light. Post-devolution, a Member can use the opportunity offered by the Assembly to respond to an issue of local concern. We can plug what most people felt was a loophole in the Town and Country Planning (Use Classes) Order 1987. The legislation proposed today is Wales-only legislation and responds to the needs of people in that part of Pembrokeshire. I have received many representations over the last few years from local residents and empathise with their situation. This is a small and simple piece of legislation but, nevertheless, it is one that we hope will be effective. I thank Christine Gwyther for bringing the issue forward.

**The Deputy Presiding Officer:** We will now vote on the principle of the Order.

*Cynnig: O blaid 44, Ymatal 0, Yn erbyn 0.  
Motion: For 44, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

storio o un math o ddeunydd i ddeunydd ymbelydrol fynd yn ei flaen yn awtomatig, heb fod angen caniatâd cynllunio ac asesiad iawn o'r effaith.

Os derbyniwn y ddeddfwriaeth hon heddiw, bydd yn golygu y caiff cymunedau ledled Cymru fwy o reolaeth dros eu tynged eu hunain, yn nhermau storio gwastraff niwclear. Yn ogystal â thrafod y mater mewn cyfarfodydd cyhoeddus, fel a wnaed yn Sir Benfro, bydd cynghorau'n gallu lleisio'u gwrthwynebiadau'n ffurfiol, yn eu siambrau eu hunain. Darn syml o ddeddfwriaeth ydyw, a fydd yn rhoi grym i gymunedau lleol, yn yr adeg a'r fan lle mae arnynt ei angen fwyaf. Dyma'r union fath o ddeddfwriaeth y dylai gwleidyddion ymhel â hi. Gobeithiaf y gwnaiff y Cynulliad ei chefnogi.

**Y Gweinidog dros yr Amgylchedd (Sue Essex):** Diolch i'r Aelodau am eu cyfraniadau a'u cefnogaeth. Cymeradwyaf Christine Gwyther am ddefnyddio cyfle'r bleidlais i ddod â'r mater hwn i sylw'r Cynulliad ac awgrymu'r ddeddfwriaeth hon. Cymeradwyaf Richard Edwards hefyd, yn ei absenoldeb, am ei gefnogaeth hirdymor i bobl yn ardal Trecŵn. Fel y dywedodd Christine, mae hyn yn dangos y Cynulliad mewn golau da. Wedi datganoli, gall Aelod ddefnyddio'r cyfle a roddir gan y Cynulliad i ymateb i fater o bryder lleol. Gallwn lenwi'r hyn a oedd ym marn y rhan fwyaf o bobl yn fwch yng Ngorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987. Ddeddfwriaeth i Gymru'n unig yw'r ddeddfwriaeth a gynigir heddiw ac mae'n ymateb i anghenion pobl yn y rhan honno o Sir Benfro. Cefais lawer o geisiadau dros yr ychydig flynyddoedd diwethaf gan drigolion lleol a chydymdeimlaff â'u sefyllfa. Darn bach a syml o ddeddfwriaeth yw hwn ond, eto, mae'n un a fydd yn effeithiol, gobeithio. Diolch i Christine Gwyther am ddod â'r mater ger bron.

**Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar egwyddor y Gorchymyn.

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn

*Derbyniwyd y cynnig.  
Motion carried.*

**The Deputy Presiding Officer:** We will now vote on the approval of the Order. **Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar gymeradwyo'r Gorchymyn.

*Cynnig: O blaid 46, Ymatal 0, Yn erbyn 0.  
Motion: For 46, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun

Chapman, Christine  
 Dafis, Cynog  
 Davidson, Jane  
 Davies, David  
 Davies, Geraint  
 Davies, Glyn  
 Davies, Janet  
 Essex, Sue  
 Evans, Delyth  
 German, Michael  
 Gibbons, Brian  
 Graham, William  
 Gregory, Janice  
 Griffiths, John  
 Gwyther, Christine  
 Halford, Alison  
 Hancock, Brian  
 Hart, Edwina  
 Hutt, Jane  
 Jarman, Pauline  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Law, Peter  
 Lloyd, David  
 Lloyd, Val  
 Melding, David  
 Middlehurst, Tom  
 Morgan, Jonathan  
 Morgan, Rhodri  
 Pugh, Alun  
 Randerson, Jenny  
 Ryder, Janet  
 Sinclair, Karen  
 Thomas, Gwenda  
 Thomas, Owen John  
 Thomas, Rhodri Glyn

*Derbyniwyd y cynnig.*

*Motion carried.*

**Cymeradwyo Rheoliadau Cynllunio Gwlad a Thref (Ffioedd ar gyfer Ceisiadau a Cheisiadau Tybiedig) (Diwygio) (Cymru) 2002, Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Datblygu Cyffredinol) (Diwygio) (Cymru) 2002, a Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) (Diwygio) (Cymru) 2002**

**Approval of the Town and Country Planning (Fees for Applications and Deemed Applications)(Amendment)(Wales) Regulations 2002, the Town and Country Planning (General Development Procedure) (Amendment)(Wales) Order 2002, and the Town and Country Planning (General Permitted Development) (Amendment)(Wales) Order 2002**

**The Deputy Presiding Officer:** These motions will be debated together, provided that Members do not object.

**Y Dirprwy Lywydd:** Trafodir y cynigion hyn ynghyd, os nad oes gwrthwynebiad ymhlith yr Aelodau.

**The Minister for Environment (Sue Essex):** I propose that

**Y Gweinidog dros yr Amgylchedd (Sue Essex):** Cynigiaf fod

*the National Assembly considers the principle of the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 21 May 2002. (NDM1145)*

I propose that

*the National Assembly:*

*1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5 in relation to the draft Order, the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 28 May 2002;*

*2. approves that the Order is made in accordance with the draft laid in the Table Office on 21 May 2002, the regulatory appraisal, laid in the Table Office on 21 May 2002 and the memorandum of corrections, laid in the Table Office on 8 July 2002. (NDM1146)*

I propose that

*the National Assembly considers the principle of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2002, laid in the Table Office on 21 May 2002. (NDM1147)*

I propose that

*the National Assembly:*

*1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5 in relation to the draft Order, the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2002, laid in the Table Office on 25 June 2002;*

*2. approves that the Order is made in accordance with the draft laid in the Table Office on 21 May 2002, the regulatory appraisal, laid in the Table Office on 21 May*

*y Cynulliad Cenedlaethol yn ystyried Rheoliadau Cynllunio Gwlad a Thref (Ffioedd ar gyfer Ceisiadau a Cheisiadau Tybiedig) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 21 Mai 2002. (NDM1145)*

Cynigiau fod

*y Cynulliad Cenedlaethol:*

*1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Rheoliadau Cynllunio Gwlad a Thref (Ffioedd ar gyfer Ceisiadau a Cheisiadau Tybiedig) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 28 Mai 2002;*

*2. yn cymeradwyo gwneud y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 21 Mai 2002, yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 21 Mai 2002 a'r memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 8 Gorffennaf 2002. (NDM1146)*

Cynigiau fod

*y Cynulliad Cenedlaethol yn ystyried egwyddor Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Datblygu Cyffredinol) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 21 Mai 2002. (NDM1147)*

Cynigiau fod

*y Cynulliad Cenedlaethol:*

*1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Datblygu Cyffredinol) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 25 Mehefin 2002;*

*2. yn cymeradwyo gwneud y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 21 Mai 2002, yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno*

2002 and the memorandum of corrections, laid in the Table Office on 8 July 2002. (NDM1148)

I propose that

*the National Assembly considers the principle of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2002, laid in the Table Office on 21 May 2002.* (NDM1149)

I propose that

*the National Assembly:*

*1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5 in relation to the draft Order, the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2002, laid in the Table Office on 28 May 2002;*

*2. approves that the Order is made in accordance with the draft laid in the Table Office on 21 May 2002, the regulatory appraisal, laid in the Table Office on 21 May 2002 and the memorandum of corrections, laid in the Table Office on 8 July 2002.* (NDM1150)

These three statutory instruments are interrelated and have been drafted in light of the approach recommended by the independent expert group on mobile phones—most people will know this as the Stewart report. The National Assembly and the UK Government have accepted this approach, and the proposals follow my announcement on 6 April last year, when I outlined a package of measures. These measures have regard to the outcome of wide public consultation, particularly the major concern expressed about lack of public consultation on the siting of telecommunication masts.

I will outline each instrument. The statutory instrument amending the Town and Country Planning (General Permitted Development) Order 1995 improves existing procedures for prior approval applications for telecommunication development under part

*ar 21 Mai 2002 a'r memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 8 Gorffennaf 2002.* (NDM1148)

Cynigiau fod

*y Cynulliad Cenedlaethol yn ystyried Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 21 Mai 2002.* (NDM1149)

Cynigiau fod

*y Cynulliad Cenedlaethol:*

*1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 28 Mai 2002;*

*2. yn cymeradwyo gwneud y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 21 Mai 2002, yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 21 Mai 2002 a'r memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 8 Gorffennaf 2002.* (NDM1150)

Mae'r tri offeryn statudol hyn yn gysylltiedig â'i gilydd ac fe'u drafftwyd yng ngolau'r dull o weithredu a argymhellir gan y grŵp arbenigwyr annibynnol ar ffônau symudol—bydd y rhan fwyaf o bobl yn adnabod hyn fel adroddiad Stewart. Mae'r Cynulliad Cenedlaethol a Llywodraeth y DU wedi derbyn y dull hwn o weithredu, ac mae'r cynigion yn dilyn fy nghyhoeddiad ar 6 Ebrill y llynedd, pan amlinellais becyn o fesurau. Mae'r mesurau hyn yn cymryd sylw o ganlyniad ymgynghori cyhoeddus eang, yn enwedig y pryder mawr a fynegwyd ynghylch diffyg ymgynghori â'r cyhoedd ar leoliad mastiau telathrebu.

Rhoddaf amlinelliad o bob offeryn. Mae'r offeryn statudol sy'n diwygio Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995 yn gwella'r gweithdrefnau sy'n bodoli ar gyfer ceisiadau am gymeradwyaeth ymlaen llaw ar gyfer



24 of schedule 2. The main effects of the amendments are as follows. They greatly strengthen the current public consultation requirements on proposals for masts of 15m and below, so that they are the same for applications for masts above that height, which already need full planning permission. They increase the time for local planning authorities to deal with prior approval applications from 42 days to 56 days for ground-based masts, and from 28 days to 56 days for masts on buildings. They also extend the prior approval arrangements to cover antennas on a building or other structure where the height of the antennas would exceed the height of the building or structure by 4m or more, and require prior approval applications that involve the construction or installation of one or more antennas to be accompanied by a declaration that the equipment and installation, when constructed or installed, will operate in full compliance with the guidelines of the International Commission on Non-Ionizing Radiation Protection on limiting exposure. A similar amendment requiring a declaration to be submitted for equipment requiring planning permission is also being made to the Town and Country Planning (General Development Procedure) Order 1995.

10:15 a.m.

The amendment will also require prior approval applications and evidence that the operator has notified the Civil Aviation Authority, the Secretary of State for Defence, or the aerodrome operator, where the proposed mast is to be located within 3 km of the perimeter of an aerodrome. I hope that all Members will support these motions.

**Janet Davies:** For many years, better control over the siting of telecommunications masts has been needed. The small amount of influence that planning authorities have over this issue has been quite distressing at times. Concern about radiation has been widespread and therefore the requirement of a written declaration of compliance with the guidelines of the International Commission on Non-Ionising Radiation Protection is important. However, it is perhaps more of a

datblygiad telathrebu dan ran 24 atodlen 2. Mae prif effeithiau'r diwygiadau fel a ganlyn. Maent yn cryfhau'n sylweddol y gofynion cyfredol am ymgynghori cyhoeddus ar gynigion am fastiau 15m ac is, fel eu bod yr un fath ag ar gyfer mastiau uwch na hynny, sydd eisoes angen caniatâd cynllunio llawn. Maent yn cynyddu'r amser a gaiff awdurdodau cynllunio lleol i ddelio â cheisiadau am gymeradwyaeth ymlaen llaw o 42 diwrnod i 56 diwrnod ar gyfer mastiau ar y ddaear, ac o 28 diwrnod i 56 diwrnod ar gyfer mastiau ar adeiladau. Maent hefyd yn ymestyn y trefniadau cymeradwyaeth ymlaen llaw i gynnwys erialau ar adeilad neu adeiledd arall lle byddai uchder yr erialau 4m neu fwy yn uwch nag uchder yr adeilad neu adeiledd, ac yn mynnu bod ceisiadau am gymeradwyaeth ymlaen llaw sy'n golygu adeiladu neu osod un neu ragor o erialau yn cario datganiad y bydd yr offer a'r gosodiad, pan fydd wedi'i adeiladu neu ei osod, yn gweithredu mewn cydymffurfiaid llawn â chanllawiau'r Comisiwn Rhyngwladol ar Ddiogelwch Ymbelydredd Di-ionaid ar gyfyngu dinoethiad. Mae diwygiad tebyg sy'n mynnu y cyflwynir datganiad ar gyfer offer y mae angen caniatâd cynllunio ar ei gyfer yn cael ei wneud hefyd i Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Datblygu Cyffredinol) 1995.

Bydd y diwygiad hefyd yn gofyn am geisiadau am gymeradwyaeth ymlaen llaw a thystiolaeth fod y gweithredydd wedi hysbysu'r Awdurdod Hedfan Sifil, yr Ysgrifennydd Gwladol dros Amddiffyn, neu weithredwr y maes awyr, lle bwriedir lleoli'r mast arfaethedig o fewn 3 km i derfyn maes awyr. Gobeithiaf y gwnaiff yr Aelodau i gyd gefnogi'r cynigion hyn.

**Janet Davies:** Ers blynyddoedd lawer, bu angen gwell rheolaeth dros leoliad mastiau telathrebu. Bu bychander y dylanwad sydd gan awdurdodau cynllunio dros y mater hwn yn eithaf arswydus ar adegau. Bu pryder cyffredinol ynghylch ymbelydredd, ac felly mae'r gofyniad am ddatganiad ysgrifenedig y cydymffurfir â chanllawiau'r Comisiwn Rhyngwladol ar Ddiogelwch Ymbelydredd Di-ionaid yn bwysig. Serch hynny, efallai mai mwy o egwyddor ragofalus ydyw na

precautionary principle than a reality. Some people do not have a choice about being exposed to radiation when a mast is suddenly erected close to their house or child's school. Using mobile phones probably fries people's brains around 100,000 times quicker than being near a mobile phone mast, and most people do not seem to mind that. Nevertheless, it is important that people are not compulsorily exposed to such radiation.

The telecommunications industry voluntarily accepts this obligation, but it is important that it also has legal standing. Landscape protection must also be considered because, in some areas, mobile phone masts have been sited in prominent positions. Although many people want mobile phones, there can be quite a high cost in terms of landscape degradation. Trying to persuade the various mobile phone companies to use the same masts is important—

**Brian Gibbons:** I know that Janet is being slightly frivolous in describing the effect of mobile phones as frying the brain. However, for the record, it is important to state that the effect of mobile phones and so on is marginal, and the subject of major scientific dispute. It would not be appropriate for Janet's comment to go on the record unchallenged, although I appreciate the spirit in which it was made.

**The Deputy Presiding Officer:** Everything that is said in the Chamber is on the record, Brian.

**Janet Davies:** I understand Brian's comment; however it is a serious point, even if it was put in a rather frivolous way. Some authorities feel that frequent and constant use of mobile phones is dangerous. If you are happier for me to put my point in those terms, I am prepared to do so.

It is important to persuade companies to use one mast in one area to try to reduce the impact on the landscape. I have concerns about whether these changes will be adequate, but it is important that these measures are implemented and then reviewed at a later date. Plaid Cymru will support the

gwirionedd. Nid oes gan rai pobl ddewis ynghylch cael eu dinoethi i ymbelydredd pan godir mast yn sydyn yn agos at eu tŷ neu at ysgol eu plentyn. Mae'n debyg fod defnyddio ffonau symudol yn ffrio ymennydd pobl ryw 100,000 gwaith yn gynt na bod yn agos at fast ffonau symudol, ac nid yw'r rhan fwyaf o bobl i weld yn poeni am hynny. Er hynny, mae'n bwysig na chaiff pobl eu dinoethi i'r fath ymbelydredd yn orfodol.

Mae'r diwydiant telathrebu'n derbyn y ddyletswydd hon yn wirfoddol, ond mae'n bwysig fod statws cyfreithiol iddi hefyd. Rhaid ystyried gwarchod y tirwedd hefyd oherwydd, mewn rhai ardaloedd, cafodd mastiau ffonau symudol eu lleoli mewn safleoedd amlwg. Er bod ar lawer o bobl eisiau ffonau symudol, gall y gost fod yn eithaf uchel yn nhermau diraddio'r tirlun. Mae ceisio perswadio'r cwmnïau ffonau symudol i ddefnyddio'r un mastiau'n bwysig—

**Brian Gibbons:** Gwn mai bod ychydig yn chwareus y mae Janet wrth ddisgrifio effaith ffonau symudol drwy ddweud eu bod yn ffrio'r ymennydd. Fodd bynnag, er mwyn y cofnod, mae'n bwysig dweud bod effaith ffonau symudol ac ati yn ymylol, ac yn destun anghytundeb mawr ym myd gwyddoniaeth. Ni fyddai'n briodol i sylw Janet fynd ar y cofnod heb ei herio, er y gwerthfawrogaf yr ysbryd y'i gwnaethpwyd ynddo.

**Y Dirprwy Lywydd:** Mae popeth a ddywedir yn y Siambr ar y cofnod, Brian.

**Janet Davies:** Deallaf sylw Brian, ond mae'n bwynt difrifol, hyd yn oed os cafodd ei wneud mewn ffordd braidd yn wamal. Mae rhai awdurdodau'n teimlo fod defnydd aml a chyson o ffonau symudol yn beryglus. Os ydych yn hapusach imi roi fy mhwynt yn y termau hynny, yr wyf yn barod i wneud.

Mae'n bwysig perswadio cwmnïau i ddefnyddio un mast mewn un ardal i geisio lleihau'r effaith ar y tirwedd. Mae gennyf bryderon ynghylch a fydd y newidiadau hyn yn ddigonol, ond mae'n bwysig y gweithredir y mesurau hyn ac wedyn eu hadolygu'n ddiweddarach. Bydd Plaid Cymru'n cefnogi'r

motion.

**Peter Black:** I also welcome this legislation, which is long overdue. I pay tribute to the Minister for listening to the concerns expressed to her about the siting of mobile phone masts, and for bringing this legislation forward as a result. There is great concern in Wales about the siting of mobile phone masts. Whether that is justified is a matter of scientific dispute, as Brian said, and is the subject of research by the Department of Health at a UK level. However, the fact that a mast below the height of 15m can be suddenly raised within yards of schools or residential areas has caused much anxiety and led to protests by many communities. Introducing a consultation period of 56 days and the associated legislation is vital to enable local communities and people to have their say and to ensure that they are properly consulted on what is sited near to their homes. A problem regarding this issue in the past—

**Gareth Jones:** Yr wyf yn falch eich bod yn cydnabod y bygythiad i iechyd ac yn rhoi sylw teilwng iddo. Fodd bynnag, yr wyf yn siomedig nad yw'r Democratiaid Rhyddfrydol yn rhoi'r un sylw i'r bygythiad i iechyd plant pan gaiff ysgolion eu hadeiladu ar dir halogedig yng Nghymru.

**Peter Black:** You are being slightly disingenuous, Gareth, because, as you know, that matter has already been debated in the Assembly. We are discussing mobile phone masts today, not contaminated land. The Minister gave a full reply to that debate and undertook to consider the matter further and appropriate measures may result from that. However, this debate is not about that issue.

The fact that practice in Wales is inconsistent is a cause for concern. Some councils have used consultation well, whereas others have not. Some have shrugged their shoulders and said, 'It's not down to us, but down to the fact that the telephone operator or the Assembly do not require consultation'. The fact that the Assembly is now giving clear guidance is important and will benefit

cynnig.

**Peter Black:** Croesawaf finnau'r ddeddfwriaeth hon, yr oedd yn hen bryd ei chael. Talaf deyrnged i'r Gweinidog am wrando ar y pryderon a fynegwyd iddi ynghylch lleoliad mastiau ffonau symudol, ac am ddod â'r ddeddfwriaeth hon ymlaen o ganlyniad. Mae pryder mawr yng Nghymru ynghylch lleoliad mastiau ffonau symudol. A oes cyfiawnhad dros hynny ai peidio sy'n destun dadl wyddonol, fel y dywedodd Brian, ac yn destun ymchwil gan yr Adran Iechyd ar lefel y DU. Fodd bynnag, mae'r ffaith y gellir codi mast is na 15m o uchder yn sydyn o fewn llathenni i ysgolion neu ardaloedd preswyl wedi achosi cryn bryder ac wedi arwain at wrthdystiadau gan sawl cymuned. Mae cyflwyno cyfnod ymgynghori 56 diwrnod a'r ddeddfwriaeth gysylltiedig yn hanfodol i alluogi cymunedau a phobl leol i gael dweud eu dweud ac i sicrhau yr ymgynghorir yn iawn â hwy ynghylch beth a leolir ger eu cartrefi. Un broblem ynglŷn â'r mater hwn yn y gorffennol—

**Gareth Jones:** I am glad that you recognise the health threat and are giving the matter appropriate attention. However, I am disappointed that the Liberal Democrats are not giving the same attention to the threat to children's health when schools are built on contaminated land in Wales.

**Peter Black:** Yr ydych yn bod ychydig yn annidwyll, Gareth, oherwydd, fel y gwyddoch, mae'r mater hwnnw eisoes wedi ei drafod yn y Cynulliad. Yr ydym yn trafod mastiau ffonau symudol heddiw, nid tir halogedig. Rhoddodd y Gweinidog ateb llawn i'r ddadl honno ac ymgymerodd i ystyried y mater ymhellach ac efallai y daw camau priodol yn sgîl hynny. Fodd bynnag, nid oes a wnelo'r ddadl hon â'r mater hwnnw.

Mae'r ffaith bod yr arfer yng Nghymru yn anghyson yn peri pryder. Mae rhai cynghorau wedi defnyddio'r drefn ymgynghori'n dda, tra bod eraill heb wneud. Mae rhai wedi codi eu hysgwyddau a dweud, 'Nid ein bai ni ydyw, ond bai'r ffaith nad yw'r cwmni ffôn na'r Cynulliad yn mynnu bod angen ymgynghori'. Mae'r ffaith bod y Cynulliad bellach yn rhoi arweiniad clir yn bwysig a

everyone.

In terms of future mobile phone masts, research on the health risks of siting mobile phone masts close to residential areas is ongoing and the subject of dispute, but there are real concerns about the issue. Case law indicates that health concerns can be a material factor in considering planning consent. Several councils will not take that case law into account and are looking to the Assembly for guidance on dealing with those serious health concerns and whether they should be considered in the planning process. I would be grateful if the Minister could indicate whether she will consider this matter and sound out the mobile phone companies and local councils on how it can be approached.

**David Davies:** The fact that the siting of masts under 15m in height is not subject to proper planning regulations is a loophole in planning law. That is wrong, and I am sure that the matter has filled the mailboxes of many Assembly Members—it has filled mine. The Welsh Conservatives are therefore happy to support these motions today and pleased that the public will, hopefully, be reassured about the radioactive content of radiowaves—I am not sure of the correct terminology—and the safety of the masts. Further legislation will, hopefully, be proposed to encourage more companies to share masts in future, as that does not happen as often as it could at present.

**Lorraine Barrett:** The Minister is probably fed up of me raising this issue. I welcome this legislation and agree with the comments made by Janet Davies, Peter Black and David Davies. Residents will now at least be given more time to consider the implications of planning applications for masts in their area. I join Peter Black in asking the Minister to consider the possibility of requiring health impact reports to be compiled as part of the planning application. I also urge the operators to consider sharing masts, which they seem to be resisting. Any action that the Minister can take to encourage operators to share masts would be welcome. The Waverly Care Centre in Penarth has a multitude of masts and is close to a children's nursery, a playground

bydd o fudd i bawb.

O ran mastiau ffonau symudol yn y dyfodol, mae ymchwil yn parhau i beryglon iechyd lleoli mastiau ffonau symudol yn agos at ardaloedd preswyl ac mae'n destun dadl, ond mae pryderon gwirioneddol am y mater. Dywed cyfraith achosion y gall pryderon iechyd fod yn ffactor perthnasol wrth ystyried caniatâd cynllunio. Ni wnaiff rhai cynghorau gymryd y gyfraith achosion honno i ystyriaeth ac maent yn edrych i'r Cynulliad am arweiniad ar ddelio â'r pryderon iechyd difrifol hynny ac a ddylid eu hystyried yn y broses gynllunio. Byddwn yn ddiolchgar pe gallai'r Gweinidog nodi a wnaiff ystyried y mater hwn a cheisio syniadau gan y cwmnïau ffôn a'r cynghorau lleol ynghylch sut y gellir mynd o'i gwmpas.

**David Davies:** Mae'r ffaith nad yw lleoliad mastiau dan 15m o uchder yn ddarostyngedig i reoliadau cynllunio priodol yn fan gwan yn y gyfraith gynllunio. Nid yw hynny'n iawn, ac yr wyf yn siŵr fod y mater wedi llenwi blychau llythyron sawl Aelod Cynulliad—mae wedi llenwi fy mlwch i. Mae Ceidwadwyr Cymru'n hapus felly i gefnogi'r cynigion hyn heddiw ac yn falch y caiff y cyhoedd, gobeithio, dawelwch meddwl ynghylch cynnwys ymbelydrol y tonnau radio—nid wyf yn siŵr o'r derminoleg gywir—a diogelwch y mastiau. Cynigir deddfwriaeth bellach, gobeithio, i annog mwy o gwmnïau i rannu mastiau yn y dyfodol, gan nad yw hynny'n digwydd mor aml ag y gallai ar hyn o bryd.

**Lorraine Barrett:** Mae'n debyg fod y Gweinidog wedi cael llond bol arnaf fi'n codi'r mater hwn. Croesawaf y ddeddfwriaeth hon a chytunaf â'r sylwadau a wnaed gan Janet Davies, Peter Black a David Davies. Yn awr caiff trigolion o leiaf fwy o amser i ystyried goblygiadau ceisiadau cynllunio am fastiau yn eu hardal. Ymunaf â Peter Black i ofyn i'r Gweinidog ystyried posibilrwydd gofyn am lunio adroddiadau effaith iechyd fel rhan o'r cais cynllunio. Anogaf y cwmnïau hefyd i ystyried rhannu mastiau, rhywbeth y maent fel pe baent yn ymladd yn ei erbyn. Croesewir unrhyw beth y gall y Gweinidog ei wneud i annog cwmnïau i rannu mastiau. Mae gan Ganolfan Gofal Waverley ym Mhenarth lu o fastiau ac mae'n

and several residential homes for the elderly. It is causing a great deal of concern and has a visual impact on the coastline. The planning authority seems to feel constrained by having to consider planning applications purely on planning grounds. It cannot consider the health impact of siting masts in such an area. Any action that the Minister can take, in addition to the legislation being proposed today, will be more than welcome.

**Peter Law:** This issue has concerned many people throughout Wales for a long time. I am delighted that the Minister has proposed this legislation today. It is a good example of how we can further use our powers, as Christine Gwyther's excellent suggestion on planning applications for Class B8 indicated, which has now been included in legislation. Landscape throughout Wales has been despoiled by mobile phone masts. Many people are concerned that everyone seems powerless to take action. I welcome these regulations and the fact that more notice will be given to people and declarations will be required. I agree with the comments about requiring health impact statements, which have been called for for some time. Any action that the Assembly Government can take to ensure that such statements are provided will be appreciated. Beautiful areas in Wales are being completely spoiled by masts appearing overnight. Action needs to be taken and, therefore, I welcome the legislation.

10:25 a.m.

**The Minister for Environment (Sue Essex):** We have considered this issue carefully and the Minister for Health and Social Services has been involved in the discussions. As Members have said today, we all have constituents who are concerned about the proliferation of masts. Notwithstanding the fact that most Members, if not all, use mobile phones, and that mobile phones are part of the economy, we must find a balanced way forward.

We have made major strides forward, not only through this legislation, but also by working with the Federation of the

agos at feithrinfa plant bach, parc chwarae a sawl cartref henoed. Mae'n achosi llawer iawn o bryder ac mae'n effeithio'n weledol ar yr arfordir. Mae'r awdurdod cynllunio fel petai'n teimlo ei fod wedi'i gyfyngu drwy orfod ystyried ceisiadau cynllunio ar sail cynllunio yn unig. Ni all ystyried effaith lleoli mastiau mewn ardal o'r fath ar iechyd pobl. Bydd croeso mawr i unrhyw beth y gall y Gweinidog ei wneud, ar ben y ddeddfwriaeth sy'n cael ei chynnig heddiw.

**Peter Law:** Mae'r mater hwn wedi peri pryder i lawer o bobl drwy Gymru ers tro. Yr wyf wrth fy modd fod y Gweinidog wedi cynnig y ddeddfwriaeth hon heddiw. Mae'n enghraifft dda o sut y gallwn ddefnyddio'n pwerau ymhellach, fel y dangosodd awgrym ardderchog Christine Gwyther ar geisiadau cynllunio ar gyfer Dosbarth B8, sydd bellach wedi'i gynnwys mewn deddf. Mae'r tirwedd ledled Cymru wedi'i anharddu gan fastiau ffonau symudol. Mae llawer o bobl yn pryderu bod pawb i'w gweld yn ddi-rym i weithredu. Croesawaf y rheoliadau hyn a'r ffaith y rhoddir mwy o sylw i bobl ac y bydd gofyn am ddatganiadau. Cytunaf â'r sylwadau ynghylch gofyn am ddatganiadau ar yr effaith ar iechyd, y bu galw amdanynt ers tro byd. Gwerthfawrogir unrhyw beth y gall y Cynulliad Cenedlaethol ei wneud i sicrhau y darperir datganiadau o'r fath. Mae ardaloedd hardd yng Nghymru'n cael eu difetha'n llwyr gan fastiau'n ymddangos dros nos. Mae angen gweithredu, ac, felly, croesawaf y ddeddfwriaeth.

**Y Gweinidog dros yr Amgylchedd (Sue Essex):** Yr ydym wedi ystyried y mater hwn yn ofalus ac mae'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol wedi cymryd rhan yn y trafodaethau. Fel y dywedodd Aelodau heddiw, mae gan bawb ohonom etholwyr sy'n pryderu am y doreth o fastiau. Er gwaethaf y ffaith bod y rhan fwyaf o Aelodau, os nad bob un, yn defnyddio ffonau symudol, a bod ffonau symudol yn rhan o'r economi, rhaid inni ganfod ffordd gytbwys ymlaen.

Yr ydym wedi cymryd camau breision ymlaen, nid yn unig drwy'r ddeddfwriaeth hon, ond hefyd drwy weithio gyda

Electronics Industry. It has produced a leaflet—I can provide copies for Members if they wish—on its 10 commitments. I have its guarantee that if we feel—

**Brian Gibbons:** Peter Law's comments about masts being sited in scenic areas are important. In order to inform ourselves on the subject of this debate, do you know what the current level of mobile phone coverage is in Wales? Many valley communities often cannot receive mobile phone signals and are therefore socially excluded because they cannot use mobile phones. The same situation seems to exist in large parts of mid-Wales. What is your estimate of the areas in Wales that are unable to receive signals?

**Sue Essex:** You are right that large parts of Wales cannot receive signals and people in those areas feel excluded, because they cannot get the benefit of access to the mobile phone network. There is a database of such information, but I cannot give you exact figures today. In my meetings with the industry, it says that it is aiming for complete coverage in Wales. That does not always mean a proliferation of masts in urban areas, as advances in the industry mean that some masts can be removed. If masts are shared, their numbers can be reduced; that issue, which Lorraine mentioned, is important. The electronics industry has said that, if people feel that it is not adhering to its 10 commitments, they should contact the industry. Therefore, in addition to the fact that the Assembly is taking a step forward through this legislation, the industry has also taken a step forward.

Janet's point about perception is important, and that concern is voiced by constituents. They are worried about health risks and that is why the Stewart report was so important. Our legislation is based on that report's findings; that has been fundamental. We will monitor the outcome of the legislation. If it needs to be reviewed, I will consider that. Peter Black mentioned inconsistent practice across Wales and we are considering that in light of the short debate on the issue. We have contacted all the local authorities in

Ffederasiwn y Diwydiant Electroneg. Mae wedi cynhyrchu taflen—gallaf ddarparu copïau ohoni i'r Aelodau os y dymunant—ar ei 10 ymrwymiad. Mae gennyf warant ganddynt os teimlwn—

**Brian Gibbons:** Mae sylwadau Peter Law am leoli mastiau mewn ardaloedd prydfferth yn bwysig. Er mwyn dysgu am bwnc y ddadl hon, a wyddoch beth yw lefel bresennol derbyniad ffonau symudol yng Nghymru? Yn aml, mae llawer o gymunedau'r cymoedd yn methu derbyn signal ffôn symudol ac, felly, maent wedi'u hallgáu'n gymdeithasol am na allant ddefnyddio ffonau symudol. Mae'n debyg fod yr un sefyllfa'n bodoli mewn rhannau mawr o'r Canolbarth. Beth yw eich amcangyfrif o'r ardaloedd yng Nghymru sy'n methu derbyn signal?

**Sue Essex:** Yr ydych yn iawn fod rhannau mawr o Gymru'n methu derbyn signal a bod pobl yn yr ardaloedd hynny'n teimlo eu bod wedi'u gadael allan, am na allant gael manteision mynediad i'r rhwydwaith ffonau symudol. Mae cronfa ddata o wybodaeth o'r fath, ond ni allaf roi'r union ffigurau ichi heddiw. Yn fy nghyfarfodydd gyda'r diwydiant, dywed ei fod yn anelu at sicrhau derbyniad drwy Gymru gyfan. Nid yw hynny bob amser yn golygu amlhau mastiau mewn ardaloedd trefol, gan fod datblygiadau yn y diwydiant yn golygu y gellir tynnu rhai mastiau i lawr. Os rhennir mastiau, gellir lleihau eu niferoedd; mae hynny, a grybwyllwyd gan Lorraine, yn bwysig. Mae'r diwydiant electroneg wedi dweud y dylai pobl gysylltu â'r diwydiant os teimlant nad yw'n glynu at ei 10 ymrwymiad. Felly, ar ben y ffaith bod y Cynulliad yn cymryd cam ymlaen drwy'r ddeddfwriaeth hon, mae'r diwydiant hefyd wedi cymryd cam ymlaen.

Mae pwynt Janet am ganfyddiad yn bwysig, a mynegir y pryder hwnnw gan etholwyr. Maent yn poeni am beryglon i iechyd, a dyna pam yr oedd adroddiad Stewart mor bwysig. Mae ein deddfwriaeth yn seiliedig ar ganfyddiadau'r adroddiad hwnnw; bu hynny'n sylfaenol. Byddwn yn cadw llygad ar ganlyniad y ddeddfwriaeth. Os bydd angen ei hadolygu, fe ystyriaf hynny. Soniodd Peter Black am arfer anghyson ar draws Cymru ac yr ydym yn ystyried hynny yng ngolau'r ddadl fer ar y mater. Yr ydym wedi cysylltu â

Wales and there are different views on what is happening and the different processes. 'Technical Advice Note 19', which will be published shortly after this legislation is, hopefully, accepted and will ensure a more consistent approach across Wales.

I also remind you that the recently published 'Planning Guidance (Wales)' refers to the fact that health impact is a material factor in planning considerations. Therefore, local authorities can consider that.

Part of the legislation is the declaration of compliance with the guidelines. The Legislation Committee had some concerns about whether we could legally request this compliance. Our legal advice is that we can. It is important that we stick to that and, therefore, we will go ahead with the compliance requirement. I assure Members that the Government has set up a £7 million follow-on research programme, which will consider health implications. Members will know that we are also researching the relationship between environmental and health issues and how they interface with the planning system.

The visual impact of these masts has caused great concern. I have discussed with Lorraine the Waverley Care Centre in her constituency. If local authorities feel that the visual impact is unacceptable, they have grounds to refuse permission, but they will have to justify that decision. That option is available, and it is for local communities and authorities to judge on it.

On Peter Law's point, we are considering the Stewart report and are awaiting further research. The Stewart report has considered these issues and the issue of consultation, which is fundamental to ensuring that local communities have their say and can make positive suggestions about improvement. That relates to the database and sharing masts. These measures improve the situation, but we must be vigilant and ensure that these regulations are enforced and that there is a consistent approach throughout Wales.

phob awdurdod lleol yng Nghymru ac mae gwahanol syniadau am yr hyn sydd yn digwydd a'r gwahanol brosesau. Cyhoeddir 'Nodyn Cyngor Technegol 19' yn fuan wedi i'r ddeddfwriaeth hon, gobeithio, gael ei derbyn, a bydd yn sicrhau mwy o gysonder ledled Cymru.

Fe'ch atgoffaf hefyd fod y 'Canllawiau Cynllunio (Cymru)', a gyhoeddwyd yn ddiweddar, yn cyfeirio at y ffaith bod effaith ar iechyd yn ffactor perthnasol mewn ystyriaethau cynllunio. Felly, gall awdurdodau lleol ystyried hynny.

Rhan o'r ddeddfwriaeth yw'r datganiad o gydymffurfio â'r canllawiau. Bu gan y Pwyllgor Deddfau rai pryderon ynghylch a allem ofyn yn gyfreithiol am y cydymffurfriad hwn. Y cyngor cyfreithiol a gawsom yw y gallwn. Mae'n bwysig ein bod yn glynu at hynny ac, felly, fe awn ymlaen â'r gofyniad am gydymffurfio. Sicrhaf yr Aelodau fod y Llywodraeth wedi sefydlu rhaglen ymchwil ddilynol gwerth £7 miliwn, a fydd yn ystyried y goblygiadau i iechyd. Bydd Aelodau'n gwybod ein bod yn ymchwilio hefyd i'r berthynas rhwng materion amgylcheddol ac iechyd a'u perthynas â'r system gynllunio.

Mae effaith weledol y mastiau hyn wedi achosi pryder mawr. Yr wyf wedi trafod gyda Lorraine ynghylch Canolfan Ofal Waverley yn ei hetholaeth. Os teimla awdurdodau lleol fod yr effaith weledol yn annerbyniol, mae ganddynt sail i wrthod caniatâd, ond bydd yn rhaid iddynt gyfiawnhau'r penderfyniad hwnnw. Mae'r dewis hwnnw ar gael, a mater i gymunedau ac awdurdodau lleol yw barnu arno.

Ar bwynt Peter Law, yr ydym yn ystyried adroddiad Stewart ac yn disgwyl ymchwil bellach. Mae adroddiad Stewart wedi ystyried y materion hyn a'r cwestiwn ymgynghori, sy'n sylfaenol i sicrhau y caiff cymunedau lleol ddweud eu dweud ac y gallant wneud awgrymiadau cadarnhaol ynghylch gwella. Mae a wnelo hynny â'r gronfa ddata a rhannu mastiau. Mae'r mesurau hyn yn gwella'r sefyllfa, ond rhaid bod yn wylidwrus a sicrhau y gorfodir y rheoliadau hyn ac yr eir ati'n gyson drwy Gymru gyfan.

**Mick Bates:** I declare an interest as someone who has phone masts on his farm.

**Mick Bates:** Datganaf fuddiant fel un sydd â mastiau ffôn ar ei fferm.

**The Deputy Presiding Officer:** That is noted. We will now vote on the principle of the regulations (NDM1145).

**Y Dirprwy Lywydd:** Mae hynny wedi'i gofnodi. Pleidleisiwn yn awr ar egwyddor y rheoliadau (NDM1145).

*Cynnig: O blaid 44, Ymatal 0, Yn erbyn 0.  
Motion: For 44, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**Lorraine Barrett:** Point of order. My voting light did not flash, so I did not vote. **Lorraine Barrett:** Pwynt o drefn. Ni fflachiodd fy ngolau pleidleisio, felly ni



However, I would have voted in favour. phleidleisiais. Fodd bynnag, buaswn wedi pleidleisio o blaid.

**The Deputy Presiding Officer:** That is recorded. **Y Dirprwy Lywydd:** Mae hynny wedi'i gofnodi.

We will now vote on the approval of the regulations (NDM1146). Pleidleisiwn yn awr ar gymeradwyo'r rheoliadau (NDM1146).

*Cynnig: O blaid 45, Ymatal 0, Yn erbyn 0.*

*Motion: For 45, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.*

*Motion carried.*

We will now vote on the principle of the Pleidleisiwn yn awr ar egwyddor y  
Order (NDM1147). Gorchymyn (NDM1147).

*Cynnig: O blaid 46, Ymatal 0, Yn erbyn 0.*  
*Motion: For 46, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.*  
*Motion carried.*

We will now vote on the approval of the Pleidleisiwn yn awr ar gymeradwyo'r  
Order (NDM1148). Gorchymyn (NDM1148).

*Cynnig: O blaid 46, Ymatal 0, Yn erbyn 0.*  
*Motion: For 46, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

We will now vote on the principle of the Pleidleisiwn yn awr ar egwyddor y  
Order (NDM1149). Gorchymyn (NDM1149).

*Cynnig: O blaid 44, Ymatal 0, Yn erbyn 0.  
Motion: For 44, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick

Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

We will now vote on the approval of the Pleidleisiwn yn awr ar gymeradwyo'r  
Order (NDM1150). Gorchymyn (NDM1150).

10:35 a.m.

*Cynnig: O blaid 46, Ymatal 0, Yn erbyn 0.  
Motion: For 46, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine

Dafis, Cynog  
 Davidson, Jane  
 Davies, David  
 Davies, Geraint  
 Davies, Glyn  
 Davies, Janet  
 Davies, Ron  
 Essex, Sue  
 Evans, Delyth  
 German, Michael  
 Gibbons, Brian  
 Graham, William  
 Gregory, Janice  
 Griffiths, John  
 Gwyther, Christine  
 Hancock, Brian  
 Hart, Edwina  
 Hutt, Jane  
 Jarman, Pauline  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Gareth  
 Jones, Helen Mary  
 Law, Peter  
 Lloyd, David  
 Lloyd, Val  
 Melding, David  
 Middlehurst, Tom  
 Morgan, Jonathan  
 Morgan, Rhodri  
 Pugh, Alun  
 Randerson, Jenny  
 Ryder, Janet  
 Sinclair, Karen  
 Thomas, Gwenda  
 Thomas, Owen John  
 Thomas, Rhodri Glyn  
 Williams, Kirsty

*Derbyniwyd y cynnig.  
 Motion carried.*

**Cymeradwyo Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2002, Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) (Rhestr Atodol) (Cymru) 2002, Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2002, a Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2002**

**Approval of the National Health Service (General Medical Services) (Amendment) (No. 2) (Wales) Regulations 2002, the National Health Service (General Medical Services Supplementary List) (Wales) Regulations 2002, the National Health Service (General Dental Services) (Amendment) (No. 2) (Wales) Regulations 2002, and the National Health Service (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002**

**The Deputy Presiding Officer:** These motions will be debated together, provided that Members do not object.

**Y Dirprwy Lywydd:** Trafodir y cynigion hyn ynghyd, os nad oes gwrthwynebiad ymhlith yr Aelodau.

**The Minister for Health and Social Y Gweinidog dros Iechyd a Gwasanaethau**

**Services (Jane Hutt):** I propose that

*the National Assembly considers the principle of the National Health Service (General Medical Services) (Amendment) (No. 2) (Wales) Regulations 2002, laid in the Table Office on 27 June 2002. (NDM1151)*

I propose that

*the National Assembly*

*1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5, in relation to the draft Order, the National Health Service (General Medical Services) (Amendment) (No. 2) (Wales) Regulations 2002, laid in the Table Office on 9 July 2002;*

*2. approves:*

*a) that the Order is made in accordance with the draft laid in the Table Office on 27 June 2002;*

*b) the memorandum of corrections, laid in the Table Office on 10 July 2002. (NDM1152)*

I propose that

*the National Assembly considers the principle of the National Health Service (General Medical Services Supplementary List) Regulations 2002, laid in the Table Office on 27 June 2002. (NDM1153)*

I propose that

*the National Assembly:*

*1. considers the report of the Legislation Committee, which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5, in relation to the draft Order, the National Health Service (General Medical Services Supplementary List) Regulations 2002, laid in the Table Office on 9 July 2002;*

**Cymdeithasol (Jane Hutt):** Cynigiau fod

*y Cynulliad Cenedlaethol yn ystyried egwyddor Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 27 Mehefin 2002. (NDM1151)*

Cynigiau fod

*y Cynulliad Cenedlaethol*

*1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 9 Gorffennaf 2002;*

*2. yn cymeradwyo:*

*a) gwneud y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 27 Mehefin 2002;*

*b) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 10 Gorffennaf 2002. (NDM1152)*

Cynigiau fod

*y Cynulliad Cenedlaethol yn ystyried egwyddor Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr Atodol Gwasanaethau Meddygol Cyffredinol) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 27 Mehefin 2002. (NDM1153)*

Cynigiau fod

*y Cynulliad Cenedlaethol:*

*1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr Atodol Gwasanaethau Meddygol Cyffredinol) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 9 Gorffennaf 2002;*

2. approves:

a) that the Order is made in accordance with the draft laid in the Table Office on 27 June 2002;

b) the memorandum of corrections, laid in the Table Office on 10 July 2002. (NDM1154)

I propose that

the National Assembly considers the principle of the National Health Service (General Dental Services) (Amendment) (Wales) (No. 2) Regulations 2002, laid in the Table Office on 27 June 2002. (NDM1155)

I propose that

the National Assembly

1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5, in relation to the draft Order, the National Health Service (General Dental Services) (Amendment) (Wales) (No 2) Regulations 2002, laid in the Table Office on 9 July 2002;

2. approves:

a) that the Order is made in accordance with the draft laid in the Table Office on 27 June 2002;

b) the memorandum of corrections, laid in the Table Office on 10 July 2002. (NDM1156)

I propose that

the National Assembly considers the principle of National Health Service (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 27 June 2002. (NDM1157)

I propose that

the National Assembly:

2. yn cymeradwyo:

a) gwneud y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 27 Mehefin 2002;

b) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 10 Gorffennaf 2002. (NDM1154)

Cynigiau fod

y Cynulliad Cenedlaethol yn ystyried egwyddor Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) (Diwygio) (Cymru) (Rhif 2) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 27 Mehefin 2002. (NDM1155)

Cynigiau fod

y Cynulliad Cenedlaethol

1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) (Diwygio) (Cymru) (Rhif 2) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 9 Gorffennaf 2002;

2. yn cymeradwyo:

a) gwneud y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 27 Mehefin 2002;

b) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 10 Gorffennaf 2002. (NDM1156)

Cynigiau fod

y Cynulliad Cenedlaethol yn ystyried egwyddor Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 27 Mehefin 2002. (NDM1157)

Cynigiau fod

y Cynulliad Cenedlaethol:

1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5, in relation to the draft Order, National Health Service (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 9 July 2002;

2. approves:

a) that the Order is made in accordance with the draft laid in the Table Office on 27 June 2002;

b) the memorandum of corrections, laid in the Table Office on 10 July 2002. (NDM1158)

With your permission, Deputy Presiding Officer, I will take a moment to recall the fact that Val Feld died a year ago this week. Last year, we used our final session of the term to remember her contribution to the National Assembly for Wales. I am sure that Members will join me in remembering Val and her family today.

These regulations will significantly tighten health authority procedures for the listing of general medical practitioners, dentists and opticians. This is the first wave of post-Harold Shipman probity reforms for primary care practitioners in Wales. For the first time, non-principal general medical practitioners will be required to be listed with a health authority. They will be subject to the same level of checks and validations as principal general medical practitioners. The regulations require new applicants and existing practitioners to declare any past criminal convictions, police cautions or professional investigations with an adverse outcome. Health authorities will be required to check, as far as practicable, the declarations of practitioners and new applicants. With the applicant's consent, an enhanced criminal record certificate will be requested from the Criminal Records Bureau to validate the information that they supply. Listed practitioners will be required to notify the health authority, within seven days, of a conviction for any criminal offence, of having received a police caution or having

1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 9 Gorffennaf 2002;

2. yn cymeradwyo:

a) gwneud y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 27 Mehefin 2002;

b) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 10 Gorffennaf 2002. (NDM1158)

Gyda'ch caniatâd, Ddirprwy Lywydd, arhosaf ennyd i goffâu'r ffaith y bu farw Val Feld flwyddyn yn ôl i'r wythnos hon. Y llynedd, defnyddiasom ein cyfarfod olaf o'r tymor i gofio'i chyfraniad i Gynulliad Cenedlaethol Cymru. Yr wyf yn siŵr yr ymuna'r Aelodau â mi i gofio Val a'i theulu heddiw.

Bydd y rheoliadau hyn yn tynhau'n sylweddol weithdrefnau awdurdodau iechyd ar gyfer rhestru meddygon teulu, deintyddion ac optegwyr. Dyma'r don gyntaf o ddiwygiadau gonestrwydd ôl-Harold Shipman i ymarferwyr gofal sylfaenol yng Nghymru. Am y tro cyntaf, bydd yn ofynnol i feddygon teulu nad ydynt yn bartneriaid llawn mewn practis fod wedi'u rhestru gydag awdurdod iechyd. Byddant yn wynebu'r un lefel o archwiliadau ac ymarferion dilysu â meddygon teulu sy'n bartneriaid llawn. Mae'r rheoliadau'n gofyn bod ymgeiswyr newydd ac ymarferwyr presennol yn datgan unrhyw droseddau o'r gorffennol, rhybuddion gan yr heddlu neu ymchwiliadau proffesiynol gyda chanlyniad anffafriol. Bydd yn ofynnol i awdurdodau iechyd wirio, cyn belled ag y bo'n ymarferol, ddatganiadau ymarferwyr ac ymgeiswyr newydd. Gyda chydysyniad yr ymgeisydd, gofynnir am dystysgrif record droseddol fanwl gan y Swyddfa Gofnodion Troseddol i ddilysu'r wybodaeth a roddant. Bydd gofyn i ymarferwyr ar y rhestr hysbysu'r awdurdod iechyd, o fewn saith diwrnod, o gael eu



been bound over to keep the peace. They will also have to notify the health authority if they become subject to investigation by any professional body or the NHS Counter Fraud Service.

The regulations will provide new powers to health authorities to refuse a practitioner admission or place conditions on their admission to the medical list on the grounds of fraud, deficiency and/or unsuitability. They also provide new powers for health authorities to remove a practitioner from the medical list or place conditions on his or her remaining on the medical list on the grounds of fraud, deficiency and unsuitability as well as to suspend, with pay, a practitioner from the medical list, when they are a risk to the public, or if it is in the public's interest. The practitioner has the right to a hearing with the health authority before being suspended, removed or contingently removed and a right of appeal to an independent body—the Family Health Services Appeal Authority. A requirement is placed on practitioners to declare criminal convictions and investigations into their professional behaviour. Health authorities are required to take up references and validate the declarations supplied. The regulations are the first step to ensuring that proper checks are in place to validate the moral, ethical and professional integrity and conduct of primary care practitioners and to protect vulnerable members of society.

**Kirsty Williams:** The practitioners that we are discussing this morning are some of the most well-respected people in society, but unfortunately the Shipman case highlighted, most appallingly, how problems can arise when someone of that ilk is determined to abuse the trust of their patients. We welcome these regulations.

**David Melding:** The Welsh Conservative Party welcomes these regulations. Patients will now have even more confidence in the integrity of the clinicians that protect and promote their health. No-one has anything to fear from these regulations and they will not undermine the standing in which the majority of medical practitioners are held. However, it

dyfarnu'n euog o unrhyw drosedd, o gael rhybudd gan yr heddlu neu o gael eu rhwymo i gadw'r heddwch. Bydd yn rhaid iddynt hysbysu'r awdurdod iechyd hefyd os ânt yn destun ymchwiliad gan unrhyw gorff proffesiynol neu Wasanaeth Gwrth Dwyll y GIG.

Bydd y rheoliadau'n darparu pwerau newydd i awdurdodau iechyd wrthod derbyn ymarferwr neu osod amodau ar ei dderbyn i'r rhestr feddygol am resymau twyll, diffyg a/neu anaddasrwydd. Byddant hefyd yn darparu pwerau newydd i awdurdodau iechyd dynnu ymarferwr oddi ar y rhestr feddygol neu osod amodau cyn y caiff aros ar y rhestr feddygol am resymau twyll, diffyg ac anaddasrwydd yn ogystal ag atal, ar gyflog, ymarferwr o'r rhestr feddygol, pan fo'n berygl i'r cyhoedd, neu os yw hynny er lles y cyhoedd. Mae gan yr ymarferwr hawl i wrandawriad gyda'r awdurdod iechyd cyn cael ei atal, ei dynnu oddi ar y rhestr neu ei dynnu dros dro, a hawl apêl i gorff annibynnol—Awdurdod Apeliadau'r Gwasanaethau Iechyd Teuluol. Bydd yn ofynnol i ymarferwyr ddatgan troseddau y'u cafwyd yn euog ohonynt ac ymchwiliadau i'w hymddygiad proffesiynol. Bydd yn ofynnol i awdurdodau iechyd gymryd tystlythyrau a dilysu'r datganiadau a roddir. Y rheoliadau yw'r cam cyntaf i sicrhau bod mesurau gwirio priodol yn weithredol i ddilysu ymddygiad ac integriti moesol, moesegol a phroffesiynol ymarferwyr gofal sylfaenol ac i warchod aelodau bregus cymdeithas.

**Kirsty Williams:** Mae'r ymarferwyr yr ydym yn eu trafod y bore yma yn rhai o'r bobl uchaf eu parch mewn cymdeithas, ond yn anffodus amlygodd achos Shipman, yn y modd mwyaf echrydus, sut y gall problemau godi pan fydd rhywun fel hwnnw'n benderfynol o fanteisio ar ymddiriedaeth eu cleifion. Croesawn y rheoliadau hyn.

**David Melding:** Mae Plaid Geidwadol Cymru'n croesawu'r rheoliadau hyn. Yn awr bydd gan gleifion fwy fyth o hyder yn integriti'r clinigwyr sy'n gwarchod ac yn hybu eu hiechyd. Nid oes gan neb ddim i'w ofni o'r rheoliadau hyn ac ni wnânt danseilio'r parch a roddir i'r rhan fwyaf o feddygon. Fodd bynnag, mae'n bwysig fod y

is important that the system is robust. We expect as much in other fields of life and it is appropriate that that should now be applied to medical professions.

**David Lloyd:** I declare an interest as a non-principal GP. These are entirely sensible regulations and Plaid Cymru supports them.

**The Minister for Health and Social Services (Jane Hutt):** I welcome the constructive points made by Kirsty, David and Dai, acknowledging our confidence in the integrity of our medical professionals. However, we must ensure the highest professional, moral and ethical standards.

**The Deputy Presiding Officer:** We will now vote on the principle of the regulations (NDM1151).

drefn yn gadarn. Disgwyliwn gymaint mewn meysydd eraill o fywyd ac mae'n briodol y dylai hynny bellach fod yn wir am y proffesiynau meddygol.

**David Lloyd:** Datganaf fuddiant fel meddyg teulu nad yw'n bartner llawn mewn practis. Mae'r rhain yn rheoliadau cwbl synhwyrol ac mae Plaid Cymru'n eu cefnogi.

**Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt):** Croesawaf y pwyntiau adeiladol a wnaethpwyd gan Kirsty, David a Dai, yn cydnabod ein hyder yn integriti ein hymarferwyr meddygol proffesiynol. Er hynny, rhaid sicrhau'r safonau proffesiynol, moesol a moesegol uchaf.

**Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar egwyddor y rheoliadau (NDM1151).

*Cynnig: O blaid 45, Ymatal 0, Yn erbyn 0.  
Motion: For 45, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn

Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**The Deputy Presiding Officer:** We will now **Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar vote on the approval of the regulations gymeradwyo'r rheoliadau (NDM1152). (NDM1152).

*Cynnig: O blaid 46, Ymatal 0, Yn erbyn 0.  
Motion: For 46, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Butler, Rosemary  
Cairns, Alun  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun

Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**The Deputy Presiding Officer:** We will now **Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar vote on the principle of the regulations egwyddor y rheoliadau (NDM1153). (NDM1153).

*Cynnig: O blaid 47, Ymatal 0, Yn erbyn 0.  
Motion: For 47, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John

Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**The Deputy Presiding Officer:** We will now **Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar vote on the approval of the regulations gymeradwyo'r rheoliadau (NDM1154). (NDM1154).

*Cynnig: O blaid 47, Ymatal 0, Yn erbyn 0.  
Motion: For 47, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**The Deputy Presiding Officer:** We will now **Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar vote on the principle of the regulations egwyddor y rheoliadau (NDM1155). (NDM1155).

*Cynnig: O blaid 45, Ymatal 0, Yn erbyn 0.  
Motion: For 45, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**The Deputy Presiding Officer:** We will now **Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar vote on the approval of the regulations gymeradwyo'r rheoliadau (NDM1156). (NMD1156).

*Cynnig: O blaid 48, Ymatal 0, Yn erbyn 0.  
Motion: For 48, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**The Deputy Presiding Officer:** We will now vote on the principle of the regulations (NDM1157).  
**Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar egwyddor y rheoliadau (NDM1157).  
10:45 a.m.

*Cynnig: O blaid 48, Ymatal 0, Yn erbyn 0.  
Motion: For 48, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**The Deputy Presiding Officer:** We will now vote to approve the regulations (NDM1158). **Y Dirprwy Lywydd:** Pleidleisiwn yn awr i gymeradwyo'r rheoliadau (NDM1158).

*Cynnig: O blaid 47, Ymatal 0, Yn erbyn 0.  
Motion: For 47, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine



Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jarman, Pauline  
Jones, Ann  
Jones, Carwyn  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

**Cymeradwyo Rheoliadau Awdurdodau Lleol (Lwfansau i Aelodau Cynghorau  
Sir a Chynghorau Bwrdeistref Sirol ac Awdurdodau Parciau Cenedlaethol)  
(Cymru) 2002**

**Approval of the Local Authorities (Allowances for Members of County and  
County Borough Councils and National Park Authorities) (Wales) Regulations  
2002**

**The Deputy Presiding Officer:** Do any  
Members wish to declare an interest?

**Y Dirprwy Lywydd:** A oes unrhyw  
Aelodau'n dymuno datgan buddiant?

**Val Lloyd:** I declare an interest as a member  
of the City and County of Swansea Council.  
My husband is also a member. Although I am

**Val Lloyd:** Datganaf fuddiant fel aelod o  
Gyngor Dinas a Sir Abertawe. Mae fy ngŵr  
yn aelod hefyd. Er fy mod yn ymwybodol o'r

aware of Standing Orders, I will absent myself for the whole of this debate.

**The Deputy Presiding Officer:** That is your prerogative.

**Pauline Jarman:** As required under Standing Order No. 4.5, I declare an interest as leader of Rhondda Cynon Taff County Borough Council. I shall not vote on these regulations.

**The Deputy Presiding Officer:** That is your prerogative.

**David Lloyd:** I declare an interest as a member of the City and County of Swansea Council.

**Geraint Davies:** I declare an interest as a member of Rhondda Cynon Taff County Borough Council.

**Gareth Jones:** Datganaf fuddiant fel aelod o Gyngor Bwrdeistref Sirol Conwy.

**Peter Black:** I declare an interest as a member of the City and County of Swansea Council. I shall not vote on these regulations.

**The Deputy Presiding Officer:** I only require Members to declare an interest. Whether they take part in the proceedings or not is a matter for them.

**William Graham:** I declare an interest as a member of Newport City Council. I wish to speak in this debate.

**The Finance Minister (Edwina Hart):** I propose that

*the National Assembly considers the principle of the Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002, laid in the Table Office on 2 July 2002. (NDM1159)*

I propose that

*the National Assembly:*

*1. considers the report of the Legislation*

Rheolau Sefydlog, absenolaf fy hun o'r cyfan o'r ddadl hon.

**Y Dirprwy Lywydd:** Eich hawl chi yw hynny.

**Pauline Jarman:** Fel sy'n ofynnol dan Reol Sefydlog Rhif 4.5, datganaf fuddiant fel arweinydd Cyngor Bwrdeistref Sirol Rhondda Cynon Taf. Ni phleidleisiaf ar y rheoliadau hyn.

**Y Dirprwy Lywydd:** Eich hawl chi yw hynny.

**David Lloyd:** Datganaf fuddiant fel aelod o Gyngor Dinas a Sir Abertawe.

**Geraint Davies:** Datganaf fuddiant fel aelod o Gyngor Bwrdeistref Sirol Rhondda Cynon Taf.

**Gareth Jones:** I declare an interest as a member of Conwy County Borough Council.

**Peter Black:** Datganaf fuddiant fel aelod o Gyngor Dinas a Sir Abertawe. Ni phleidleisiaf ar y rheoliadau hyn.

**Y Dirprwy Lywydd:** Ni ofynnaf ond i Aelodau ddatgan buddiant. Mater iddynt hwy yw a ydynt am gymryd rhan yn y ddadl ai peidio.

**William Graham:** Datganaf fuddiant fel aelod o Gyngor Dinas Casnewydd. Dymunaf siarad yn y ddadl hon.

**Y Gweinidog Cyllid (Edwina Hart):** Cynigiaf fod

*y Cynulliad Cenedlaethol yn ystyried egwyddor Rheoliadau Awdurdodau Lleol (Lwfansau i Aelodau Cyngorau Sir a Chyngorau Bwrdeistref Sirol ac Awdurdodau Parciau Cenedlaethol) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002. (NDM1159)*

Cynigiaf fod

*y Cynulliad Cenedlaethol:*

*1. yn ystyried adroddiad y Pwyllgor Deddfau,*

*Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5, in relation to the draft Order, the Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002, laid in the Table Office on 9 July 2002;*

2. *approves:*

*a) that the Order is made in accordance with the draft laid in the Table Office on 2 July 2002;*

*b) the memorandum of corrections laid in the Table Office on 10 July 2002. (NDM1160)*

The Local Government and Housing Act 1989 provides the power for the Assembly to introduce these regulations. They will enable county and county borough councils, and national park authorities, to make a new scheme of allowances for their members. These regulations are the outcome of a detailed review of the current arrangements for councillors' allowances. The Institute of Local Government Studies at the University of Birmingham was commissioned to undertake the review. It recommended to propose a new scheme of remuneration that properly recognises the time invested by councillors serving their local communities; in light of the introduction of new political management structures by local government, to identify councillors' new roles and responsibilities; and to encourage a broader cross section of people to stand for election to local councils.

These regulations will enable county and county borough councils to introduce a new scheme of allowances for: a basic allowance for councillors; a band of special responsibility allowances for those councillors who have responsibilities in addition to their constituency role; a dependants' allowance for those members with childcare responsibilities or other dependants; the payment of subsistence expenses by receipt; a new national motor mile allowance that mirrors that for Assembly Members. This will enable authorities to include in their schemes a

*nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Rheoliadau Awdurdodau Lleol (Lwfansau i Aelodau Cynghorau Sir a Chynghorau Bwrdeistref Sirol ac Awdurdodau Parciau Cenedlaethol) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 9 Gorffennaf 2002;*

2. *yn cymeradwyo:*

*a) gwneud y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 2 Gorffennaf 2002;*

*b) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 10 Gorffennaf 2002. (NDM1160)*

Mae Deddf Llywodraeth Leol a Thai 1989 yn darparu'r hawl i'r Cynulliad gyflwyno'r rheoliadau hyn. Byddant yn galluogi cynghorau sir a chynghorau bwrdeistref sirol, ac awdurdodau parciau cenedlaethol, i wneud cynllun lwfansau newydd i'w haelodau. Canlyniad adolygiad manwl o'r trefniadau cyfredol ar gyfer lwfansau cynghorwyr yw'r rheoliadau hyn. Comisiynwyd y Sefydliad Astudiaethau Llywodraeth Leol ym Mhrifysgol Birmingham i wneud yr adolygiad. Argymhellodd gynnig cynllun talu newydd a fyddai'n cydnabod yn briodol yr amser a fuddsoddir gan gynghorwyr yn gwasanaethu eu cymunedau lleol; yng ngoleuni cyflwyno strwythurau rheolaeth wleidyddol newydd gan lywodraeth leol, pennu rolau a chyfrifoldebau newydd cynghorwyr; ac annog trawstoriad ehangach o bobl i sefyll i'w hethol i gynghorau lleol.

Bydd y rheoliadau hyn yn galluogi cynghorau sir a bwrdeistref sirol i gyflwyno cynllun newydd o lwfansau ar gyfer: lwfans sylfaenol i gynghorwyr; haen o lwfansau cyfrifoldeb arbennig i'r cynghorwyr hynny sydd â chyfrifoldebau ar ben eu rôl etholaethol; lwfans dibynyddion i'r aelodau hynny â chyfrifoldebau gofalu am blant neu eraill sy'n dibynnu arnynt; talu treuliau cynhaliaeth yn ôl derbynneb; lwfans milltiroedd car cenedlaethol newydd sy'n adlewyrchu'r un a delir i Aelodau'r Cynulliad. Bydd hyn yn galluogi awdurdodau i gynnwys yn eu cynlluniau beirianwaith i uwchraddio'u

mechanism to annually update their schemes without having to revoke and replace their schemes as they have done in the past. They will be able to backdate any increases to the start of the year. These remove certain rather archaic and clumsy obstacles to the efficient operation of schemes that have existed in the past.

Although these regulations relate to members of national parks, I stress that this is a technicality. Arrangements for members of these organisations remain largely unchanged. National park authorities have always been able to pay their members basic, special responsibility, and attendance allowances, and this remains the case. In order to replace the existing regulations on councillors' allowances, which covered national park authorities, the regulations and guidance have been drafted so as not to force any significant change on their current arrangements.

The regulations are supported by statutory guidance. This includes the maximum amount of allowances that councils may make available to members. Councils will make the final decision on their individual schemes within the new framework.

Councillors commit themselves to long hours serving their communities. The University of Birmingham report identified that, on average, councillors spend 90 hours per month on council duty. As a result, many councillors have given up opportunities to advance in their careers and made personal sacrifices by attending meetings and surgeries at unsociable hours during evenings and at weekends. The recent introduction of new political management structures have also had an impact on councillors' responsibilities. Some councillors, such as cabinet members and chairs of important overview and scrutiny committees, will be required to give up even more time to fulfil these new roles properly.

Many people who care about their communities and who could make a positive contribution to their local authority cannot afford either the time or money to do so. As a

cynlluniau'n flynyddol heb orfod diddymu ac adnewyddu eu cynlluniau fel y gwnaethant yn y gorffennol. Byddant yn gallu ôl-ddyddio unrhyw godiadau i ddechrau'r flwyddyn. Mae'r rhain yn dileu rhai rhwystrau hynafol a lletchwith i weithrediad effeithlon cynlluniau a fodolai yn y gorffennol.

Er bod y rheoliadau hyn yn berthnasol i aelodau parciau cenedlaethol, pwysleisiaf mai pwynt technegol yw hyn. Mae trefniadau ar gyfer aelodau'r cyrff hyn yn aros yn ddigyfnewid ar y cyfan. Mae awdurdodau parciau cenedlaethol bob amser wedi gallu talu lwfansau sylfaenol, cyfrifoldeb arbennig, a lwfans presenoldeb i'w haelodau, ac mae hynny'n aros yr un fath. Er mwyn cymryd lle'r rheoliadau a fodolai ar gyfer lwfansau cynghorwyr, a oedd yn cynnwys awdurdodau parciau cenedlaethol, drafftwyd y rheoliadau a'r canllawiau fel ag i beidio â gorfodi unrhyw newid arwyddocaol ar eu trefniadau cyfredol.

Cefnogir y rheoliadau gan ganllawiau statudol. Mae'r rhain yn cynnwys uchafswm y lwfansau y caiff cynghorau eu darparu i aelodau. Cynghorau fydd yn gwneud y penderfyniad terfynol ar eu cynlluniau unigol o fewn y fframwaith newydd.

Mae cynghorwyr yn ymrwmo i oriau maith o wasanaethu eu cymunedau. Nododd adroddiad Prifysgol Birmingham fod cynghorwyr, ar gyfartaledd, yn treulio 90 awr y mis ar waith cyngor. O ganlyniad, mae llawer o gynghorwyr wedi rhoi heibio gyfleoedd i fynd ymlaen yn eu gyrfaeodd ac wedi aberthu'n bersonol i fynychu cyfarfodydd a chymorthfeydd ar oriau anghymdeithasol yn ystod gyda'r nosau a phenwythnosau. Mae cyflwyniad diweddar y strwythurau rheoli gwleidyddol newydd wedi effeithio ar gyfrifoldebau cynghorwyr hefyd. Bydd gofyn i rai cynghorwyr, fel aelodau cabinet a chadeiryddion pwyllgorau goruchwyllo a chraffu pwysig, roi mwy fyth o'u hamser i lenwi'r swyddi newydd hyn yn iawn.

Mae llawer o bobl sydd â meddwl mawr o'u cymunedau ac a allai wneud cyfraniad cadarnhaol i'w hawdurdod lleol yn methu fforddio'r amser neu'r arian i wneud hynny.

result, many of our councillors are retired and the majority are men. While they bring a wealth of knowledge and experience, they do not represent a true cross-section of today's society. I want to see council chambers consisting of members from all walks of life—young men and women, people from ethnic minorities, disabled people, employed and unemployed people, and retired people.

It is only right that councillors' worth should be publicly recognised and their work properly rewarded. The regulations and supporting guidance will remove the financial barriers that have, up to now, disadvantaged those without other means of financial support. I am proud that these proposals are a step change for the current arrangements, and proud that they will encourage diversity.

I am aware that finance alone will not solve the problems of low participation in local government. We have too many council seats that are not contested. I want to encourage more people to see their county councils as bodies where normal people decide on the future of their communities. That is why I have launched a campaign, in partnership with the Welsh Local Government Association, to promote wider participation in local government. It is only right that councillors' worth should be publicly recognised and their work properly rewarded. I commend these regulations to the National Assembly.

**Janet Ryder:** We support the Minister's comments. It seems a long time—I think that it was in 1999—since the first report on councillors' allowances was published. That report stated that the members' allowances systems that councils operate were meant to enable councillors to draw their members from the widest possible selection of the public and to prevent their councils being devitalised as numbers of otherwise eligible people were unable to stand for election because they lacked the financial resources to do so. The Minister has illustrated today why many people cannot stand for election as councillors: self-employed people sometimes cannot afford to employ people to take their place at work; some employers are reluctant

O ganlyniad, mae llawer o'n cynghorwyr wedi ymddeol ac mae'r rhan fwyaf yn ddyinion. Er y deuant â chyfoeth o wybodaeth a phrofiad, nid ydynt yn cynrychioli gwir drawstoriad o gymdeithas heddiw. Hoffwn weld siambrau cyngor yn cynnwys pobl o bob cefndir—dynion a menywod ifanc, pobl o leiafrifoedd ethnig, pobl anabl, pobl gyflogedig a di-waith, a phobl wedi ymddeol.

Nid yw ond yn iawn y dylid cydnabod gwaith cynghorwyr yn gyhoeddus a thalu'n briodol amdano. Bydd y rheoliadau a'r canllawiau ategol yn dileu'r rhwystrau ariannol a fu, hyd yma, yn rhwystr i'r rhai oedd heb fodd arall o gefnogaeth ariannol. Yr wyf yn falch fod y cynigion hyn yn newid arwyddocaol i'r trefniadau presennol, ac yn falch y byddant yn annog amrywiaeth.

Yr wyf yn ymwybodol na wnaiff arian yn unig ddatrys problemau cyfranogiad isel mewn llywodraeth leol. Mae gennym ormod o seddau cyngor digystadleuaeth. Mae arnaf eisiau annog mwy o bobl i weld eu cynghorau sir fel cyrff lle bydd pobl normal yn penderfynu ar ddyfodol eu cymunedau. Dyna pam yr wyf wedi lansio ymgyrch, mewn partneriaeth â Chymdeithas Llywodraeth Leol Cymru, i hybu mwy o gyfranogiad mewn llywodraeth leol. Nid yw ond yn iawn y dylai gwerth cynghorwyr gael ei gydnabod yn gyhoeddus ac y dylid gwobrwyo eu gwaith yn briodol. Cymeradwyaf y rheoliadau hyn i'r Cynulliad Cenedlaethol.

**Janet Ryder:** Cefnogwn sylwadau'r Gweinidog. Mae'n ymddangos yn amser maith—yn 1999 y digwyddodd, yr wyf yn meddwl—ers cyhoeddi'r adroddiad cyntaf ar lwfansau cynghorwyr. Dywedodd yr adroddiad hwnnw mai bwriad y systemau lwfansau aelodau a weithredir gan gynghorau oedd galluogi cynghorau i dynnu eu haelodau o'r detholiad ehangaf posibl o'r cyhoedd ac i atal eu cynghorau rhag mynd yn ddiffwrwyth wrth i niferoedd o bobl a fyddai fel arall yn gymwys fethu sefyll am etholiad oherwydd nad oedd ganddynt yr adnoddau ariannol i wneud hynny. Mae'r Gweinidog wedi amlinellu heddiw pam y mae llawer o bobl yn methu sefyll i'w hethol yn gynghorwyr: weithiau ni all pobl hunan-gyflogedig

to release people to perform council duties due to work pressure; many people have duties as carers, either for children or for dependent relatives. All that must be taken into account when we are considering councillors' allowances. This is a major step forward. We must change the image of the councillor as being male, white and older than 60 years of age. A councillors' allowance scheme is one way of doing that. It will enable more people to stand for election if they choose to do so. I hope that we can use this scheme to encourage many people from different backgrounds to stand for election, as the Minister said.

Unfortunately, while members must vote on the allowance scheme, it will remain a poisoned chalice for all councillors, as one chief executive called it. It is a poisoned chalice for all elected members when they must vote on their own pay rises. That is one of the burdens of being elected locally to govern locally. We support this scheme.

**Ron Davies:** This is not the most sensitive of times to debate this motion, given yesterday's day of action. I declare an interest as a member of Unison, which represents many local government workers. I support these regulations for reasons of which Edwina and others are aware. If we are to have a flourishing democracy, people must be properly rewarded for what is a difficult, onerous and often thankless task. However, we must not forget that decisions taken by local councillors are given effect by those who work for our local councils. I support the action taken yesterday by people representing some of the lowest paid workers in the country. We will only get the kind of democracy and quality of public services that we expect in this country if the people who work for our local authorities are properly paid, trained, qualified and motivated. I support the motion, but I put on record my wish for a balanced approach to the provision of local government services, and whereas local councillors should be properly rewarded, so should the people who work for our local councils.

fforddio cyflogi pobl i gymryd eu lle yn y gwaith; mae rhai cyflogwyr yn gyndyn o ryddhau pobl i gyflawni dyletswyddau cyngor oherwydd pwysau gwaith; mae gan lawer o bobl ddyletswyddau fel gofalwyr, un ai dros blant neu berthnasau dibynnol. Rhaid cymryd hynny i gyd i gyfrif wrth ystyried lwfansau cynghorwyr. Mae hwn yn gam pwysig ymlaen. Rhaid inni newid delwedd y cynghorwr fel dyn gwyn dros 60 mlwydd oed. Mae system lwfans cynghorwyr yn un ffordd o wneud hynny. Bydd yn galluogi mwy o bobl i sefyll etholiad os dewisant wneud hynny. Gobeithiaf y gallwn ddefnyddio'r cynllun hwn i annog llawer o bobl o wahanol gefndiroedd i sefyll am etholiad, fel y dywedodd y Gweinidog.

Yn anffodus, tra bod yn rhaid i aelodau bleidleisio ar y cynllun lwfansau, bydd yn parhau'n gwpan gwenwyn i gynghorwyr, fel y dywedodd un prif weithredwr. Cwpan gwenwyn i aelodau etholedig yw pan fo raid iddynt bleidleisio ar eu codiadau cyflog eu hunain. Dyna un o feichiau cael eich ethol yn lleol i lywodraethu'n lleol. Cefnogwn y cynllun hwn.

**Ron Davies:** Nid dyma'r adeg fwyaf sensitif i ddadlau'r cynnig hwn, yn wyneb diwrnod gweithredu ddoe. Datganaf fuddiant fel aelod o Unsain, sy'n cynrychioli llawer o weithwyr llywodraeth leol. Cefnogaf y rheoliadau hyn am resymau y mae Edwina ac eraill yn ymwybodol ohonynt. Os am gael democratiaeth ffyniannus, rhaid inni wobrwyo pobl yn iawn am waith sydd yn anodd, yn drwm ac yn aml yn ddiddiolch. Fodd bynnag, rhaid inni gofio mai'r bobl hynny sy'n gweithio i'n cynghorau lleol sy'n rhoi grym i'r penderfyniadau a wneir gan gynghorwyr lleol. Cefnogaf y gweithredu ddoe gan bobl yn cynrychioli rhai o'r gweithwyr ar y cyflogau isaf yn y wlad. Dim ond os caiff y bobl sy'n gweithio i'n hawdurdodau lleol eu talu, eu hyfforddi, eu cymhwyso a'u symbylu'n iawn y cawn ni'r math o ddemocratiaeth a'r ansawdd gwasanaethau cyhoeddus a ddisgwyliwn yn y wlad hon. Cefnogaf y cynnig, ond cofnodaf fy nymuniad am olwg gytbwys ar ddarpariaeth gwasanaeth llywodraeth leol, a thra dylid talu yn iawn i gynghorwyr lleol, felly hefyd y dylid talu i'r bobl sy'n gweithio i'n cynghorau lleol.

10:55 a.m.

**William Graham:** On behalf of the Welsh Conservative Party, we support this motion, particularly as it was subject to wide consultation and ample opportunity was given for representation from all groups throughout Wales. We also recognise that the Minister is keen on individual schemes for the local authorities across Wales, and the way in which this consultation was carried out is a valuable contribution. I also endorse the Minister's comments about councillors' wonderful contribution throughout Wales. This motion will hopefully mean that, at last, local authority remuneration for councillors will be available to all, and should help and encourage recruitment from all sectors of society across Wales. We disagree with the divisive cabinet system, particularly with regard to some authorities that are paying high salaries. We also regret that chairs of scrutiny committees are only drawn from the majority group. On balance, we recognise that this has been the product of effective consultation throughout Wales, and we will support the motion.

**Peter Law:** I am pleased to support this motion. I was involved with this issue, and it is long overdue. I welcome the Minister's statement today because when people give up their time for communities, their opportunities for lifestyle improvement, their family time and their own opportunities to be promoted in work, they must be compensated in a reasonable and realistic way. This motion reflects that, and is important in getting more people from all walks of life to play an important part in representing their community. As Ron Davies said, it is in stark contrast to yesterday's protest outside the Assembly building. I declare an interest as a member of the GMB trade union because I was there to support those frontline workers. It is important that we reflect on that. The two issues are somewhat related and you can understand how workers who are lowly paid in local government react in that way. That is a separate matter, and I hope that it will be addressed in the future. I also hope that the Minister will work with the employers' federations, to support workers and get social justice.

**William Graham:** Ar ran Plaid Geidwadol Cymru, cefnogwn y cynnig hwn, yn enwedig gan y bu'n destun ymgynghori eang ac y rhoddwyd digon o gyfle i dderbyn sylwadau gan bob grŵp ledled Cymru. Cydnabyddwn hefyd fod y Gweinidog yn frwd dros gynlluniau unigol i'r awdurdodau lleol ar draws Cymru, ac mae'r modd y cynhaliwyd yr ymgynghoriad hwn yn gyfraniad gwerthfawr. Ategaf hefyd sylwadau'r Gweinidog am gyfraniad gwych cynghorwyr ledled Cymru. Bydd y cynnig hwn, gobeithio, yn golygu, o'r diwedd, y bydd tâl awdurdod lleol i gynghorwyr ar gael i bawb, a dylai helpu ac annog recriwtio o bob sector o gymdeithas ar draws Cymru. Anghytunwn â'r system gabinet ymrannol, yn enwedig yng nghyswllt rhai awdurdodau sy'n talu cyflogau mawr. Gresynwn hefyd mai dim ond aelodau o'r grŵp â'r mwyafrif sydd yn gadeiryddion pwyllgorau craffu. Ar y cyfan, cydnabyddwn fod hyn yn gynnyrch ymgynghori effeithiol drwy Gymru gyfan, a chefnogwn y cynnig.

**Peter Law:** Yr wyf yn falch o gefnogi'r cynnig hwn. Bùm yn ymwneud â'r mater hwn, ac mae'n hir-ddisgwyliedig. Croesawaf ddatganiad y Gweinidog heddiw oherwydd pan ildia pobl eu hamser i gymunedau, eu cyfleoedd i wella'u ffordd o fyw, eu hamser teuluol a'u cyfleoedd eu hunain am ddyrchafiad yn eu gwaith, rhaid eu digolledu mewn ffordd resymol a realistig. Mae'r cynnig hwn yn adlewyrchu hynny, ac yn bwysig er mwyn cael mwy o bobl o bob cefndir bywyd i chwarae rhan bwysig wrth gynrychioli'u cymuned. Fel y dywedodd Ron Davies, mae'n wrthgyferbyniad clir i brotest ddoe y tu allan i adeilad y Cynulliad. Datganaf fuddiant fel aelod o undeb y GMB oherwydd yr oeddwn yno i gefnogi'r gweithwyr hynny ar y llinell flaen. Mae'n bwysig inni fyfyrion ar hynny. Mae rhyw lun o berthynas rhwng y ddau fater, a gallwch ddeall sut y mae gweithwyr sydd ar gyflog isel mewn llywodraeth leol yn adweithio yn y modd hwnnw. Mater arall yw hwnnw, a gobeithiaf y rhoddir sylw iddo yn y dyfodol. Gobeithiaf hefyd y gwnaiff y Gweinidog weithio gyda ffederasiynau'r gweithwyr, i

gefnogi gweithwyr a sicrhau cyfiawnder cymdeithasol.

We need to encourage more people into local government and we need to reflect their good work by protecting them and giving them reasonable salaries. That is why these recommendations are in the interests of Welsh local government and will further help us to support in partnership the Welsh Local Government Association in providing the quality services, which we all believe in, to the people of Wales.

**Eleanor Burnham:** The Welsh Liberal Democrats welcome this positive move towards more local democracy. I also agree with Ron and Peter's support for the local authority staff's claim for better pay. Local government has been systematically undermined for a generation. Much of the blame for that lies with the Westminster Government's desire for more power. Predictably, the Conservatives are calling for more devolution to local level now that they are unlikely to be in power. However, not all the blame lies with central Government. Too many councillors have become stagnant, not least because they are not elected democratically. One of the main steps that must be taken is the introduction of proportional representation, as advocated by Professor Sunderland's independent report. Leaving that issue aside, these allowances will hopefully encourage fresh blood into local democracy and make councils more representative of the people they serve, particularly in terms of gender, ethnicity and age.

However, we are concerned at the inclusion of the seventh group of people in the motion, who are eligible for special responsibility allowances. Cardiff council, under Labour's Russell Goodway, has spent over a third of the special responsibility allowance budget funding assistant Cabinet members. These assistant Cabinet members did not feature in the Hall report, and they go against the principle of a slimmed-down Cabinet Government. The point of commissioning a report is to abide by its recommendations, and we want the Minister's assurance that the practice of giving allowances to this group of councillors that were not discussed in the

Mae angen annog mwy o bobl i mewn i lywodraeth leol ac mae angen adlewyrchu eu gwaith da drwy ofalu amdanynt a rhoi cyflogau rhesymol iddynt. Dyna pam y mae'r argymhellion hyn er budd llywodraeth leol yng Nghymru a byddant yn ein helpu ymhellach i gefnogi, mewn partneriaeth, y Gymdeithas Lywodraeth Leol wrth ddarparu'r gwasanaethau o ansawdd, yr ydym i gyd yn credu ynddynt, i bobl Cymru.

**Eleanor Burnham:** Mae Democratiaid Rhyddfrydol Cymru'n croesawu'r symudiad positif hwn tuag at fwy o ddemocratiaeth leol. Cytunaf hefyd â chefnogaeth Ron a Peter i gais staff yr awdurdodau lleol am well cyflog. Cafodd llywodraeth leol ei thanseilio'n systemataidd ers cenhedlaeth. Ar awydd Llywodraeth San Steffan am fwy o rym y mae llawer o'r bai am hynny. Yn ôl y disgwyl, mae'r Ceidwadwyr yn galw am fwy o ddatganoli i lefel leol yn awr gan eu bod yn annhebygol o fod mewn grym. Fodd bynnag, nid ar y Llywodraeth ganolog y mae'r bai i gyd. Mae gormod o gynghorwyr wedi mynd yn lledfyw, yn anad dim oherwydd nad ydynt wedi'u hethol yn ddemocrataidd. Un o'r prif gamau y mae'n rhaid eu cymryd yw cyflwyno cynrychiolaeth gyfrannol, fel a argymhellwyd gan adroddiad annibynnol yr Athro Sunderland. A gadael y mater hwnnw o'r neilltu, gobeithio y bydd y lwfansau hyn yn annog gwaed newydd i ddemocratiaeth leol ac yn gwneud cynghorau yn fwy cynrychioliadol o'r bobl a wasanaethant, yn enwedig o ran rhyw, ethnigrwydd ac oed.

Fodd bynnag, yr ydym yn bryderus ynghylch cynnwys y seithfed grŵp o bobl yn y cynnig, sy'n gymwys ar gyfer lwfansau cyfrifoldeb arbennig. Mae cyngor Caerdydd, dan y Llafurwr Russell Goodway, wedi gwario dros draean o'r gyllideb ar gyfer lwfansau cyfrifoldeb arbennig i ariannu aelodau Cabinet cynorthwyol. Ni chynhwyswyd yr aelodau Cabinet cynorthwyol hyn yn adroddiad Hall, ac ânt yn erbyn yr egwyddor o Lywodraeth Gabinet feiniach. Diben comisiynu adroddiad yw cadw at ei argymhellion, ac mae arnom eisiau sicrwydd y Gweinidog y pwysir yn erbyn, neu wahardd hyd yn oed, yr arfer o roi lwfansau i'r grŵp



Hall report is discouraged, or even ruled out.

hwn o gynghorwyr na thrafodwyd yn adroddiad Hall.

**The Finance Minister (Edwina Hart):** It would be nice if the contributions made in the Chamber could reflect the discussions that have taken place across the four parties in the Local Government and Housing Committee, where we have ploughed through this issue of councillors' allowances constructively. We have tried to discuss our differences and decide on the future of councillors' allowances. Each political party has councillors that do a good job for all of us, and we should recognise that service. This is not a day for making cheap points about other parties in the Chamber; it is about the valuable contribution that all councillors make on behalf of all of Wales's political parties.

**Y Gweinidog Cyllid (Edwina Hart):** Byddai'n braf pe gallai'r cyfraniadau a wneir yn y Siambr adlewyrchu'r trafodaethau a gafwyd ar draws y pedair plaid yn y Pwyllgor Llywodraeth Leol a Thai, lle'r ydym wedi turio drwy'r mater hwn o lwfansau cynghorwyr yn adeiladol. Yr ydym wedi ceisio trafod ein gwahaniaethau a phenderfynu ar ddyfodol lwfansau cynghorwyr. Mae gan bob plaid gynghorwyr sy'n gwneud gwaith da dros bawb ohonom, a dylem gydnabod y gwasanaeth hwnnw. Nid dydd yw hwn i wneud pwyntiau rhad am bleidiau eraill yn y Siambr; yr ydym yn trafod y cyfraniad pwysig a wna pob cynghorydd ar ran holl bleidiau Cymru.

I will address the more reasoned comments that have been made. Janet Ryder is right, the issue of members' allowances is a poisoned chalice, particularly in local government where they discuss their own allowances. I hope that, as this scheme addresses such key elements as carers' allowances, people will see that it is about encouraging maximum participation and getting new blood into councils for fairer representation across Wales.

Atebaf rai o'r sylwadau mwy rhesymol a wnaed. Mae Janet Ryder yn iawn, mae mater lwfansau aelodau yn gwpan gwenwyn, yn enwedig mewn llywodraeth leol lle trafodant eu lwfansau eu hunain. Gobeithiaf, gan fod y cynllun hwn yn ymdrin ag agweddau allweddol fel lwfansau gofalwyr, y gwêl pobl ei fod yn ymwneud ag annog y cyfranogiad mwyaf posibl a chael gwaed newydd i mewn i gynghorau er mwyn cael cynrychiolaeth decach ledled Cymru.

William is right, there have been discussions about chairs of scrutiny committees in some areas, as scrutiny chairs are often members of opposition parties. This varies across the piste. However, it is important that we have not only discussed this allowance package, but also considered the wider issue of pensions, which is also key in discussions about councillors.

Mae William yn iawn, bu trafodaethau ynghylch cadeiryddion pwyllgorau craffu mewn rhai ardaloedd, gan fod cadeiryddion craffu yn aml yn aelodau o wrthbleidiau. Mae hyn yn amrywio o le i le. Fodd bynnag, mae'n bwysig ein bod nid yn unig wedi trafod y pecyn lwfansau hwn, ond hefyd wedi ystyried mater ehangach pensiynau, sydd hefyd yn allweddol mewn trafodaethau am gynghorwyr.

Peter Law and Ron Davies mentioned the current national pay dispute, and as a member of the Transport and General Workers Union, I was pleased to listen to Monica Walsh at the demonstration yesterday articulating the issues of low pay and equal pay. We must recognise that, in Wales, local authority trade union action is a matter for employers. However, the National Assembly can be proud of the fact that we had cross-party support for the equal pay campaign—

Soniodd Peter Law a Ron Davies am yr anghydfod tâl cenedlaethol cyfredol, ac fel aelod o Undeb y Gweithwyr Trafnidol a Chyffredinol, yr oeddwn yn falch o wrando ar Monica Walsh yn y gwrthdystiad ddoe yn siarad am faterion cyflog isel a chyflog cyfartal. Rhaid inni gydnabod, yng Nghymru, fod gweithredu gan undebau llafur yr awdurdodau lleol yn fater i'r cyflogwyr. Fodd bynnag, gall y Cynulliad Cenedlaethol ymfalchïo yn y ffaith y cawsom gefnogaeth

effectively a low pay campaign—which deals with issues concerning women’s wages. We have put our house in order. It is important that, just as we have recognised the work of our staff, people recognise the work of local authority staff. However, it is also important that central Government recognises the importance of local government, as we have chosen to do in Wales.

drawsbleidiol i’r ymgyrch dros gyflog cyfartal—sef ymgyrch cyflogau isel i bob pwrpas—sy’n delio â materion yn ymwneud â chyflogau menywod. Rhaid inni roi trefn ar ein tŷ ein hunain. Mae’n bwysig, yn union fel yr ydym ni wedi cydnabod gwaith ein staff, fod pobl yn cydnabod gwaith staff awdurdodau lleol. Fodd bynnag, mae’n bwysig hefyd fod y Llywodraeth ganolog yn cydnabod pwysigrwydd llywodraeth leol, fel yr ydym ni wedi dewis gwneud yng Nghymru.

**The Deputy Presiding Officer:** We will now vote on the principle of the regulations.

**Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar egwyddor y rheoliadau.

*Cynnig: O blaid 42, Ymatal 0, Yn erbyn 0.  
Motion: For 42, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Law, Peter  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn

Williams, Kirsty

*Derbyniwyd y cynnig.*

*Motion carried.*

**The Deputy Presiding Officer:** We will now vote on the approval of the regulations. **Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar gymeradwyo'r rheoliadau.

*Cynnig: O blaid 41, Ymatal 0, Yn erbyn 0.*

*Motion: For 41, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Davidson, Jane  
Davies, David  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Law, Peter  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.*

*Motion carried.*

**Cymeradwyo Rheoliadau Tribiwnlys Anghenion Addysgol Arbennig ac Anabledd (Darpariaethau Cyffredinol a'r Weithdrefn Hawliau Anabledd) 2002  
Approval of the Special Educational Needs and Disability Tribunal (General Provisions and Disability Claims Procedure) Regulations 2002**

**The Minister for Education and Lifelong Learning (Jane Davidson):** I propose that

*the National Assembly, acting under Standing Order No. 24, agrees that the Secretary of State makes the Special Educational Needs and Disability Tribunal (General Provisions and Disability Claims Procedure) Regulations 2002, which were laid in Table Office on Wednesday 10 July 2002. (NDM1161)*

The current special educational needs tribunal, operating on an England and Wales basis, is an independent body that has existed since 1994, and has heard parents' appeals against local education authority decisions relating to special educational needs. Under amendments made in part II of the Special Educational Needs and Disability Act 2001, the SEN tribunal will be reconstituted from 1 September 2002, to become the Special Educational Needs and Disability Tribunal, or SENDIST.

Under the disability aspect, the SENDIST will hear appeals relating to claims of unlawful discrimination by responsible bodies, schools and local education authorities against children with disabilities. Where it finds that children have been unlawfully discriminated against, the SENDIST will consider remedial action. It will not, however, have the power to order compensatory payments. The establishment of the SENDIST will help strengthen equality of opportunity for disabled children. It will provide the parents of those children with access to a tribunal, to which parents of children with special educational needs have had recourse since 1994. The regulations deal with general provisions and procedures for a SENDIST and I ask for your approval.

11:05 a.m.

Members will be aware that, in 'The

**Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson):** Cynigiau fod

*y Cynulliad Cenedlaethol, gan weithredu yn unol â darpariaethau Rheol Sefydlog Rhif 24, yn cytuno bod yr Ysgrifennydd Gwladol yn gwneud Rheoliadau Tribiwnlys Anghenion Addysgol Arbennig ac Anabledd (Darpariaethau Cyffredinol a'r Weithdrefn Hawliau Anabledd) 2002, a osodwyd yn y Swyddfa Gyflwyno ddydd Mercher, 10 Gorffennaf 2002. (NDM1161)*

Mae'r tribiwnlys anghenion addysgol arbennig cyfredol, sy'n gweithredu ar sail Cymru a Lloegr, yn gorff annibynnol sy'n bodoli ers 1994, ac wedi gwrandao ar apeladau rhieni yn erbyn penderfyniadau awdurdodau addysg lleol ynghylch anghenion addysgol arbennig. Dan ddiwygiadau a wnaethpwyd yn rhan II Deddf Anghenion Addysgol Arbennig ac Anabledd 2001, ailgyfansoddir y tribiwnlys anghenion addysgol arbennig o 1 Medi 2002, a'i enwi'n Dribiwnlys Anghenion Addysgol Arbennig ac Anabledd, neu SENDIST.

O ran anabledd, bydd y tribiwnlys yn gwrandao ar apeladau ynglŷn â honiadau o wahaniaethu anghyfreithlon gan gyrrff cyfrifol, ysgolion ac awdurdodau addysg lleol yn erbyn plant ag anableddau. Lle cenfydd y gwahaniaethwyd yn anghyfreithlon yn erbyn plant, bydd y tribiwnlys yn ystyried camau adfer. Ni fydd ganddo'r grym, serch hynny, i orchymyn talu iawndal. Bydd sefydlu'r tribiwnlys yn helpu i gryfhau cyfle cyfartal i blant anabl. Bydd yn darparu ffordd i rieni'r plant hynny fynd gerbron tribiwnlys, a fu'n hawl i rieni plant ag anghenion addysgol arbennig ers 1994. Mae'r rheoliadau'n delio â darpariaethau a gweithdrefnau cyffredinol ar gyfer y tribiwnlys a gofynnaf am eich cymeradwyaeth.

Bydd Aelodau'n ymwybodol fy mod, yn 'Y

Learning Country', I set out my intention to have a stand-alone SEN tribunal for Wales. Provision for the establishment of a Welsh SEN tribunal, to operate in both languages, is contained in the Education Bill currently before Parliament. When enacted, the tribunal will hear appeals from September 2003. As disability is a reserved function, the Welsh tribunal will hear disability cases on behalf of the Lord Chancellor. The regulations before you will apply to both tribunals from the dates on which they are established. I ask Members to support the regulations.

**Gareth Jones:** Pwynt o drefn.

**The Deputy Presiding Officer:** Order. You will be called to speak.

**Gareth Jones:** Yr wyf am siarad, ond mae gennyf hefyd bwynt o drefn.

**The Deputy Presiding Officer:** Make your point of order first.

**Gareth Jones:** Pwynt o drefn. Datganaf fy siom bod y dogfennau sy'n ymwneud â'r eitem hon wedi'u cylchredeg yn uniaith Saesneg, er nad wyf am suro unrhyw gefnogaeth amlwg i'r Gymraeg yn y Cynulliad. Gallaf ddeall pam y mae'r rheoliadau drafft yn uniaith Saesneg, ond mae'r memorandwm esboniadol yn uniaith Saesneg hefyd. Er fy mod yn gwerthfawrogi'r ffaith bod memorandwm wedi'i gynhyrchu o gwbl, dylid bod wedi'i gylchredeg yn Gymraeg.

**The Deputy Presiding Officer:** I understand your point, but it is a matter for the Welsh Assembly Government.

**Gareth Jones:** Mae Plaid Cymru yn croesawu bod y Mesur Addysg cyfredol yn darparu ar gyfer sefydlu tribiwnlys addysg anghenion arbennig ar wahân yng Nghymru, fel y cyfeiriodd Gweinidog ato. Mae Plaid Cymru wedi galw am dribiwnlys o'r fath. Yr ydym hefyd yn cydnabod na fydd deddfwriaeth ar anabledd, fel y cyfryw, yn cael ei datganoli. Wrth edrych at sefydlu tribiwnlys Cymreig yn Ebrill 2003, a chan nad oes cyfeiriad at fanylion yn y rheoliadau

Wlad sy'n Dysgu', wedi datgan fy mwriad i gael tribiwnlys anghenion addysgol arbennig ar-wahân i Gymru. Mae darpariaeth ar gyfer sefydlu tribiwnlys Cymreig, i weithredu yn y ddwy iaith, wedi'i chynnwys yn y Mesur Addysg sydd gerbron y Senedd ar hyn o bryd. Pan ddaw i rym, bydd y tribiwnlys yn gwrando ar apeliadau o fis Medi 2003. Gan fod anabledd yn swyddogaeth nas datganolwyd, bydd y tribiwnlys Cymreig yn gwrando achosion anabledd ar ran yr Arglwydd Ganghellor. Bydd y rheoliadau sydd ger eich bron yn gymwys i'r ddau dribiwnlys o'r dyddiadau y'u sefydlir. Gofynnaf i'r Aelodau gefnogi'r rheoliadau.

**Gareth Jones:** Point of order.

**Y Dirprwy Lywydd:** Trefn. Cewch eich galw i siarad.

**Gareth Jones:** I wish to speak, but I also want to raise a point of order.

**Y Dirprwy Lywydd:** Gwnewch eich pwynt o drefn yn gyntaf.

**Gareth Jones:** Point of order. I declare my disappointment that the documents pertaining to this item have been circulated in English only, although I do not wish to sour any obvious support for the Welsh language in the Assembly. I can understand why the draft regulations are in English only, but the explanatory memorandum is also in English only. Although I appreciate the fact that a memorandum has been produced at all, it should have been circulated in Welsh.

**Y Dirprwy Lywydd:** Deallaf eich pwynt, ond mater i Lywodraeth Cynulliad Cymru ydyw.

**Gareth Jones:** Plaid Cymru welcomes the fact that the current Education Bill provides for the establishment of a stand-alone Welsh special educational needs tribunal, as outlined by the Minister. Plaid Cymru has called for such a tribunal. We also acknowledge that legislation on disability will not, as such, be devolved. In looking to the establishment of a Welsh tribunal in April 2003, and as there is no mention of details in these regulations, I ask the Minister to throw some light on a few

hyn, gofynnaf i'r Gweinidog daflu goleuni ar ychydig o faterion o bryder.

Cyfeiria'r rheoliadau at yr angen i aelodau panel y tribiwnlys feddu ar wybodaeth am blant gydag anghenion arbennig neu anableddau, neu'r ddau, ynghyd â phrofiad o'r maes. Pa fesurau a ddefnyddir i sicrhau hynny? A ddefnyddir mesurau positif i sicrhau y bydd unigolion anabl, er enghraifft, yn aelodau o'r paneli? A fydd y rheoliadau Cymreig yn wirioneddol seiliedig ar egwyddorion cyfle cyfartal? Dywedasochoesoes y cynhelir yr apeliadau yn y Gymraeg a'r Saesneg, ac mae hynny i'w groesawu. A fydd y rheoliadau Cymreig yn rhoi sylw teilwng i anghenion grwpiau lleiafrifol ac ethnig? A fydd cynrychiolaeth deg i grwpiau o'r fath?

Gyda golwg ar wasanaeth teg a fforddiadwy, a fydd y tribiwnlysoedd hyn ar gael yn lleol fel na fydd rhaid i unigolion a'u teuluoedd deithio milltiroedd y tu allan i'w cymunedau lleol? Hefyd, a wnaiff y Gweinidog sicrhau y bydd y broses apêl yn syml a chyfeillgar yn hytrach na chymhleth a bygythiol?

**Mick Bates:** The Welsh Liberal Democrats welcome these regulations, which are a consequence of the provisions in the Special Education Needs and Disability Act 2001. The Act is a big step forward. It improves the position of children with special educational needs, introducing time limits for LEAs to comply with the orders of the tribunal. It also strengthens the rights of children with SEN to be educated in mainstream schools. It puts provisions in place to enable parents to resolve disputes with schools and local education authorities more satisfactorily and requires that schools inform parents of SEN provisions made for their children. It also enables schools to request a statutory assessment of a pupil's special educational needs.

However, these regulations are inordinately complex. A publication is about to come on the market that will make them simpler to understand, and I have been told that it is already a bestseller. I welcome these regulations because they are fundamental to

matters of concern.

The regulations refer to the requirement that tribunal panel members have knowledge of children with special needs or disabilities, or both, as well as experience of this area. What measures will be taken to ensure this? Will positive measures be taken to ensure that disabled individuals, for example, become panel members? Will the Welsh regulations be truly based on the principles of equality of opportunity? You have already stated that appeals will be held in both English and Welsh, and that is welcome. Will the Welsh regulations give the needs of minority and ethnic groups the attention that they deserve? Will there be fair representation for such groups?

With a view to fair and affordable service, will these tribunals be available locally so that individuals and their families are not obliged to travel miles from their local communities? Also, will the Minister ensure that the appeals process will be simple and friendly rather than complex and threatening?

**Mick Bates:** Mae Democratiaid Rhyddfrydol Cymru'n croesawu'r rheoliadau hyn, sydd yn ganlyniad i ddarpariaethau Deddf Anghenion Addysgol Arbennig ac Anabledd 2001. Mae'r Ddeddf yn gam mawr ymlaen. Mae'n gwella sefyllfa plant ag anghenion addysgol arbennig, gan gyflwyno terfynau amser i AALLau gydymffurfio â gorchmynion y tribiwnlys. Mae hefyd yn cryfhau hawliau plant ag anghenion addysgol arbennig i gael eu haddysgu mewn ysgolion prif ffrwd. Mae'n sefydlu darpariaethau i alluogi rhieni i ddatrys anghydfodau ag ysgolion ac awdurdodau addysg lleol yn fwy boddhaol ac yn mynnu bod ysgolion yn hysbysu rhieni am ddarpariaethau anghenion addysgol arbennig a wnaed ar gyfer eu plant. Mae'n galluogi ysgolion hefyd i ofyn am asesiad statudol o anghenion addysgol arbennig disgybl.

Fodd bynnag, mae'r rheoliadau hyn yn orgymhleth. Mae cyhoeddiad ar fin dod ar y farchnad a fydd yn eu gwneud yn haws i'w deall, a dywedwyd wrthyf ei fod yn gwerthu'n hynod o dda yn barod. Croesawaf y rheoliadau hyn oherwydd eu bod yn

the rights of parents and children in the education system. Will you, Minister, undertake to ensure that there is a thorough understanding of the regulations?

**Jonathan Morgan:** The Welsh Conservative Party will support these regulations. It is right and proper that the Assembly should have due regard for those children throughout Wales who have special educational needs, especially those who face particular challenges because of their disabilities. The Assembly should ensure that those young children have full access to the educational provision and resources to which they are entitled. This is, therefore, a sensible piece of legislation. Minister, will we receive annual reports of the tribunal's work once it is established? The tribunal will relate to our work as Assembly Members and we should be kept informed on its progress. The tribunal could also inform the work of the Children's Commissioner for Wales, who should be aware of the issue of young children's rights in relation to the tribunal.

**The Minister for Education and Lifelong Learning (Jane Davidson):** I thank Members for their support. These are general regulations to establish a Special Educational Needs and Disability Tribunal. It is not a devolved function, as powers with regard to disability have not been devolved to the Assembly. It is also a joint Order, which is why it has been drafted in English only.

However, as you heard in my introduction, I have made it clear that we are considering developing this work in terms of the Welsh agenda. That will obviously be subject to final parliamentary approval. The Education Bill will reach the end of its passage through Parliament in the Lords at the beginning of next week. Early in the next session, I will fulfil my undertaking to hold a debate on a motion that will include establishing a Welsh tribunal. I will keep the Education and Lifelong Learning Committee regularly informed on how we take this issue forward. I reassure you, so that parents are not concerned, that the tribunal will operate locally. I ask Members to support the regulations.

sylyfaenol i hawliau rhieni a phlant yn y gyfundrefn addysg. A wnewch chi, Weinidog, ymgymryd i sicrhau bod dealltwriaeth drwyadl o'r rheoliadau?

**Jonathan Morgan:** Bydd Plaid Geidwadol Cymru'n cefnogi'r rheoliadau hyn. Mae'n briodol ac yn gywir y dylai'r Cynulliad roi ystyriaeth ddyledus i'r plant hynny ledled Cymru sydd ag anghenion addysgol arbennig, yn enwedig y rhai sy'n wynebu heriau arbennig oherwydd eu hanableddau. Dylai'r Cynulliad sicrhau y caiff y plant ifanc hynny fynediad llawn i'r ddarpariaeth a'r adnoddau addysgol y mae ganddynt hawl iddynt. Mae hon, felly, yn ddeddfwriaeth ddoeth. Weinidog, a gawn ni adroddiadau blynyddol o waith y tribiwnlys ar ôl iddo gael ei sefydlu? Bydd y tribiwnlys yn berthnasol i'n gwaith fel Aelodau Cynulliad a dylem gael gwybod beth mae'n ei wneud. Gallai'r tribiwnlys hefyd hysbysu gwaith Comisiynydd Plant Cymru, a ddylai fod yn ymwybodol o fater hawliau plant ifanc ynglŷn â'r tribiwnlys.

**Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson):** Diolch i'r Aelodau am eu cefnogaeth. Rheoliadau cyffredinol yw'r rhain i sefydlu Tribiwnlys Anghenion Addysgol Arbennig ac Anabledd. Nid yw'n swyddogaeth ddatganoledig, gan nad yw pwerau ynglŷn ag anabledd wedi'u datganoli i'r Cynulliad. Mae'n gyd-Orchymyn hefyd, a dyna pam y'i drafftwyd yn Saesneg yn unig.

Fodd bynnag, fel y clywsoch yn fy nghyflwyniad, yr wyf wedi dweud yn glir ein bod yn ystyried datblygu'r gwaith hwn yn nhermau'r agenda Gymreig. Bydd hynny'n amlwg yn amodol ar gymeradwyaeth seneddol derfynol. Daw'r Mesur Addysg i ben ei daith drwy'r Senedd yn Nhŷ'r Arglwyddi ddechrau'r wythnos nesaf. Yn gynnar yn y sesiwn nesaf, byddaf yn cyflawni fy ymrwymiad i gynnal dadl ar gynnig a fydd yn cynnwys sefydlu tribiwnlys Cymreig. Sicrhaf y caiff y Pwyllgor Addysg a Dysgu Gydol Oes wybodaeth reolaidd am y modd yr awn â'r mater hwn yn ei flaen. Rhoddaf sicrwydd ichi, er mwyn lleddfu pryder y rhieni, y bydd y tribiwnlys yn gweithredu'n lleol. Gofynnaf i'r Aelodau gefnogi'r rheoliadau.

*Cynnig: O blaid 40, Ymatal 0, Yn erbyn 0.*

*Motion: For 40, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:

The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Glyn  
Davies, Janet  
Essex, Sue  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Helen Mary  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John  
Thomas, Rhodri Glyn  
Williams, Kirsty

*Derbyniwyd y cynnig.*

*Motion carried.*

**Cymeradwyo Cyllid Llywodraeth Leol (Cymru) Adroddiad Grant Arbennig  
(Rhif 8) (Cymru) 2002**  
**Approval of the Local Government Finance (Wales) Special Grant Report (No 8)  
(Wales) 2002**

**The Minister for Education and Lifelong Learning (Jane Davidson):** I propose that **Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson):** Cynigiaf fod

*the National Assembly under section 88B of the Local Government Finance Act 1988, and in accordance with Standing Order No. 19.8, approves the Local Government Finance* *y Cynulliad Cenedlaethol, o dan adran 88B o Ddeddf Cyllid Llywodraeth Leol 1988, ac yn unol â Rheol Sefydlog Rhif 19.8, yn cymeradwyo Cyllid Llywodraeth Leol*



*(Wales) Special Grant Report (No 8) (Wales) 2002, which was laid in the Table Office on 10 July 2002. (NDM1162)*

*(Cymru) Adroddiad Grant Arbennig (Rhif 8) (Cymru) 2002 a osodwyd yn y Swyddfa Gyflwyno ar 10 Gorffennaf 2002. (NDM1162)*

In December 2001, the Assembly Government agreed that we would be prepared to consider the case for additional funding for teachers' pay costs in the light of any evidence of real difficulty. Over the following months, as individual authorities set their budgets for 2002-03, increasing concerns were expressed by schools, teachers' unions and Assembly Members about the adequacy of provision for threshold, upper pay spine progression and leadership group costs.

My written statement to Members on 2 May reaffirmed our commitment to consider the issue of additional funding in light of evidence from local authorities. Information received from local authorities indicated the scale of costs associated with thresholds and upper pay-spine progression costs. In light of this evidence, I announced on 31 May 2002 that the Assembly Government proposed to provide an additional £18.7 million to enable local authorities to fund the teachers' threshold, upper pay spine progression and leadership group pay costs in 2002-03. This is the special grant report that you are invited to approve.

This is a significant injection of funds. It means that headteachers and governing bodies will not need to hold back staff from progressing under the new arrangements simply for financial reasons. That received a particular welcome from teachers' unions.

11:15 a.m.

Local authorities are required to use the grant to meet the costs of teachers' threshold pay, upper pay spine progression and school leadership group costs. Where authorities have fully or substantially funded those costs in their local schools budgets for 2002-03, they can release some or all of the local schools budget funding for other purposes and substitute the grant funding. Some authorities have already indicated that, as they had to hold down schools' delegated budgets and budgets for centrally provided

Yn Rhagfyr 2001, cytunodd Llywodraeth y Cynulliad y byddem yn fodlon ystyried yr achos dros gyllid ychwanegol ar gyfer costau cyflogau athrawon yn wyneb unrhyw dystiolaeth o wir anhawster. Dros y misoedd wedyn, wrth i awdurdodau unigol osod eu cyllidebau ar gyfer 2002-03, mynegwyd pryderon cynyddol gan ysgolion, undebau athrawon ac Aelodau Cynulliad ynghylch digonolrwydd y ddarpariaeth ar gyfer croesi'r trothwy, dringo'r golofn gyflogau uwch a chostau grwpiau arweinyddiaeth.

Yn fy natganiad ysgrifenedig i'r Aelodau ar 2 Mai ailgadarnhawyd ein hymrwymiad i ystyried mater cyllid ychwanegol yn wyneb tystiolaeth gan awdurdodau lleol. Dangosai gwybodaeth a gafwyd gan yr awdurdodau lleol faint y costau cysylltiedig â throthwyon a chostau dringo'r golofn gyflogau uwch. Yn wyneb y dystiolaeth hon, cyhoeddais ar 31 Mai 2002 fod Llywodraeth y Cynulliad yn bwriadu darparu £18.7 miliwn ychwanegol i alluogi awdurdodau lleol i ariannu trothwy'r athrawon, costau dringo'r golofn gyflogau uwch a chostau tâl grwpiau arweinyddiaeth yn 2002-03. Dyma'r adroddiad grant arbennig y gofynnir ichi ei gymeradwyo.

Mae hwn yn chwistrelliad sylweddol o gyllid. Golyga na fydd angen i brifathrawon a chyrrff llywodraethol ddal staff yn ôl rhag mynd yn eu blaenau dan y trefniadau newydd am resymau ariannol yn unig. Cafodd hynny groeso arbennig gan undebau'r athrawon.

Rhaid i awdurdodau lleol ddefnyddio'r grant i dalu costau tâl trothwy athrawon, costau dringo'r golofn gyflogau uwch a chostau grwpiau arweinyddiaeth ysgol. Lle bo awdurdodau wedi ariannu'r costau hynny'n llawn neu'n sylweddol yn eu cyllidebau ysgolion lleol ar gyfer 2002-03, gallant ryddhau rhywfaint neu'r cyfan o'r gyllideb ysgolion lleol at ddibenion eraill a rhoi'r arian grant yn ei le. Mae rhai awdurdodau eisoes wedi dweud, gan iddynt orfod dal cyllidebau dirprwyedig ysgolion a

school services, they intend to supplement these budgets with the resources that are freed up. Authorities must report by 30 September 2002 on how they have used the grant money, or intend to use it.

Local authorities need to ensure that schools are advised quickly on how their delegated budgets are affected by the additional funding so that schools can complete their planning for September. My officials have already asked authorities to do so on a provisional basis, recognising that your approval today is needed before authorities can confirm their plans to schools.

The Assembly, local authorities and schools have been budgeting in the context of uncertain costs. I am pleased that there is an agreement between the Assembly Government and the Welsh Local Government Association to establish a working party to consider how we make arrangements to accommodate such uncertainties. The costs of threshold payments, upper pay spine progression and leadership are set to increase further in 2003-04 as the restructuring of teachers' pay continues. Careful consideration needs to be given to how that should be handled.

Provision of this additional funding shows the continuing high priority that we give to education and the need to recognise and reward the teaching profession properly. As reported to the Education and Lifelong Learning Committee on 10 July, local authorities in Wales have increased their education budgets for 2002-03 by 6.8 per cent overall. That increases to 7 per cent when the £18.7 million we are debating today is included.

I urge you to vote in support of the motion to approve the special grant report.

**Helen Mary Jones:** I declare an interest as a registered teacher.

Plaid Cymru—The Party of Wales will support this special grant report, although we regret the Government's lack of forethought,

chyllidebau ar gyfer gwasanaethau ysgolion a ddarperid yn ganolog i lawr, y bwriadant ategu'r cyllidebau hynny gyda'r adnoddau a ryddheir. Rhaid i awdurdodau adrodd erbyn 30 Medi 2002 am sut y defnyddiwyd yr arian grant, neu'r modd y bwriadant ei ddefnyddio.

Mae angen i'r awdurdodau lleol sicrhau y caiff ysgolion gyngor buan ar y modd yr effeithir ar eu cyllidebau dirprwyedig gan y cyllid ychwanegol, fel y gall ysgolion gwblhau eu cynllunio erbyn mis Medi. Mae fy swyddogion eisoes wedi gofyn i'r awdurdodau wneud hynny ar sail dros dro, gan sylweddoli bod angen eich cymeradwyaeth chi heddiw cyn y gall awdurdodau gadarnhau eu cynlluniau i ysgolion.

Mae'r Cynulliad, awdurdodau lleol ac ysgolion wedi bod yn llunio cyllidebau yng nghyd-destun costau ansicr. Yr wyf yn falch bod cytundeb rhwng Llywodraeth y Cynulliad a Chymdeithas Llywodraeth Leol Cymru i sefydlu gweithgor i ystyried sut y gwnawn drefniadau i ddelio â'r fath ansicrwydd. Mae costau taliadau trothwy, dringo'r golofn gyflogau uwch ac arweinyddiaeth yn debygol o gynyddu ymhellach yn 2003-04 wrth i ailstrwythuro cyflogau athrawon barhau. Mae angen ystyried yn ofalus sut y dylid ymdrin â hynny.

Wrth ddarparu'r arian ychwanegol hwn dangoswn y flaenoriaeth uchel barhaus a roddwn i addysg a'r angen i gydnabod a gwobrwyo'r proffesiwn dysgu yn briodol. Fel yr adroddwyd i'r Pwyllgor Addysg a Dysgu Gydol Oes ar 10 Gorffennaf, mae awdurdodau lleol yng Nghymru wedi cynyddu eu cyllidebau addysg 6.8 y cant i gyd ar gyfer 2002-03. Mae hynny'n cynyddu i 7 y cant pan gynhwysir y £18.7 miliwn yr ydym yn ei drafod heddiw.

Anogaf chi i bleidleisio o blaid y cynnig i gymeradwyo'r adroddiad grant arbennig.

**Helen Mary Jones:** Datganaf fuddiant fel athrawes gofrestredig.

Bydd Plaid Cymru—The Party of Wales yn cefnogi'r adroddiad grant arbennig hwn, er ein bod yn gresynu at ddiffygu meddwl

which makes it necessary. It was obvious from the start that introducing threshold payments would substantially increase salary costs year on year. It rapidly became obvious that those costs could not be met from existing budgets for the last financial year, this financial year or future years. The local authorities, the schools and the unions said that more money was needed. Last year, it took until February for the Minister to admit that there was a problem and to act. In response to a question in the month that we debated that special grant report, the Minister refused to acknowledge that there was a long-term problem. When Gareth Jones asked her whether she would change the situation whereby authorities had to cut back budgets in other departments to fund threshold payments, and whether she conceded that the situation was unacceptable, she replied 'no' to both questions. She did not admit that it was an ongoing problem, and yet here we are again, debating another special grant report to address the same problem.

The Minister has only taken three months to sort it out this year, as opposed to 10 months last year. I suppose that that could be interpreted as an improvement in performance, but this end of term report will still read 'must do better'. The reason given to the Education and Lifelong Learning Committee for this year's delay was that the Minister had to consult with local authorities to establish an evidence base on how much each authority would need. On the face of it, that is fair enough. Given that the Minister is normally so close to the Welsh Local Government Association that you cannot see the join, it is surprising that it took three months to get that information. However, it now seems, if I have read the special grant report correctly, that the funds have, in fact, been allocated on the basis of standard spending assessments. Will the Minister explain that? Did she get that county-by-county information? If so, why was it not used in the allocation? If this grant does not reflect the situation in each county, can she be confident that she will not need to introduce a further special grant report later this year?

The situation on threshold payments is a

ymlaen y Llywodraeth, sy'n peri bod ei angen. Yr oedd yn amlwg o'r dechrau y byddai cyflwyno taliadau trothwy yn cynyddu costau cyflogau'n sylweddol yn flynyddol. Daeth yn amlwg yn fuan iawn na ellid talu'r costau hynny o gyllidebau a fodolai ar gyfer y flwyddyn ariannol ddiwethaf, y flwyddyn ariannol hon na blynnyddoedd y dyfodol. Dywedodd yr awdurdodau lleol, yr ysgolion a'r undebau fod angen mwy o arian. Y llynedd, cymerodd tan fis Chwefror i'r Gweinidog gyfaddef bod problem a gweithredu. Mewn ymateb i gwestiwn yn y mis y trafodasom yr adroddiad grant arbennig hwnnw, gwrthododd y Gweinidog gydnabod bod problem hirdymor. Pan ofynnodd Gareth Jones iddi a wnâi hi newid y sefyllfa lle'r oedd rhaid i awdurdodau gwtogi cyllidebau mewn adrannau eraill i ariannu taliadau trothwy, ac a gyfaddefai fod y sefyllfa'n annerbyniol, atebodd 'na' i'r ddau gwestiwn. Ni chyfaddefodd ei bod yn broblem hirdymor, ac eto dyma ni eto, yn trafod adroddiad grant arbennig arall i ateb yr un broblem.

Dim ond tri mis a gymerodd y Gweinidog i fynd i'r afael â'r mater eleni, o gymharu â 10 mis y llynedd. Am wn i, gellid dehongli hynny fel gwelliant mewn perfformiad, ond bydd yr adroddiad pentymor hwn yn dal i ddarllen 'rhaid gwneud yn well'. Y rheswm a roddwyd i'r Pwyllgor Addysg a Dysgu Gydol Oes am yr oedi eleni oedd bod yn rhaid i'r Gweinidog ymgynghori â'r awdurdodau lleol i sefydlu sylfaen dystiolaeth ar faint y byddai ei angen ar bob awdurdod. Ar yr wyneb, mae hynny'n ddigon teg. O feddwl bod y Gweinidog fel arfer mor agos at Gymdeithas Llywodraeth Leol Cymru fel na allwch weld yr uniad, mae'n rhyfedd iddi gymryd tri mis i gael y wybodaeth honno. Fodd bynnag, mae'n ymddangos yn awr, os wyf fi wedi darllen yr adroddiad grant arbennig yn iawn, fod yr arian, mewn gwirionedd, wedi'i ddyrannu ar sail asesiadau gwariant safonol. A wnaiff y Gweinidog egluro hynny? A gafodd hi'r wybodaeth fesul sir honno? Os do, pam na ddefnyddiwyd hi yn y dyraniad? Os nad yw'r grant hwn yn adlewyrchu'r sefyllfa ym mhob sir, a all hi fod yn hyderus na fydd angen iddi gyflwyno adroddiad grant arbennig pellach yn ddiweddarach eleni?

Mae'r sefyllfa gyda thaliadau trothwy yn

shambles. The Minister must tell the Assembly what she intends to do to sort it out in the long term. The extra money needed must come to local authorities as part of their annual budgets, year on year. Schools and local authorities cannot possibly plan ahead if they depend on one-off special grants to fund something as basic as pay.

The Minister must listen to local authorities, unions and schools. She must accept that implementing threshold payments, and the performance management system needed to support them, will have long-term ongoing costs. She must accept that those costs must be met centrally and that she needs to plan to meet them. On this issue, as on so many others, the education sector and the Assembly have just about had enough of the Minister's self-congratulatory complacency. She must assure us today, categorically, that she will plan adequately for these predictable demands in time to include them in the proper budget process for the next financial year.

In the longer term, these matters would be easier to plan and address if teachers' pay and conditions were devolved to the Assembly. I would welcome the new posts that would be needed in the civil service, if the funding to pay for them was also devolved. It remains a curious anomaly that the National Assembly Government, despite its oft-repeated commitment to developing a distinctively Welsh education agenda—which Plaid Cymru of course welcomes—does not seem to want powers over teachers' pay and conditions. Perhaps the Government fears that the responsibility might be too much for it; on the evidence of this shambles over threshold payments, perhaps it is right.

**Alison Halford:** I listened to that rather gratuitous comment from my colleague behind the pillar, but I congratulate the Minister for giving a 7 per cent increase to Flintshire County Council's education budget. That is to be warmly welcomed, particularly as there are schools in my constituency that need attention. Instead of

draed moch. Rhaid i'r Gweinidog ddweud wrth y Cynulliad beth y bwriada ei wneud i'w datrys yn y tymor hir. Rhaid i'r arian ychwanegol angenrheidiol ddod i'r awdurdodau lleol fel rhan o'u cyllidebau blynyddol, bob blwyddyn. Nid oes modd yn y byd i ysgolion ac awdurdodau lleol gynllunio ymlaen os dibynnant ar grantiau arbennig untro i dalu am rywbeth mor sylfaenol â chyflog.

Rhaid i'r Gweinidog wrando ar awdurdodau lleol, undebau ac ysgolion. Rhaid iddi dderbyn y bydd gweithredu taliadau trothwy, a'r system reoli perfformiad y bydd ei hangen i'w cefnogi, yn golygu costau parhaus hirdymor. Rhaid iddi dderbyn bod yn rhaid talu'r costau hynny'n ganolog a bod angen iddi gynllunio i'w talu. Ar y mater hwn, fel ar gymaint o rai eraill, mae'r sector addysg a'r Cynulliad wedi cael llond bol ar agwedd hunanfodlon, hunanlongyfarchol y Gweinidog. Rhaid iddi ein sicrhau ni heddiw, yn gategoraidd, y bydd yn cynllunio'n ddigonol ar gyfer y galwadau rhagweladwy hyn mewn pryd i'w cynnwys ym mhroses y gyllideb go iawn ar gyfer y flwyddyn ariannol nesaf.

Yn y tymor hwy, byddai'n haws cynllunio'r materion hyn a delio â hwy pe datganolid cyflogau ac amodau athrawon i'r Cynulliad. Byddwn i'n croesawu'r swyddi newydd y byddai eu hangen yn y gwasanaeth sifil, pe bai'r cyllid i dalu amdanynt wedi'i ddatganoli hefyd. Mae'n dal i fod yn anghysondeb rhyfedd bod Llywodraeth Cynulliad Cymru, er gwaethaf yr ymrwymiad y mae wedi'i ailadrodd yn aml i ddatblygu agenda addysg nodweddiadol Gymreig—a groesewir gan Blaid Cymru, wrth gwrs—fel pe na bai arni eisiau pwerau dros gyflogau ac amodau athrawon. Efallai fod y Llywodraeth yn ofni y gallai'r cyfrifoldeb fod yn ormod iddi; ar dystiolaeth y traed moch yma dros daliadau trothwy, efallai ei bod yn iawn.

**Alison Halford:** Gwrandewais ar y sylw braidd yn ddi-alw-amdano gan fy nghyd-Aelod y tu ôl i'r piler, ond llongyfarchaf y Gweinidog am roi cynnydd o 7 y cant i gyllideb addysg Cyngor Sir y Fflint. Mae hynny i'w groesawu'n wresog, yn arbennig gan fod ysgolion yn fy etholaeth sydd angen sylw. Yn hytrach na gwneud sylwadau di-

making gratuitous remarks, as was done from the other side of the Chamber, I say 'well done' to the Minister for increasing the budget and to Flintshire County Council for increasing the overall education budget by 8.2 per cent. This is good news.

**Christine Chapman:** As you say, it is welcome news for the Assembly and for Flintshire. Do you share my concern that Rhondda Cynon Taff County Borough Council, although allocated 7.8 per cent, has only passed on an increase of 5.5 per cent to education? Is that not a disappointment for the teaching staff of that authority?

**Alison Halford:** I have made my point.

**Jonathan Morgan:** Listening to the Minister, you would think that there has been an incredible achievement. Today, if you listen to the Government and its supporters, is a day for celebration. However, it is not a day for celebration. The Assembly will have to vote this payment through to solve a problem that was caused by the Government of Wales and by local authorities that have not passed on the full increases to schools. In response to Christine Chapman, if I were to show her the budget figures for Cardiff County Council, she would be amazed at some of the budgetary increases. They are about 4 or 5 per cent for some schools in the north of Cardiff, and they are even slightly lower than that in other schools.

I declare an interest as a school governor in Cardiff. That school has a budget deficit of about £44,000 because our planning for next year could not be satisfied given the level of resource that we would be allocated by the local authority. That problem has been caused by this Government in Cardiff. Today's payment only rectifies a huge problem that has dogged school governors' meetings and has put headteachers throughout Wales in a difficult position.

The Minister for Education and Lifelong Learning has been warned continuously by schools, teachers' unions, and by Assembly Members in Plenary and Committee, that we were facing a huge shortfall of between £18

alw-amdanynt, fel a wnaethpwyd o ochr arall y Siambr, dywedaf fi 'da iawn chi' wrth y Gweinidog am gynyddu'r gyllideb ac i Gyngor Sir y Fflint am gynyddu'r gyllideb addysg yn ei chyfanrwydd 8.2 y cant. Mae hyn yn newyddion da.

**Christine Chapman:** Fel y dywedwch, y mae'n newyddion da i'r Cynulliad ac i Sir y Fflint. A rannwch fy mhryder nad yw Cyngor Bwrdeistref Sirol Rhondda Cynon Taf, er iddo gael dyraniad o 7.8 y cant, ddim ond wedi trosglwyddo cynnydd o 5.5 y cant ymlaen i addysg? Onid yw hynny'n siom i staff dysgu'r awdurdod hwnnw?

**Alison Halford:** Yr wyf wedi gwneud fy mhwynt.

**Jonathan Morgan:** O wrando ar y Gweinidog, gallech feddwl y cyflawnwyd camp anhygoel. Mae heddiw, os gwrandewch ar y Llywodraeth a'i chefnogwyr, yn ddiwrnod i ddathlu. Er hynny, nid diwrnod i ddathlu mohono. Bydd yn rhaid i'r Cynulliad bleidleisio'r tâl hwn drwodd i ddatrys problem a achoswyd gan Lywodraeth Cymru a chan awdurdodau lleol nad ydynt wedi trosglwyddo'r cynnydd llawn ymlaen i'r ysgolion. I ateb Christine Chapman, pe dangoswn iddi ffigurau cyllideb Cyngor Sir Caerdydd, byddai'n rhyfeddu at rai o'r codiadau cyllideb. Maent oddeutu 4 neu 5 y cant i rai ysgolion yng ngogledd Caerdydd, a hyd yn oed ychydig yn is na hynny mewn ysgolion eraill.

Datganaf fuddiant fel llywodraethwr ysgol yng Nghaerdydd. Mae gan yr ysgol honno ddiffyg yn y gyllideb o ryw £44,000 oherwydd na ellid cyflawni ein cynlluniau ar gyfer y flwyddyn nesaf yn wyneb y lefel o adnoddau a ddyrennid inni gan yr awdurdod lleol. Achoswyd y broblem honno gan y Llywodraeth hon yng Nghaerdydd. Nid yw taliad heddiw ond yn cywiro problem enfawr a fu'n fwrn ar gyfarfodydd llywodraethwyr ysgolion ac a roddodd brifathrawon ledled Cymru mewn sefyllfa anodd.

Rhybuddiwyd y Gweinidog dros Addysg a Dysgu Gydol Oes yn barhaus gan ysgolion, undebau athrawon, a chan Aelodau'r Cynulliad yn y Cyfarfod Llawn a'r Pwyllgor, ein bod yn wynebu diffyg anferth o rhwng

million and £22 million. This issue has been handled extremely poorly. The Minister had every opportunity up to the Whitsun recess to make a statement to the Assembly, telling us exactly where the shortfall was, and how the Government of Wales was to rectify it. I gave the Minister an opportunity in the last week before the Whitsun recess to make statements to the Assembly. She chose not to do so, although I suspect that *The Western Mail* had been briefed by someone in her department that a statement was forthcoming. Then, lo and behold, in typical Government style, the statement was made on 31 May. It was a Friday, and most Members had gone back to their constituencies for the recess. The Government has handled this issue particularly poorly.

What sort of revenue settlement does the Minister envisage for the financial year 2003 onwards? You will be aware that there will be additional national insurance costs for the education system in Wales to meet. The Library informs me that, in Wales, the costs to the education system will be about £10 million, £5.6 million of which must be found by local education authorities. The cost will need to be met in addition to the £18 million being allocated. In terms of the local government reports due on 30 September, I look forward to the Minister reporting fully on this in the Education and Lifelong Learning Committee, as we should return to this matter as soon as possible. This episode highlights the huge problems that have occurred and that are associated with threshold and performance management. It serves as a lesson to the Government and we must ensure that it does not re-occur.

11:25 a.m.

**Brian Gibbons:** The Audit Commission report on public services in Wales highlights the excellent performance of education in Wales, which outperforms that in England. We should welcome the fact that we are able to support this grant for teachers, who have contributed so much to attaining that achievement rather than taking the dog-in-the-manger attitude that the opposition parties have taken thus far. There is an issue of concern, particularly in local authorities such as Neath Port Talbot, which is hard

£18 miliwn a £22 miliwn. Deliwyd yn wael eithriadol â'r mater hwn. Cafodd y Gweinidog bob cyfle hyd at wyliau'r Sulgwyn i wneud datganiad i'r Cynulliad, yn dweud wrthym ym mhle yr oedd y diffyg yn union, a sut y bwriadai Llywodraeth Cymru ei gywiro. Rhoddais innau gyfle i'r Gweinidog yn yr wythnos olaf cyn gwyliau'r Sulgwyn i wneud datganiadau i'r Cynulliad. Dewisodd beidio â gwneud hynny, er fy mod yn amau fod *The Western Mail* wedi cael gair gan rywun yn ei hadran fod datganiad i ddod. Wedyn, wele, yn arddull nodweddiadol y Llywodraeth, gwnaethpwyd y datganiad ar 31 Mai. Yr oedd yn ddydd Gwener, ac yr oedd y rhan fwyaf o Aelodau wedi mynd yn ôl i'w hetholaethau am y toriad. Mae'r Llywodraeth wedi delio â'r mater hwn yn arbennig o wael.

Pa fath o gytundeb refeniw y mae'r Gweinidog yn ei ragweld ar gyfer y flwyddyn ariannol 2003 ymlaen? Byddwch yn ymwybodol y bydd costau yswiriant gwladol ychwanegol i'r gyfundrefn addysg yng Nghymru eu talu. Dywed y Llyfrgell wrthyf y bydd y costau i'r gyfundrefn addysg yng Nghymru oddeutu £10 miliwn, y bydd yn rhaid i awdurdodau addysg lleol ganfod £5.6 miliwn ohono. Bydd angen talu'r gost ar ben y £18 miliwn sy'n cael ei ddarparu. O ran yr adroddiadau llywodraeth leol a ddisgwylir ar 30 Medi, edrychaf ymlaen at weld y Gweinidog yn rhoi adroddiad llawn ar hyn yn y Pwyllgor Addysg a Dysgu Gydol Oes, gan y dylem ddychwelyd at y mater hwn cyn gynted ag y bo modd. Mae'r bennod hon yn amlygu'r problemau enfawr a gafwyd ac sy'n gysylltiedig â'r trothwy a rheoli perfformiad. Mae'n wers i'r Llywodraeth a rhaid inni sicrhau na ddigwydd eto.

**Brian Gibbons:** Mae adroddiad y Comisiwn Archwilio ar wasanaethau cyhoeddus yng Nghymru yn amlygu perfformiad rhagorol addysg yng Nghymru, sy'n well nag yn Lloegr. Dylem groesawu'r ffaith y gallwn gefnogi'r grant hwn i athrawon, sydd wedi cyfrannu cymaint i gyflawni'r gamp honno, yn hytrach na chymryd yr agwedd rwystrrol a gymerwyd gan y gwrthbleidiau hyd yma. Y mae pryder, yn enwedig mewn awdurdodau lleol fel Castell-nedd Port Talbot, sy'n cael anhawster i ddarparu'r amrediad o

pressed to provide the range of services that our community needs. It has been concerned about ensuring that these payments are prompt. In hard-pressed authorities, it is important that these payments are flagged up in plenty of time and that the authorities receive the money as soon as possible. I welcome the improvements made this year—but, again, it seems that improvement is not something to be celebrated.

**Cynog Dafis:** Croesawaf innau'r grant o £12.7 miliwn. Fodd bynnag, fel eraill, gresynaf at y ffordd y trafodwyd y mater. Yr wyf wedi tynnu sylw yn y gorffennol at y problemau ym Mhowys, a gwnaf hynny eto heddiw fel esiampl o'r angen am well trefn ac am fod yn agored ac yn onest wrth ymwneud â chyllid ysgolion. Mae angen osgoi sbin ac osgoi cyfrif dwbl hefyd. Bu rhaid i Gyngor Sir Powys eleni roi £800,000 o'i gyllideb o'r neilltu ar gyfer taliadau trothwy. Canlyniad hynny oedd bod nifer o ysgolion Powys—gan gynnwys Llanandras a wrthdystiodd tu allan i'r Cynulliad beth amser yn ôl—wedi gorfod diswyddo athrawon. Mae hyn wedi digwydd mewn ardaloedd eraill hefyd.

Pan godais y mater gyda'r Gweinidog ar 13 Mehefin, ei hymateb oedd beio awdurdodau lleol, a Phowys yn benodol, am fod yn hwyr yn darparu gwybodaeth. Yn naturiol, ac yn hollol gyfiawn, mae Powys yn ddig at y cyhuddiad. Gwnaeth ddatganiad i'r wasg ar y mater y mae gennyf gopi ohono o'm blaen. Mae'r cyngor yn nodi i awdurdodau lleol ac undebau athrawon ragamcanu yn Nhachwedd 2001 y byddai angen £20 miliwn ar gyfer y pwrpas hwn; £1.3 miliwn yn wahanol i'r ffigur a ddyrannwyd yn y pendraw. Ar y pryd, gwrthododd Llywodraeth Cymru dderbyn y ffigur a'r angen i ddyrannu cyllid ychwanegol. Cyflwynwyd ffigurau wedi'u diweddarau yn Ionawr, a gwybodaeth bellach ar 22 Ebrill. Mae'r Gweinidog felly yn annheg wrth feio Powys. Dyna hefyd farn ysgolion a phrifathrawon ym Mhowys, sydd â hyder llwyr yn eu hawdurdod lleol. Dyfynnaf o lythyr gan brifathro Ysgol Uwchradd Aberhonddu at Jane Davidson ar 17 Mai:

'Mae'n annheg i awgrymu mai canlyniad yw'r toriadau yng nghyllidebau ysgolion i fethiant Powys i basio ymlaen yn llawn gyllid

wasanaethau y mae eu hangen ar ein cymuned. Bu'n awyddus i sicrhau y gwneir y taliadau hyn yn brydlon. Mewn awdurdodau sydd dan bwysau, mae'n bwysig cyhoeddi'r taliadau hyn mewn da bryd ac y derbynia'r awdurdodau yr arian cyn gynted ag y bo modd. Croesawaf y gwelliannau a wnaethpwyd eleni—ond eto, mae'n ymddangos nad rhywbeth i'w ddathlu yw gwelliant.

**Cynog Dafis:** I also welcome the grant of £12.7 million. However I, like others, am disappointed at how this matter has been dealt with. I have drawn attention in the past to the problems in Powys, and I do so again today as an example of the need for improved procedures and openness and honesty in dealing with school funding. We need to avoid the spin and double accounting. Powys County Council was forced this year to set aside £800,000 of its budget for threshold payments. As a result several schools in Powys—including Presteigne, which protested outside the Assembly a while ago—had to make teachers redundant. That also happened in other areas.

When I raised this matter with the Minister on 13 June, her response was to blame local authorities, and Powys in particular, for being late in providing information. Naturally, and justifiably, Powys is angered by this accusation. It issued a press release on this matter, a copy of which I have before me. It notes that local authorities and teaching unions had forecasted in November 2001 that £20 million would be needed for this purpose; a difference of £1.3 million to the figure that was finally allocated. At the time, the Government of Wales refused to accept the figure and the need to allocate additional funding. Updated figures were presented in January, and further information on 22 April. The Minister is, therefore, unfair in blaming Powys. That is also the opinion of schools and headteachers in Powys, who have complete confidence in their local authority. I quote a letter from the head of Brecon High School to Jane Davidson on 17 May:

'It is unfair to suggest that the cuts in school budgets are the results of Powys's failure to fully pass on funding from the National

o'r Cynulliad Cenedlaethol. Mae'r cyngor bob amser wedi bod yn agored ac yn onest ynghylch y cyllid a ddarperir a'r ffordd y mae wedi cael ei ddefnyddio.'

Assembly. The council has always been open and honest about the funding provided and the way in which it has been used'.

Mae Powys, gyda llaw, wedi sefydlu fforwm addysg i drafod y materion hyn ers 10 mlynedd. Â'r prifathro yn ei flaen:

Powys, by the way, established an education forum to discuss these matters 10 years ago. The headteacher continues:

'Rwy'n teimlo'n sicr mai'r ffordd i ddatrys y broblem yw bod yn agored ac yn dryloyw.'

'I feel certain that the way to solve the problem is to be open and transparent.'

11:31

Mae pryder hefyd ynglŷn â grantiau penodol blynyddol ar gyfer blaengareddau newydd, sydd wedyn yn dod yn ofyniad parhaol, ac yn gorfod cael eu cyllido o'r gyllideb graidd. Felly, mae'r ffigurau am gynnydd yn y cyllid i ysgolion yn gamarweiniol, am nad ydynt yn ystyried yr angen i gynnwys yn y gyllideb sylfaenol faterion sydd wedi cael eu cyllido felly yn flaenorol. Mae hyn yn rhan o'r peiriant sbin.

There is also concern about specific annual grants for new initiatives, which then become a fixed requirement, and must be funded from the core budget. Therefore, the figures on an increase in the budget for schools are misleading because they do not take into consideration the need to include matters in the baseline budget that have previously been funded in that way. This is part of the spin machine.

Nid yw'n foddhaol nac yn ddymunol bod y Gweinidog ac awdurdodau lleol yn ymosod ar ei gilydd yn y Cynulliad ac yn y wasg. Ni ddylai'r berthynas fod felly. Gobeithiaf y bydd gwersi yn cael eu dysgu, fel bod ysgolion yn gallu cynllunio a threfnu'u gwaith yn hyderus.

It is not satisfactory or desirable that the Minister and local authorities attack each other in the Assembly and in the press. The relationship should not be like that. I hope that lessons will be learned, so that schools can plan and organise their work confidently.

**Mick Bates:** I declare an interest as a qualified teacher. We welcome the £18.7 million to address a shortfall that so many people predicted, but serious issues must be addressed. First is the principle of threshold payments. There has always been a great deal of disquiet within the profession about the process of awarding threshold payments. I am certain that teachers would prefer to be without it, because it has introduced an element of competition into a hitherto collaborative profession. I regret that. We must also examine the financial sustainability of threshold payments. Do you have figures that would enable us to look forward in the budgetary process so that we can remove the anxiety that exists not only in schools, but in local education authorities? This annual anxiety is having a detrimental effect on morale to such an extent that many people, particularly non-teaching assistants, are in doubt of their jobs. When the deficit budgets

**Mick Bates:** Datganaf fuddiant fel athro cymwysedig. Croesawn y £18.7 miliwn i ateb diffyg a ragwelwyd gan gymaint o bobl, ond rhaid rhoi sylw i faterion difrifol. Y cyntaf yw egwyddor taliadau trothwy. Bu llawer iawn o anniddigrwydd erioed yn y proffesiwn ynghylch y broses o ddyfarnu taliadau trothwy. Yr wyf yn sicr y byddai'n well gan athrawon fod hebdo, oherwydd mae wedi cyflwyno elfen o gystadleuaeth i broffesiwn a fu gynt yn llawn cydweithio. Gresynaf at hynny. Rhaid inni archwilio cynaliadwyedd ariannol taliadau trothwy hefyd. A oes gennych ffigurau a fyddai'n ein galluogi i edrych ymlaen yn y broses gyllidebol fel y gallwn ddileu'r pryder sy'n bodoli nid yn unig mewn ysgolion, ond mewn awdurdodau addysg lleol? Mae'r pryder blynyddol hwn yn cael effaith andwyol ar ysbryd, i'r fath raddau nes bod llawer o bobl, yn enwedig cynorthwywyr nad ydynt yn athrawon, yn poeni am eu swyddi. Pan gyhoeddwyd y



were issued—and Cynog referred to Powys—governors had to ensure that their budgets balanced and that costs were reduced. Often, that was in the form of staff costs.

We should consider following the comprehensive spending review process and enabling education to work on a three-year budgetary cycle. That would remove the annual anxiety. I would like all representatives of the education profession to meet together to work out how to remove this annual anxiety, which—and I cannot emphasise this enough—is causing tremendous problems in the profession. We must also consider the role of local education authorities. There are discrepancies, and those of us who represent constituencies on the borders of Wales are often drawn into making comparisons with the funding of education in England. A funding fog surrounds the funding streams for our schools in Wales. Reference was made to the system of special grants and how they operate. It is fine in principle to use them to target certain priorities such as class sizes, but once the special grant is removed, the priority becomes lost in the general budget. That has financial implications for schools who previously knew the exact amount of money that they were receiving for that targeted priority. That causes genuine shortfalls and problems.

In welcoming this development, I ask you, Minister, to undertake to address these problems, which will undoubtedly reoccur next year—

**Gareth Jones:** Mae gen i ddi-ddordeb mawr yn yr hyn a ddywedwch. Mae llawer ohonom yn cytuno bod niwl ariannu yn bodoli. Fodd bynnag, beth yw bwriadau'r Democratiaid Rhyddfrydol? Yr ydych yn rhan o'r Llywodraeth bartneriaeth. Pa newidiadau yr ydych yn eu cynnig? Sut ydych yn bwriadu newid y drefn ariannu yng Nghymru? A oes syniadau gennych ar sut i newid y drefn er gwell?

**Mick Bates:** Thank you, Gareth, for those interesting comments. If you had listened, you would know that I propose removing the annual budgetary cycle, which gives rise to

cyllidebau diffyg—a chyfeiriodd Cynog at Bowys—bu'n rhaid i lywodraethwyr sicrhau bod eu cyllidebau'n gytbwys a lleihau costau. Yn aml, costau staff fyddai'r rheini.

Dylem ystyried dilyn proses yr adolygiad cynhwysfawr o wariant a galluogi addysg i weithio ar gylch cyllidebol tair blynedd. Byddai hynny'n dileu'r pryder blynyddol. Hoffwn i holl gynrychiolwyr y proffesiwn addysg gyd-gyfarfod i drafod sut i ddileu'r pryder blynyddol hwn, sydd—ac ni allaf bwysleisio digon ar hyn—yn achosi problemau aruthrol yn y proffesiwn. Rhaid inni hefyd ystyried rôl awdurdodau addysg lleol. Mae anghysonderau, a chaiff y rheini ohonom sy'n cynrychioli etholaethau ar y ffin â Lloegr ein tynnu yn aml i wneud cymariaethau â'r modd yr ariennir addysg yn Lloegr. Mae niwl ariannu yn gorchuddio'r ffrydiau ariannu i'n hysgolion ni yng Nghymru. Cyfeiriwyd at y system grantiau arbennig a sut y maent yn gweithio. Mae'n iawn mewn egwyddor eu defnyddio i dargedu blaenoriaethau penodol fel maint dosbarthiadau, ond unwaith y tynnir y grant arbennig i ffwrdd, aiff y flaenoriaeth ar goll yn y gyllideb gyffredinol. Caiff hynny oblygiadau ariannol i ysgolion a oedd yn arfer gwybod yr union swm o arian a dderbynient ar gyfer y flaenoriaeth darged honno. Mae hynny'n achosi gwir ddiffygion a phroblemau.

Wrth groesawu'r datblygiad hwn, gofynnaf i chi, Weinidog, ymgymryd i roi sylw i'r problemau hyn, a fydd yn digwydd eto, heb amheuaeth, y flwyddyn nesaf—

**Gareth Jones:** I am very interested in what you are saying. Many of us agree that a funding fog exists. However, what are the Liberal Democrats' intentions? You are part of the partnership Government. What changes do you propose? How do you intend to change the funding system in Wales? Do you have any ideas on how to change the system for the better?

**Mick Bates:** Diolch, Gareth, am y sylwadau diddorol hynny. Pe baech wedi gwrandao, byddech yn gwybod fy mod yn cynnig dileu'r cylch cyllideb blynyddol, sy'n peri'r pryder

this great anxiety, and ask the Minister to examine how all of the education sector can consider a three-year budgetary cycle. It would benefit the stability and sustainability not only of measures funded through special payments, but of many jobs in education.

11:35 a.m.

Finally, I urge you, Minister, to consider this issue, because there are genuine problems. I know that people have raised them with you when you have visited schools. We must make a statement to all those in the education sector that we are looking to get rid of this annual anxiety through the introduction of a three-year budgetary cycle.

**The Minister for Education and Lifelong Learning (Jane Davidson):** This debate has demonstrated that schools and their needs are key issues for Assembly Members. Many Members' contributions focused on the overall funding for schools and the role of local authorities, rather than on the special grant itself.

I will begin by picking up on some of the broader points. Teachers' pay costs will be fully considered in the local revenue settlements for 2003-04 and beyond. This matter will be taken forward in the working group that Edwina Hart is setting up with the Welsh Local Government Association. The £18.7 million is not, and cannot be, a one-off payment. It deals with ongoing costs that need to be funded in future years.

There will be an opportunity to review the factors that local authorities can take into account in deciding on funding formulae for schools' delegated budgets. That will be in the context of regulations to come forward under the Education Bill. Many teachers, schools, local authorities and Assembly Members have raised concerns about the present requirement that 75 per cent of funding for primary and secondary schools must be distributed by reference to pupil number factors. We can reconsider that issue once the Bill has completed its passage through Parliament. As regards the broader financial issue, Edwina Hart provides indicative budgets for two years beyond the

mawr hwn, a gofyn i'r Gweinidog archwilio sut y gall y sector addysg cyfan ystyried cylch cyllideb tair blynedd. Byddai'n gwella sefydlogrwydd a chynaliadwyedd nid yn unig y mesurau a ariennir drwy daliadau arbennig, ond hefyd lawer o swyddi mewn addysg.

Yn olaf, anogaf chi, Weinidog, i ystyried y mater hwn, oherwydd y mae problemau difrifol. Gwn fod pobl wedi codi'r rhain gyda chi pan fuoch ar ymweliadau ag ysgolion. Rhaid inni wneud datganiad i bawb yn y sector addysg ein bod yn anelu at ddileu'r pryder blynyddol hwn drwy gyflwyno cylch cyllidebol tair blynedd.

**Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson):** Mae'r ddadl hon wedi dangos bod ysgolion a'u hanghenion yn faterion allweddol i Aelodau'r Cynulliad. Canolbwyntiodd cyfraniadau llawer o Aelodau ar y cyllid cyffredinol i ysgolion a rôl yr awdurdodau lleol, yn hytrach nag ar y grant arbennig ei hun.

Dechreuaf drwy godi rhai o'r pwyntiau mwy cyffredinol. Rhoddir ystyriaeth lawn i gostau cyflogau athrawon yn y cytundebau referniw lleol ar gyfer 2003-04 a thu hwnt. Eir â'r mater hwn yn ei flaen yn y gweithgor y mae Edwina Hart yn ei sefydlu gyda Chymdeithas Llywodraeth Leol Cymru. Nid yw'r £18.7 miliwn, ac ni all fod, yn daliad unwaith ac am byth. Mae'n delio â chostau parhaus y mae angen talu amdanynt mewn blynyddoedd i ddod.

Ceir cyfle i adolygu'r ffactorau y gall awdurdodau lleol eu hystyried wrth benderfynu ar fformiwlâu ariannu ar gyfer cyllidebau dirprwyedig ysgolion. Daw hynny yng nghyd-destun rheoliadau a ddaw gerbron dan y Mesur Addysg. Mae llawer o athrawon, ysgolion, awdurdodau lleol ac Aelodau Cynulliad wedi codi pryderon ynghylch y gofyniad presennol fod yn rhaid dosbarthu 75 y cant o'r cyllid ar gyfer ysgolion cynradd ac uwchradd drwy gyfeirio at ffactorau nifer disgyblion. Gallwn ailystyried y mater hwnnw unwaith y bydd y Mesur wedi cwblhau ei daith drwy'r Senedd. O ran y cwestiwn ariannol ehangach, mae Edwina Hart yn darparu cyllidebau mynegiannol am

current financial year. The Education Bill proposes the establishing of budget fora, such as the one operating in Powys, which would operate in the same way across Wales. We can then ensure a strategic dialogue between schools and local authorities on budgetary needs.

When we consider that I first made a statement on my commitment to respond to concerns about this issue in December 2001, several arguments made this morning fall down and can be seen to be fallacious. We are committed to being an evidence-based administration. That does not mean that someone cobbles together a set of figures and makes estimates, but that we test to discover how many teachers can take up these new opportunities in every local authority in Wales. Given that funding for education is not hypothecated in Wales, we test whether we are delivering the equivalent expenditure that would be delivered by hypothecation. I commend those authorities, some of which have already been mentioned, such as Flintshire County Council, Vale of Glamorgan Council, Bridgend County Borough Council, Conwy County Borough Council, which have delivered education expenditure above their local government settlement. Non-hypothecation of funding can deliver that. I am sure that we welcome that. I also commend Rhondda Cynon Taff County Borough Council, which decided to spend 2 per cent below its overall settlement on education this year. It is up to the authorities to decide on these matters. Overall, that has led to a situation whereby the level of expenditure is right compared to the standard spending assessment budgets.

I take exception to the suggestion that this Government is complacent. I only use the word in response to Cynog's speech; it is not a word I usually use in my speeches. Only yesterday the Audit Commission's report, 'Public Services in Wales—Delivering a Better Wales' highlighted that the education service is excellent. I am delighted to endorse that report and Brian Gibbons's views. I thank everyone who is professionally involved in delivering education in Wales for contributing towards achieving that wonderful accolade from an external

ddwy flynedd y tu hwnt i'r flwyddyn ariannol gyfredol. Cynigia'r Mesur Addysg sefydlu fforymau cyllideb, fel yr un sy'n gweithredu ym Mhowys, a fyddai'n gweithredu yn yr un ffordd ar draws Cymru. Wedyn gallwn sicrhau deialog strategol rhwng ysgolion ac awdurdodau lleol ar anghenion cyllidebol.

Pan ystyriwn imi wneud fy natganiad cyntaf ar fy ymrwymiad i ymateb i bryderon am y mater hwn yn Rhagfyr 2001, mae sawl dadl a wnaethpwyd y bore yma yn cwmpo ac yn amlwg yn gyfeiliornus. Yr ydym wedi ymrwymo i weinyddu ar sail tystiolaeth. Nid yw hynny'n golygu fod rhywun yn taflu set o ffigurau at ei gilydd ac yn gwneud amcangyfrifon, ond ein bod yn profi i weld faint o athrawon a all gymryd y cyfleoedd newydd hyn ym mhob awdurdod lleol yng Nghymru. Gan nad yw cyllid ar gyfer addysg wedi'i bridianu yng Nghymru, profwn i weld a ydym yn darparu'r gwariant cyfwerth a ddarperid drwy bridianu. Cymeradwyaf yr awdurdodau hynny, y crybwyllwyd rhai ohonynt yn barod, fel Cyngor Sir y Fflint, Cyngor Bro Morgannwg, Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr, Cyngor Bwrdeistref Sirol Conwy, sydd wedi gwario mwy ar addysg na'r hyn a oedd yn eu cytundeb llywodraeth leol. Gall peidio â phridianu'r arian sicrhau hynny. Yr wyf yn siŵr ein bod yn croesawu hynny. Cymeradwyaf Gyngor Bwrdeistref Sirol Rhondda Cynon Taf hefyd, a benderfynodd wario 2 y cant o dan ei gytundeb cyffredinol ar addysg eleni. Mater i'r awdurdodau yw penderfynu ar y materion hyn. Yn gyffredinol, mae hynny wedi arwain at sefyllfa lle mae lefel gwariant yn iawn o gymharu â chyllidebau'r asesiad gwariant safonol.

Yr wyf yn anhapus â'r awgrym fod y Llywodraeth yn hunanfodlon. Dim ond defnyddio'r gair mewn ymateb i araith Cynog a wna; nid yw'n air a ddefnyddiaf fel arfer yn fy areithiau. Ddoe'n unig pwysleisiodd adroddiad y Comisiwn Archwilio, 'Gwasanaethau Cyhoeddus yng Nghymru—Sicrhau Gwell Cymru' fod y gwasanaeth addysg yn rhagorol. Y mae'n bleser gennyf ategu'r adroddiad hwnnw a sylwadau Brian Gibbons. Diolch i bawb sy'n ymwneud yn broffesiynol â darparu addysg yng Nghymru am gyfrannu tuag at sicrhau'r moliant gwych

organisation.

**Cynog Dafis:** If the Minister does not like the word ‘complacent’, will she settle for ‘self-congratulatory’?

**Jane Davidson:** No. The whole point is that, according to the Audit Commission’s external assessment, the system in Wales is working. Our commitment to comprehensive education is working. In Wales we had the best results at every level last year. Children in Wales are benefiting from the education system that is being delivered. We are also delivering our obligations to teachers in ensuring that they can all proceed properly through the pay system and reach their individual ambitions. The Assembly Government is absolutely committed to supporting the profession.

**Nick Bourne:** The Minister is in great danger of sounding complacent. She made a comment about Rhondda Cynon Taff, where the council is putting in less funding than it should, according to the settlement. It is all very well to say that that is its decision, but what about those suffering in the schools there? Also, regarding your comment about hypothecation, if money is hypothecated, that does not prevent local authorities from spending in excess of that amount. They can always do that. Is that not a desirable outcome, so that we can increase the level of educational attainment throughout Wales?

**Jane Davidson:** Yesterday’s report demonstrated that we are improving educational attainment across Wales. We will continue to do so. The Assembly Government continues to be committed to democratically accountable local government. It is important that local government is involved in taking decisions at the local level. However, local authorities must also be accountable for those decisions to their electorate. We should also be clear, in considering the support that we put into the teaching profession in Wales, that the £18.7 million this year is not a one-off. I acknowledge that there have been difficulties and the Government has consistently acknowledged that. We had the first year of the threshold, then the second year of the

hwinnw gan gorff allanol.

**Cynog Dafis:** Os nad yw’r Gweinidog yn hoffi’r gair ‘hunanfodlon’, a wnaiff hi dderbyn ‘hunanlongyfarchol’?

**Jane Davidson:** Na. Yr holl bwynt yw, yn ôl asesiad allanol y Comisiwn Archwilio, fod y system yng Nghymru’n gweithio. Mae ein hymrwymiad i addysg gyfun yn gweithio. Yng Nghymru cawsom y canlyniadau gorau ar bob lefel y llynedd. Mae plant yng Nghymru’n elwa ar y gyfundrefn addysg a ddarperir. Yr ydym hefyd yn cyflawni ein rhwymedigaethau i athrawon wrth sicrhau y gallant i gyd symud yn briodol drwy’r system gyflog a chyrraedd eu huchelgais unigol. Mae Llywodraeth y Cynulliad yn gwbl ymrwymedig i gefnogi’r proffesiwn.

**Nick Bourne:** Mae’r Gweinidog mewn perygl mawr o swnio’n hunanfodlon. Gwnaeth sylw am Rhondda Cynon Taf, lle mae’r cyngor yn rhoi llai o gyllid i mewn nag y dylai, yn ôl y cytundeb. Hawdd iawn dweud mai penderfyniad i’r cyngor yw hynny, ond beth am y rhai sy’n dioddef yn yr ysgolion yno? Hefyd, ynglŷn â’ch sylw am bridianu, nid yw’r ffaith bod arian wedi’i bridianu yn atal awdurdodau lleol rhag gwario mwy na’r swm hwinnw. Gallant bob amser wneud hynny. Onid yw hynny’n ganlyniad dymunol, fel y gallwn gynyddu lefel cyrhaeddiad addysgol drwy Gymru gyfan?

**Jane Davidson:** Dangosodd adroddiad ddoe ein bod yn gwella cyrhaeddiad addysgol ar draws Cymru. Parhawn i wneud hynny. Mae Llywodraeth y Cynulliad yn parhau i fod yn ymrwymedig i lywodraeth leol ddemocrataidd atebol. Mae’n bwysig y caiff llywodraeth leol ran mewn gwneud penderfyniadau ar y lefel leol. Er hynny, rhaid i awdurdodau lleol fod yn atebol am y penderfyniadau hynny i’w hetholwyr hefyd. Dylem ninnau fod yn glir, wrth ystyried y gefnogaeth a roddwn i’r proffesiwn dysgu yng Nghymru, nad taliad unwaith-ac-am-byth yw’r £18.7 miliwn eleni. Cydnabyddaf y cafwyd anawsterau ac mae’r Llywodraeth wedi cydnabod hynny’n gyson. Cawsom flwyddyn gyntaf y trothwy, wedyn ail flwyddyn y trothwy, ac wedyn, eleni,

threshold, and then, this year, the first year of teachers moving on to the upper pay spine. When you go through such major changes, you need to ensure that the systems cope properly. The Government has made its commitment to the teaching profession in Wales that we will reward teachers for their work. The working group that Edwina has set up with the Welsh Local Government Association to consider distribution of funding in future years will enable accurate information to be provided. That can also be informed by the school budget fora that will be established throughout Wales.

**Gareth Jones:** Wrth ystyried ffigur o 7 y cant—sydd i'w groesawu yn gyffredinol—fel arian ychwanegol gan y Cynulliad, a gytunwch mai problem i'r rhan fwyaf o'r Aelodau yw'r ffaith nad yw hynny'n golygu cynnydd o 7 y cant i bob ysgol? Mae disgwyliadau yn cael eu codi. Er ichi sgorio pwynt gwleidyddol ynghylch Rhondda Cynon Taf, y ffaith yw y bydd rhai ysgolion ar eu hennill o lawer mwy na 5.2 y cant—neu beth bynnag yw'r ffigur—a bydd rhai yn cael llai. Mae hynny'n wir am bob awdurdod. Dyma'r camddealltwriaeth: mae clywed am ffigur o 7 y cant yn gwneud i bob ysgol ddisgwyl derbyn cynnydd felly. Nid yw hynny'n digwydd o dan y drefn sydd ohoni.

**Jane Davidson:** That is why I said that the funding formulae are key. We have 22 local authorities in Wales and 22 funding formulae. We will have an opportunity, in terms of the new legislation that will be required under the Education Bill, to consider what schools' delegated budgets will take into account.

**Eleanor Burnham:** Schools come to us with real, earnest inquiries, as Darland High School in Rossett did yesterday. There is a health and safety issue with the science technician there, which could result in the school not being able to offer science. Do you agree that north-east Wales particularly has problems because it is alongside Cheshire and Shropshire? I have brought these points to your attention many times and we need concrete evidence of how you are helping that area, in particular.

blwyddyn gyntaf athrawon yn symud ymlaen i'r raddfa gyflogau uwch. Pan ewch drwy newidiadau mor fawr, mae angen sicrhau bod y systemau'n gweithio'n iawn. Mae'r Llywodraeth wedi rhoi ei gair i'r proffesiwn dysgu yng Nghymru y gwobrwywn athrawon am eu gwaith. Bydd y gweithgor a sefydlodd Edwina gyda Chymdeithas Llywodraeth Leol Cymru i ystyried dosbarthiad cyllid ym mlynnyddoedd y dyfodol yn golygu y gellir darparu gwybodaeth gywir. Gellir hysbysu hynny hefyd gan y fforymau cyllideb ysgolion a sefydlir ledled Cymru.

**Gareth Jones:** When considering the figure of 7 per cent—which is generally to be welcomed—as additional Assembly money, do you agree that most Members have a problem with the fact that that does not mean an increase of 7 per cent for every school? Expectations are raised. Although you scored a political point with regard to Rhondda Cynon Taff, the fact is that some schools will benefit by much more than 5.2 per cent—or whatever the figure is—and some will get less. That is true of every authority. This is the misunderstanding: hearing about a figure of 7 per cent makes every school expect such an increase. That does not happen under the current system.

**Jane Davidson:** Dyna pam y dywedais fod y fformiwlâu ariannu yn allweddol. Mae gennym 22 o awdurdodau lleol yng Nghymru a 22 o fformiwlâu ariannu. Cawn gyfle, yn nhermau'r ddeddfwriaeth newydd a fydd yn ofynnol dan y Mesur Addysg, i ystyried beth y bydd cyllidebau dirprwyedig ysgolion yn ei gynnwys.

**Eleanor Burnham:** Daw ysgolion atom gydag ymholiadau gwirioneddol ddidwyll, fel y gwnaeth Ysgol Uwchradd Darland yn yr Orsedd ddoe. Mae achos iechyd a diogelwch wedi codi gyda'r technegydd gwyddoniaeth yno, a allai olygu na all yr ysgol gynnig gwyddoniaeth. A gytunwch fod gan y Gogledd-ddwyrain yn enwedig broblemau oherwydd ei fod yn ffinio ar Swydd Gaer a Swydd Amwythig? Yr wyf wedi dod â'r pwyntiau hyn i'ch sylw sawl gwaith, ac mae arnom angen tystiolaeth bendant o sut yr ydych yn helpu'r ardal honno, yn arbennig.

**Jane Davidson:** You made two important points, Eleanor. The first demonstrates absolutely that we should not fund schools directly. If we did, the cash-rich schools would get richer and the cash-poor schools would remain as poor, and the differential would not be dealt with at all. That is why we fund strategically through local authorities.

**Jane Davidson:** Gwnaethoch ddau bwynt pwysig, Eleanor. Mae'r cyntaf yn dangos yn ddiagramheuaeth na ddylem ariannu ysgolion yn uniongyrchol. Pe gwnaem, âi'r ysgolion cyfoethog yn gyfoethocach a byddai'r ysgolion tlawd yn aros yr un mor dlawd, gan na fyddid yn delio â'r gwahaniaeth o gwbl. Dyna pam yr ariannwn yn strategol drwy awdurdodau lleol.

11:45 a.m.

Your second point concerned north-east Wales; of the authorities that have chosen to put more money into education this year, that small group in north-east Wales is all included. We must welcome the fact that, although north-east Wales's authorities were on a low base in terms of education they, almost without exception, invested money over and above their general settlement. Therefore, local authorities' important role is delivering, not just for the people of north-east Wales, but for people throughout Wales—not least because of our huge commitment to ensuring that all school buildings are fit for purpose by 2010.

Yr oedd a wnelo'ch ail bwynt â'r Gogledd-ddwyrain; o'r awdurdodau a ddewisodd roi mwy o arian i addysg eleni, mae'r grŵp bach hwnnw yn y Gogledd-ddwyrain i gyd wedi'i gynnwys. Rhaid inni groesawu'r ffaith, er bod awdurdodau'r Gogledd-ddwyrain yn dechrau o waelod isel yn nhermau addysg, y bu iddynt, bron yn ddiethriad, fuddsoddi arian uwchlaw a thros ben eu cytundeb cyffredinol. Felly, rôl bwysig yr awdurdodau lleol yw cyflawni, nid yn unig i bobl y Gogledd-ddwyrain, ond i bobl ym mhob rhan o Gymru—nid yn lleiaf oherwydd ein hymrwymiad enfawr i sicrhau bod pob adeilad ysgol yn addas i'r pwrpas erbyn 2010.

I am pleased that Members welcome the additional money being provided, and I hope that we can look forward, together, to ensuring that the education system in Wales fully reflects our ambitions to be a learning country.

Yr wyf yn falch fod Aelodau'n croesawu'r arian ychwanegol a ddarperir, a gobeithiaf y gallwn edrych ymlaen, gyda'n gilydd, at sicrhau bod y system addysg yng Nghymru'n adlewyrchu'n llawn ein huchelgais i fod yn wlad sy'n dysgu.

*Cynnig: O blaid 43, Ymatal 0, Yn erbyn 0.  
Motion: For 43, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Chapman, Christine  
Dafis, Cynog  
Davidson, Jane  
Davies, David  
Davies, Geraint  
Davies, Glyn  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth

German, Michael  
 Gibbons, Brian  
 Graham, William  
 Gregory, Janice  
 Griffiths, John  
 Halford, Alison  
 Hancock, Brian  
 Hart, Edwina  
 Hutt, Jane  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Law, Peter  
 Lloyd, David  
 Lloyd, Val  
 Melding, David  
 Morgan, Jonathan  
 Morgan, Rhodri  
 Pugh, Alun  
 Randerson, Jenny  
 Ryder, Janet  
 Sinclair, Karen  
 Thomas, Gwenda  
 Thomas, Owen John  
 Williams, Kirsty

*Derbyniwyd y cynnig.  
 Motion carried.*

### **Cymeradwyo Newidiadau i'r Rheolau Sefydlog Approval of Changes to Standing Orders**

**The Deputy Presiding Officer:** I have selected amendment 1 in the name of Jonathan Morgan.

**Y Llywydd:** Yr wyf wedi dethol gwelliant 1 yn enw Jonathan Morgan.

**The Business Minister (Carwyn Jones):** I propose that

**Y Trefnydd (Carwyn Jones):** Cynigiad fod

*the National Assembly, acting under section 46(6) of the Government of Wales Act 1998, and Standing Order No. 34:*

*y Cynulliad Cenedlaethol, gan weithredu o dan adran 46(6) Deddf Llywodraeth Cymru 1998, a Rheol Sefydlog Rhif 34:*

*1. considers the report of the Business Committee laid in Table Office on 10 July 2002;*

*1. yn ystyried adroddiad y Pwyllgor Busnes a osodwyd yn y Swyddfa Gyflwyno ar 10 Gorffennaf 2002;*

*2. approves the revisions to the Standing Orders listed in the document laid in the Table Office on 10 July 2002;*

*2. yn cymeradwyo'r newidiadau i'r Rheolau Sefydlog a restrir yn y ddogfen a osodwyd yn y Swyddfa Gyflwyno ar 10 Gorffennaf 2002;*

*3. resolves that the revisions shall take effect on 14 October 2002, with the exception of the revisions to Standing Orders Nos. 14.3 and 15.4 (Committee on Equality of Opportunity and Committee on European and External Affairs), which will take effect on 1 May 2003;*

*3. yn penderfynu bod y newidiadau yn dod i rym ar 14 Hydref 2002, ac eithrio'r newidiadau i Reolau Sefydlog Rhifau 14.3 a 15.4 (Pwyllgor Cyfle Cyfartal a Phwyllgor Materion Ewropeaidd ac Allanol) a ddaw i rym ar 1 Mai 2003;*

4. replaces bullet points with Roman numerals throughout Standing Orders; and

5. renumbers all paragraphs in Standing Orders to reflect all of the amendments made since April 1999. (NDM1163)

**Nick Bourne:** I propose amendment 1 in the name of Jonathan Morgan. In point 3, delete all after '14 October 2002'.

Although we are content with the main thrust of the proposals, we are not satisfied with the postponement of the changes in the case of the Chairs of the Committee on European and External Affairs and the Committee on Equality of Opportunity. These changes are not to take place until the elections in 2003. The Assembly review of procedure anticipated that those changes would be made in time for the elections in 2003 at the latest. Members of the Assembly Review of Procedure Committee will remember the argument that the candidacy for chairing those Committees should be extended to include all Assembly Members of all parties. There seems little point in proposing this change and then postponing. If there is to be a change in the chairing of either of those Committees—as has been discussed in both cases—there seems little point in postponing the broadening of the candidacy for the chair of those Committees, thereby limiting it to Cabinet members. The only possible reason for postponing the change in the case of the Committee on European and External Affairs is if the First Minister is to stand down from that role—although, characteristically, he has not confirmed this one way or the other. If he does not step down, it becomes irrelevant. However, if he does stand down, it seems only sensible that this change, which is on the blocks, and on which we are voting today, should take place immediately. We would then have a broader pool from which to choose a Chair for that Committee. That also applies to the Committee on Equality of Opportunity.

That is the spirit in which I propose the amendment. We are content with the other proposed changes.

4. yn cyfnewid y pwyntiau bwled â rhifau Rhufeinig trwy'r Rheolau Sefydlog; ac

5. yn ailrifo'r paragraffau yn y Rheolau Sefydlog i adlewyrchu'r holl newidiadau sydd wedi'u gwneud ers Ebrill 1999. (NDM1163)

**Nick Bourne:** Cynigiau welliant 1 yn enw Jonathan Morgan. Ym mhwynt 3, dileu'r cyfan ar ôl '14 Hydref 2002'.

Er ein bod yn fodlon â phrif ergyd y cynigion, nid ydym yn fodlon gyda gohirio'r newidiadau yn achos Cadeiryddion y Pwyllgor Materion Ewropeaidd ac Allanol a'r Pwyllgor Cyfle Cyfartal. Nid yw'r newidiadau hynny i ddigwydd tan yr etholiadau yn 2003. Rhagwelodd adolygiad gweithdrefn y Cynulliad y gwneid y newidiadau hynny mewn pryd ar gyfer yr etholiadau yn 2003 fan hwyraf. Bydd aelodau Pwyllgor Adolygu Gweithdrefn y Cynulliad yn cofio'r ddadl y dylid ymestyn yr ymgeisyddiaeth am gadeirio'r Pwyllgorau hynny i gynnwys pob Aelod Cynulliad o bob plaid. Ymddengys nad oes fawr o bwynt cynnig y newid hwn ac wedyn gohirio. Os oes newid i fod yng nghadeiryddiaeth y naill neu'r llall o'r Pwyllgorau hynny—fel a drafodwyd yn y ddau achos—ymddengys nad oes fawr o bwynt gohirio agor yr ymgeisyddiaeth am gadair y Pwyllgorau hynny, a'i chyfyngu felly i aelodau'r Cabinet. Yr unig reswm posibl dros ohirio'r newid yn achos y Pwyllgor Materion Ewropeaidd ac Allanol yw os yw'r Prif Weinidog am sefyll i lawr o'r rôl honno—er, yn nodweddiadol, nid yw wedi cadarnhau hyn y naill ffordd na'r llall. Os na saif i lawr, bydd yn amherthnasol. Fodd bynnag, os saif i lawr, ymddengys mai dim ond synhwyrol fyddai i'r newid hwn, sydd ar y gweill, ac yr ydym yn pleidleisio arno heddiw, ddigwydd yn syth. Wedyn byddai gennym gronfa ehangach i ddewis Cadeirydd i'r Pwyllgor hwnnw ohoni. Mae hynny'n wir am y Pwyllgor Cyfle Cyfartal hefyd.

Yn yr ysbryd hwnnw y cynigiau y gwelliant. Yr ydym yn fodlon â'r newidiadau eraill a gynigir.



**Kirsty Williams:** Business Committee members agreed these proposals on 2 July, on behalf of their parties, and I am therefore surprised by the Conservative Party's amendment—although perhaps I should not be surprised.

Some important changes are being addressed here—

**Jonathan Morgan:** Do you agree that it is not the Business Committee's role to approve the recommendations of the Assembly Review of Procedures Committee, as they were decided through consultation? Our role was merely to examine the recommended changes, and suggest when they could be discussed in Plenary.

**Kirsty Williams:** I agree, but, as your party's business manager, you were privy to the Business Committee's report, which has been laid in the Table Office and is available on the Chamberweb under supporting documents. It states that proposals agreed by the Business Committee are now recommended for Assembly approval. We were asked to consult with our parties as to whether we were content with the proposals for changing the Standing Orders, and that was your opportunity to raise any problems. I am not aware that, on 2 July, when this report was written, your party was not content with any of the proposals. Therefore, I am surprised by your amendment, as your party seemed to have approved the motion. I suspect that the spirit in which this amendment was tabled is not as genuine as Mr Bourne would have us believe this morning.

**Nick Bourne:** Could Ms Williams suggest what she considers to be my motive in bringing the amendment forward—other than to outline this change? I suggest that, if there is a change in the chairing of either of these Committees, it makes sense that all Members should be eligible for that role. If there is any objection to that substantive point, I will be pleased to hear it.

**Kirsty Williams:** As I said, I suggest that the Conservative Party has different motives. There was no immediate sense of anxiety in

**Kirsty Williams:** Cytunodd aelodau'r Pwyllgor Busnes â'r cynigion hyn ar 2 Gorffennaf, ar ran eu pleidiau, ac yr wyf yn synnu felly at welliant y Blaid Geidwadol—er efallai na ddylwn synnu.

Ymdrinnir â rhai newidiadau pwysig yma—

**Jonathan Morgan:** A gytunwch nad rôl y Pwyllgor Busnes yw cymeradwyo argymhellion Pwyllgor Adolygu Gweithdrefn y Cynulliad, gan y penderfynwyd arnynt drwy ymgynghori? Ein rôl yn syml oedd archwilio'r newidiadau a argymhellid, ac awgrymu pa bryd y gellid eu trafod yn y Cynulliad Llawn.

**Kirsty Williams:** Cytunaf, ond, fel trefnydd busnes eich plaid, yr oeddech chi'n gwybod am adroddiad y Pwyllgor Busnes, a osodwyd yn y Swyddfa Gyflwyno ac sydd ar gael ar we'r Siambr dan ddogfennau ategol. Dywed y caiff cynigion y cytunwyd arnynt gan y Pwyllgor Busnes eu hargymell yn awr i'w cymeradwyo gan y Cynulliad. Gofynnwyd inni ymgynghori â'n pleidiau ynghylch a oeddem yn fodlon â'r cynigion ar gyfer newid y Rheolau Sefydlog, a dyna oedd eich cyfle i godi unrhyw broblemau. Nid wyf yn ymwybodol nad oedd eich plaid, ar 2 Gorffennaf, pan ysgrifennwyd yr adroddiad hwn, yn fodlon ar unrhyw un o'r cynigion. Felly, mae eich gwelliant yn fy synnu, gan yr ymddangosai fod eich plaid wedi cymeradwyo'r cynnig. Amheuf nad yw'r ysbryd y cyflwynwyd y gwelliant hwn ynddo mor ddiffuant ag yr hoffai Mr Bourne inni gredu y bore yma.

**Nick Bourne:** A allai Ms Williams awgrymu beth yn ei thyb hi yw fy nghymhellad dros ddod â'r gwelliant gerbron—ac eithrio i amlinellu'r newid hwn? Awgrymaf, os oes newid i fod yng nghadeiryddiaeth y naill neu'r llall o'r Pwyllgorau hyn, ei bod yn gwneud synnwyr y dylai'r holl Aelodau fod yn gymwys ar gyfer y rôl honno. Os oes unrhyw wrthwynebiad i'r pwynt hwnnw o sylwedd, byddaf yn falch o'i glywed.

**Kirsty Williams:** Fel y dywedais, awgrymaf fod gan y Blaid Geidwadol gymhellion gwahanol. Nid oedd unrhyw deimlad mawr o

the Welsh Conservative group in terms of bringing these changes forward in the Assembly review of procedure.

However, there are important changes before us today and I hope that the Assembly takes these matters forward in order to resolve some of the current anomalies in the Standing Orders. When an institution is new and Standing Orders are being drafted from scratch it is difficult to envisage how the institution will work in reality. It is necessary to take stock and consider some of the practical difficulties that have been experienced by the Assembly because of the limitations of Standing Orders. I now hope that we will have the opportunity to put these behind us and move forward ready for the new term.

**Helen Mary Jones:** I stress at the beginning of my brief contribution to this debate that I speak for myself as an individual Member and as a member of the Committee on Equality of Opportunity, but not for my party, which will allow a free vote on this matter.

I regret that I will not support this motion—although I consider most of it to be eminently sensible—because of the clause that permits Plenary sessions to be extended until 7 p.m.. Members will be aware that this Assembly has a statutory duty to promote equality of opportunity. It is incumbent upon us to do so by example. We frequently ask employers to ensure that they enable their staff to work regular and sensible hours. Before making this change, we need to consider the possible effect on our staff. It is all well and good for us to decide that we wish to work until 7 p.m. and beyond—that is our decision. I suspect that many of us work regularly beyond that time, although not in the Chamber. However, it is regrettable if we reach the point when we regularly expect our staff not to work until 7 p.m., but until 8 p.m. and 9 p.m., which is until when they will have to work if Plenary sessions end at 7 p.m..

I am sorry that this change is among many other amendments that I strongly support. However, I will not be able to support the

bryder yng ngrŵp Ceidwadwyr Cymru o ran dod â'r newidiadau hyn ymlaen yn adolygiad gweithdrefn y Cynulliad.

Fodd bynnag, y mae newidiadau pwysig ger ein bron heddiw a gobeithiaf yr aiff y Cynulliad â'r materion hyn ymlaen er mwyn datrys rhai o'r anghysonderau cyfredol yn y Rheolau Sefydlog. Pan fo sefydliad yn newydd ac y drafftir Rheolau Sefydlog o ddim, mae'n anodd rhagweld sut y bydd y sefydliad yn gweithio mewn gwirionedd. Mae angen cymryd stoc ac ystyried rhai o'r anawsterau ymarferol a brofwyd gan y Cynulliad oherwydd cyfyngiadau'r Rheolau Sefydlog. Gobeithiaf yn awr y cawn y cyfle i roi'r rhain y tu ôl inni a symud ymlaen yn barod am y tymor newydd.

**Helen Mary Jones:** Pwysleisiaf ar ddechrau fy nghyfraniad byr i'r ddadl hon mai siarad drosof fy hun fel Aelod unigol ac fel aelod o'r Pwyllgor Cyfle Cyfartal yr ydwyf, ond nid dros fy mhlaid, a fydd yn caniatáu pleidlais rydd ar y mater hwn.

Gofidiaf na fyddaf yn cefnogi'r cynnig hwn—er fy mod o'r farn fod y rhan fwyaf ohono'n dra synhwyrol—oherwydd y cymal sy'n caniatáu estyn Cyfarfodydd Llawn hyd 7 p.m.. Bydd Aelodau'n ymwybodol fod gan y Cynulliad hwn ddyletswydd statudol i hybu cyfle cyfartal. Rhaid inni wneud hynny drwy esiampl. Gofynnwn yn aml i gyflogwyr sicrhau eu bod yn galluogi eu staff i weithio oriau rheolaidd a synhwyrol. Cyn gwneud y newid hwn, mae angen inni ystyried yr effaith bosibl ar ein staff. Mae'n ddigon hawdd i ni benderfynu ein bod yn dymuno gweithio tan 7 p.m. ac wedyn—ein penderfyniad ni yw hynny. Amheuaif fod llawer ohonom yn gweithio'n rheolaidd tu hwnt i'r amser hwnnw, er nad yn y Siambr. Fodd bynnag, mae'n destun gofid os cyrhaeddwn y pwynt lle disgwylwn yn rheolaidd i'n staff weithio nid tan 7 p.m., ond tan 8 p.m. a 9 p.m., sef yr amser y bydd raid iddynt weithio os daw'r Cyfarfod Llawn i ben am 7 p.m..

Mae'n flin gennyf fod y newid hwn ymhlith llawer o ddiwygiadau eraill yr wyf yn gryf o'u plaid. Fodd bynnag, ni allaf gefnogi'r

motion on this basis. Current Plenary agendas are often almost empty, therefore the need for us to extend Plenary time needs to be demonstrated. If we need extra planned Assembly time, we should consider not taking three months off in the summer and return to work in September like other sensible people.

Clearly, the Assembly's Plenary session must be able to go beyond its allotted time when emergencies arise. Our current Standing Orders permit that, which is right and proper. However, business should not be extended until 7 p.m., even if we reach the point when we are regularly planning to do so because there is enough Assembly business to warrant it. We can make that decision for ourselves, as I have said, but it is unjust to make that decision on behalf of our staff. It would be bad for our staff and it would set a bad example. Therefore, I regret that I will vote against this otherwise sensible and worthy motion. I urge others to oppose this motion, on which our party has allowed a free vote.

**Delyth Evans:** Yr wyf yn falch i ddilyn araith Helen Mary yn y ddadl hon heddiw. Siaradaf yn erbyn y newidiadau arfaethedig i Reolau Sefydlog a gofynnaf i Aelodau wrthod y newidiadau.

Byddai'r newidiadau yn ymestyn Cyfarfod Llawn y Cynulliad ar ddydd Mawrth i 6 p.m. gydag opsiwn o estyniad pellach hyd at 7 p.m.. Pe baem yn derbyn y gwelliannau hyn, byddem yn troi ein cefnau ar ddyhead y sefydliad hwn i fod yn weithle modern sydd yn parchu cyfrifoldebau teuluol ei weithwyr. Byddai'n effeithio'n ddifrifol ar allu pobl gyda theluloedd ifanc i gyrraedd adref mewn pryd i dreulio peth amser gyda'u plant cyn iddynt fynd i'r gwely.

11:55 a.m.

**David Davies:** A gytunwch mai canfyddiad y cyhoedd yw ein bod yn ennill cyflogau mawr, ac felly mae disgwyl inni ddadlau materion sydd o bwys i Gymru gyfan?

cynnig am y rheswm hwn. Mae agendâu cyfredol Cyfarfodydd Llawn bron yn wag yn aml, felly mae angen arddangos yr angen inni ymestyn amser y Cyfarfodydd Llawn. Os oes angen amser cynlluniedig ychwanegol yn y Cynulliad arnom, dylem ystyried peidio â chymryd tri mis i ffwrdd yn yr haf a dychwelyd i'n gwaith ym mis Medi fel pawb call.

Yn amlwg, rhaid i Gyfarfod Llawn y Cynulliad allu mynd y tu hwnt i'r amser a glustnodwyd ar ei gyfer pan gyfyd argyfwng. Mae ein Rheolau Sefydlog cyfredol yn caniatáu hynny, sydd yn iawn a phriodol. Fodd bynnag, ni ddylid ymestyn y busnes tan 7 p.m., hyd yn oed os cyrhaeddwn y pwynt lle'r ydym yn cynllunio gwneud hynny'n rheolaidd oherwydd bod digon o fusnes gan y Cynulliad i warantu hynny. Gallwn wneud y penderfyniad hwnnw drosom ein hunain, fel y dywedais, ond mae'n anghyfiawn gwneud y penderfyniad hwnnw ar ran ein staff. Byddai'n ddrwg i'n staff ac yn gosod esiampl wael. Felly, mae'n flin gennyf y byddaf yn pleidleisio yn erbyn y cynnig hwn, sydd fel arall yn gall a theilwng. Anogaf eraill i wrthwynebu'r cynnig hwn, y mae ein plaid ni wedi caniatáu pleidlais rydd arno.

**Delyth Evans:** I am pleased to follow Helen Mary's speech in this debate today. I speak against the proposed changes to our Standing Orders and ask Members to reject the changes.

The changes would extend the Assembly's Plenary session on Tuesday to 6 p.m. with an option to extend further up to 7 p.m.. If we were to accept these amendments, we would be turning our backs on this establishment's aspiration to be a modern workplace that respects its employees' family responsibilities. It would seriously affect the ability of people with young families to arrive home in time to spend some time with their children before their bedtime.

**David Davies:** Do you agree that the public perception is that we earn large salaries, and therefore we are expected to debate matters of importance to the whole of Wales?

**Delyth Evans:** Wrth gwrs. Fodd bynnag, pe baem yn gallu disgyblu ein hunain yn well wrth ddefnyddio'n hamser mewn Cyfarfodydd Llawn, ni fyddai angen eu hymestyn.

Byddai derbyn y newidiadau hyn yn cyfleu neges negyddol i bobl sy'n ystyried gyrfa yn y Cynulliad, o ran pa mor ddifrifol yr ydym am gyfleoedd cyfartal. Byddai'n tanseilio llawer o'r gwaith rhagorol y mae'r Pwyllgor Cyfle Cyfartal wedi'i gyflawni.

Yn olaf, byddai'n cyfyngu'n sylweddol ar yr amser sydd ar gael i grwpiau allanol gynnal cyfarfodydd a chyflwyniadau ar ddiwedd Cyfarfod Llawn ar ddydd Mawrth. Am y rhesymau hynny, gofynnaf i Aelodau bleidleisio yn erbyn y newidiadau.

**The Business Minister (Carwyn Jones):** I have proposed this motion on behalf of the Presiding Office, and not in the name of the Government. The Government will not support the amendment tabled by the Welsh Conservative group, and there will not be a whipped vote in favour of the motion for the Labour group.

**Delyth Evans:** Of course. However, if we could better discipline ourselves when using the time that we have during Plenary sessions, they would not need to be extended.

Accepting these changes would convey a negative message to people who are considering a career in the Assembly, in terms of how serious we are about equal opportunities. It would undermine much of the excellent work that the Committee on Equality of Opportunity has achieved.

Finally, it would severely restrict the time available for external groups to hold meetings and presentations at the end of Plenary sessions on a Tuesday. For those reasons, I ask Members to vote against the changes.

**Y Trefnydd (Carwyn Jones):** Yr wyf wedi cynnig y cynnig hwn ar ran Swyddfa'r Llywydd, ac nid yn enw'r Llywodraeth. Ni chefnoga'r Llywodraeth y gwelliant a gyflwynwyd gan grŵp Ceidwadwyr Cymru, ac ni fydd pleidlais chwip o blaid y cynnig i'r grŵp Llafur.

*Gwelliant 1: O blaid 6, Ymatal 9, Yn erbyn 29.  
Amendment 1: For 6, Abstain 9, Against 29.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bourne, Nick  
Davies, David  
Davies, Glyn  
Graham, William  
Melding, David  
Morgan, Jonathan

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Burnham, Eleanor  
Butler, Rosemary  
Chapman, Christine  
Davidson, Jane  
Davies, Janet  
Davies, Ron  
Essex, Sue  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Lloyd, Val  
Middlehurst, Tom  
Morgan, Rhodri

Pugh, Alun  
 Randerson, Jenny  
 Sinclair, Karen  
 Thomas, Gwenda  
 Williams, Kirsty

Ymataliodd yr Aelodau canlynol:  
 The following Members abstained:

Davies, Geraint  
 Hancock, Brian  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Lloyd, David  
 Ryder, Janet  
 Thomas, Owen John  
 Thomas, Rhodri Glyn

*Gwrthodwyd y gwelliant.  
 Amendment defeated.*

**The Deputy Presiding Officer:** We will now vote on the motion. I remind Members that, to change Standing Orders, this motion requires a two-thirds majority vote in favour.

**Y Dirprwy Lywydd:** Pleidleisiwn yn awr ar y cynnig. Atgoffaf Aelodau ei bod yn ofynnol cael mwyafrif o ddwy ran o dair o blaid er mwyn newid Rheolau Sefydlog.

*Cynnig: O blaid 11, Ymatal 1, Yn erbyn 32.*

*Motion: For 11, Abstain 1, Against 32.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
 The following Members voted for:

Bates, Mick  
 Black, Peter  
 Burnham, Eleanor  
 German, Michael  
 Gibbons, Brian  
 Jones, Elin  
 Morgan, Rhodri  
 Pugh, Alun  
 Randerson, Jenny  
 Thomas, Rhodri Glyn  
 Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
 The following Members voted against:

Barrett, Lorraine  
 Bourne, Nick  
 Butler, Rosemary  
 Chapman, Christine  
 Davidson, Jane  
 Davies, David  
 Davies, Geraint  
 Davies, Glyn  
 Davies, Janet  
 Davies, Ron  
 Essex, Sue  
 Evans, Delyth  
 Graham, William  
 Gregory, Janice  
 Griffiths, John  
 Gwyther, Christine  
 Halford, Alison  
 Hancock, Brian  
 Hart, Edwina  
 Hutt, Jane  
 Jones, Ann  
 Jones, Gareth  
 Jones, Helen Mary  
 Lloyd, David  
 Lloyd, Val  
 Melding, David  
 Middlehurst, Tom  
 Morgan, Jonathan  
 Ryder, Janet  
 Sinclair, Karen  
 Thomas, Gwenda  
 Thomas, Owen John

Ymataliodd yr Aelod canlynol:  
The following Member abstained:

Jones, Carwyn

*Gwrthodwyd y cynnig.  
Motion defeated.*

**The Deputy Presiding Officer:** I will arrange for a copy of the Record of Proceedings to be sent to members of the Business Committee so that they can consider this matter further.

**Y Dirprwy Lywydd:** Trefnaf i gopi o Gofnod y Trafodion gael ei anfon at aelodau'r Pwyllgor Busnes fel y gallant ystyried y mater hwn ymhellach.

*Daeth Christine Gwyther i'r Gadair am 11.57 a.m.  
Christine Gwyther took the Chair at 11.57 a.m.*

### **Mesur y Gwasanaeth Iechyd Gwladol (Cymru) National Health Service (Wales) Bill**

**Christine Gwyther:** The Deputy Presiding Officer has selected amendments 1 and 2 in the name of Jocelyn Davies and amendments 3 and 4 in the name of Jonathan Morgan.

**Christine Gwyther:** Mae'r Dirprwy Lywydd wedi dethol gwelliannau 1 a 2 yn enw Jocelyn Davies a gwelliannau 3 a 4 yn enw Jonathan Morgan.

**The Minister for Health and Social Services (Jane Hutt):** I propose that

**Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt):** Cynigiau fod

*the National Assembly:*

*y Cynulliad Cenedlaethol*

*1. welcomes the opportunity to contribute to the pre-legislative scrutiny of the proposed National Health Service (Wales) Bill;*

*1. yn croesawu'r cyfle i gyfrannu at graffu ar y Mesur Gwasanaeth Iechyd Gwladol (Cymru) arfaethedig cyn ei wneud yn Ddeddf;*

*2. endorses the report of the consideration of the draft Bill undertaken by the Health and Social Services Committee on 29 May 2002;*

*2. yn cymeradwyo'r adroddiad sy'n ystyried y Mesur drafft a wnaed gan y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol ar 29 Mai 2002;*

*3. agrees that the Minister for Health and Social Services should report the conclusions of the National Assembly to the Secretary of State for Wales. (NDM1164)*

*3. yn cytuno bod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol yn paratoi adroddiad ar gasgliadau'r Cynulliad Cenedlaethol i Ysgrifennydd Gwladol Cymru. (NDM1164)*

'Historic' is a word commonly used in the debates both here and in Westminster on the draft NHS (Wales) Bill, because today's Plenary debate concludes the Assembly's scrutiny of the first draft of a Bill that has effect only in Wales. The Bill relates to three key elements of our plan 'Improving Health in Wales', which will allow the Assembly to reform and strengthen community health

Mae 'hanesyddol' yn air a ddefnyddir yn gyffredin yn y dadleuon yn y fan hon ac yn San Steffan ar Fesur drafft y GIG (Cymru), oherwydd mae dadl y Cyfarfod Llawn heddiw yn cwblhau gwaith y Cynulliad o graffu ar ddrafft cyntaf Mesur a gaiff effaith yng Nghymru'n unig. Mae a wnelo'r Mesur â thair elfen allweddol yn ein cynllun 'Gwella Iechyd yng Nghymru', a fydd yn caniatáu i'r

councils and to establish Health Professions Wales and a Wales centre for health.

I will briefly remind Members of the policy developments. The Assembly has widely endorsed the reform and strengthening of community health councils in Wales. The establishment of the Wales centre for health will provide a forum for multi-disciplinary advice on health hazards, risk assessments and threats to health. It will disseminate research and other evidence to support decision making, multi-professional training and sustainable health. Establishing Health Professions Wales will provide quality assurance for the training and education of healthcare professions in Wales, and will ensure the continuance of the work done by the former Welsh National Board for Nursing, Midwifery and Health Visiting. Health Professions Wales will also take on-board allied health professions, scientific officers and healthcare support workers.

Pre-legislative scrutiny is intended to improve the quality of Bills. The views of Parliament, devolved administrations, stakeholders and the public are sought at an early stage and taken into account in finalising the proposals. The process is on schedule to allow the Secretary of State to finalise his views on the draft Bill during the summer, and lay the Bill early in the next parliamentary session.

The Health and Social Services Committee debated the draft Bill on 29 May, and published its report on 13 June. I was delighted that colleagues from the Welsh Affairs Select Committee joined us for our debate on 29 May; that was a new experience for the Committee and I was pleased to accept several constructive amendments, and hear constructive debate about the issues raised.

The Welsh Affairs Select Committee took evidence from 20 interested parties—Don Touhig and I gave evidence on 25 June—and its report, which made 16 recommendations, was published on 10 July. Welsh peers discussed the Bill with Don Touhig and me

Cynulliad ddiwygio a chryfhau cynghorau iechyd cymunedol a sefydlu Proffesiynau Iechyd Cymru a chanolfan iechyd i Gymru.

Atgoffaf Aelodau'n fyr am y datblygiadau polisi. Mae'r Cynulliad wedi cymeradwyo i raddau helaeth ddiwygio a chryfhau cynghorau iechyd cymunedol yng Nghymru. Bydd sefydlu'r ganolfan iechyd i Gymru'n darparu fforwm ar gyfer cyngor aml-ddisgyblaeth ar beryglon iechyd, asesiadau risg a bygythiadau i iechyd. Bydd yn lledaenu ymchwil a thystiolaeth arall i gefnogi prosesau penderfynu, hyfforddiant amlbroffesiwn a iechyd cynaliadwy. Bydd sefydlu Proffesiynau Iechyd Cymru yn darparu sicrwydd ansawdd ar gyfer addysg a hyfforddiant proffesiynau gofal iechyd yng Nghymru, ac yn sicrhau parhad y gwaith a wnaethpwyd gan hen Fwrdd Cenedlaethol Cymru dros Nyrsio, Bydwreigiaeth a Gwasanaethau Ymwelwyr Iechyd. Bydd Proffesiynau Iechyd Cymru hefyd yn cynnwys proffesiynau iechyd cysylltiedig, swyddogion gwyddonol a gweithwyr cefnogi gofal iechyd.

Bwriad craffu cyn deddfu yw gwella ansawdd Mesurau. Gofynnir am sylwadau gan y Senedd, gweinyddiaethau datganoledig, rhanddeiliaid a'r cyhoedd yn gynnar ac fe'u hystyrir wrth roi trefn derfynol ar y cynigion. Mae'r broses wedi'i threfnu i ganiatáu i'r Ysgrifennydd Gwladol ffurfio'i farn derfynol ar y Mesur drafft yn ystod yr haf, a chyflwyno'r Mesur yn gynnar yn y sesiwn seneddol nesaf.

Trafododd y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol y Mesur drafft ar 29 Mai, a chyhoeddodd ei adroddiad ar 13 Mehefin. Yr oeddwn wrth fy modd fod cyfeillion o'r Pwyllgor Dethol ar Faterion Cymreig wedi ymuno â ni ar gyfer ein dadl ar 29 Mai; yr oedd hynny'n brofiad newydd i'r Pwyllgor ac yr oeddwn yn falch o dderbyn sawl gwelliant adeiladol, a chlywed dadl adeiladol am y materion a godwyd.

Cymerodd y Pwyllgor Dethol ar Faterion Cymreig dystiolaeth oddi wrth 20 o bartïon â diddordeb—rhoddodd Don Touhig a mi dystiolaeth ar 25 Mehefin—a chyhoeddwyd ei adroddiad, a wnâi 16 o argymhellion, ar 10 Gorffennaf. Trafododd arglwyddi Cymreig y

on 2 July, and they have been invited to make their views known to the Secretary of State for Wales by the end of this week. The Welsh Grand Committee debated the report of the Welsh Affairs Select Committee on Tuesday 16 July.

We consulted 138 bodies on the draft Bill on 17 May; 19 responded and five wrote in similar terms to the Welsh Affairs Select Committee. We have received 15 formal responses. A report on the consultation exercise will be made to the Secretary of State for Wales. Some common themes have emerged from the report of the Welsh Affairs Select Committee and points made by consultees. The Secretary of State will consider the issues raised and, when I write to him about the Assembly's scrutiny of the draft Bill, I will offer my observations.

On Tuesday, at the Welsh Grand Committee meeting, Don Touhig responded to several points raised. For example, the Welsh Affairs Select Committee recommended that the Bill give community health council members the right to time off from work for their public duties. Don explained that that would be inappropriate, as it would come under the Employment Rights Act 1996, but that that Act could be amended by Order.

Several respondents were confused by the draft Bill's definition of the powers of inspection for community health councils. A clearer description will be provided in the explanatory notes published with the Bill. To clarify, at present, community health councils can only visit premises controlled by NHS trusts and health authorities. The intention is to give them the power to enter and inspect NHS and local authority premises, where NHS care is provided, including primary care premises and nursing homes. That will also extend to such premises in England. That is contained in schedule 1 of the draft Bill. They are the same powers as the patients' fora have in England. Importantly, that gives community health councils the right to enter premises, whereas they can currently only enter by invitation.

Mesur gyda Don Touhig a mi ar 2 Gorffennaf, ac fe'u gwahoddwyd i fynegi eu sylwadau i Ysgrifennydd Gwladol Cymru erbyn diwedd yr wythnos hon. Trafododd yr Uwch Bwyllgor Cymreig adroddiad y Pwyllgor Dethol ar Faterion Cymreig ddydd Mawrth 16 Gorffennaf.

Bu inni ymgynghori â 138 o gyrff ar y Mesur drafft ar 17 Mai; ymatebodd 19 ac ysgrifennodd pump mewn termau tebyg at y Pwyllgor Dethol ar Faterion Cymreig. Cawsom 15 ymateb ffurfiol. Cyflwynir adroddiad ar yr ymarfer ymgynghori I Ysgrifennydd Gwladol Cymru. Mae rhai themâu cyffredin wedi ymddangos o adroddiad y Pwyllgor Dethol ar Faterion Cymreig a phwyntiau a wnaed gan rai yr ymgynghorwyd â hwy. Bydd yr Ysgrifennydd Gwladol yn ystyried y materion a godwyd, a phan ysgrifennaf ato ynglŷn â'r craffu ar y Mesur drafft gan y Cynulliad, cynigaf fy sylwadau innau.

Ddydd Mawrth, yng nghyfarfod yr Uwch Bwyllgor Cymreig, ymatebodd Don Touhig i sawl pwynt a godwyd. Er enghraifft, argymhellodd y Pwyllgor Dethol ar Faterion Cymreig y dylai'r Mesur roi'r hawl i aelodau cynghorau iechyd cymunedol gael amser rhydd o'r gwaith ar gyfer eu dyletswyddau cyhoeddus. Eglurodd Don y byddai hynny'n amhriodol, gan y deuai dan Ddeddf Hawliau Cyflogaeth 1996, ond y gellid diwygio'r Ddeddf honno drwy Orchymyn.

Dryswyd sawl ymatebwr gan ddiffiniad y Mesur drafft o bwerau archwilio cynghorau iechyd cymunedol. Darperir disgrifiad cliriach yn y nodiadau esboniadol a gyhoeddir gyda'r Mesur. I egluro, ar hyn o bryd ni chaiff cynghorau iechyd cymunedol ond ymweld ag adeiladau a reolir gan ymddiriedolaethau GIG ac awdurdodau iechyd. Y bwriad yw rhoi'r hawl iddynt fynd i mewn i adeiladau'r GIG ac awdurdodau lleol, lle darperir gofal GIG, gan gynnwys lleoliadau gofal sylfaenol a chartrefi nyrsio a'u harchwilio. Bydd hynny'n ymestyn i adeiladau o'r fath yn Lloegr hefyd. Mae hynny wedi'i gynnwys yn atodlen 1 i'r Mesur drafft. Dyma'r un pwerau ag sydd gan y fforymau cleifion yn Lloegr. Yn bwysig, mae hynny'n rhoi'r hawl i gynghorau iechyd cymunedol fynd i mewn i adeiladau, lle mai



dim ond trwy wahoddiad y cânt fynd ar hyn o bryd.

The Welsh Affairs Select Committee was concerned that Assembly powers of direction could be used to avoid consultation or to confer inappropriate functions on Health Professions Wales. It suggested that professions already intended to be covered by Health Professions Wales should be listed. As Don Touhig indicated on Tuesday at the Welsh Grand Committee meeting, powers of direction will be needed for minor or temporary matters, in the case of urgency, or pending full consultation. However, a list could be provided to illustrate that.

Yr oedd y Pwyllgor Dethol ar Faterion Cymreig yn bryderus y gellid defnyddio pwerau cyfeirio'r Cynulliad i osgoi ymgynghori neu i roi swyddogaethau amhriodol i Proffesiynau Iechyd Cymru. Awgrymodd y dylid rhestru proffesiynau y bwriedid eisoes i Proffesiynau Iechyd Cymru eu cynnwys. Fel y dywedodd Don Touhig ddydd Iau yng nghyfarfod yr Uwch Bwyllgor Cymreig, bydd angen pwerau cyfeirio ar gyfer materion bach neu dros dro, mewn achosion brys, neu wrth aros am ymgynghoriad llawn. Fodd bynnag, gellid darparu rhestr i ddangos hynny.

There was concern that the draft Bill did not allow community health councils to require information from health bodies. I assure Members that that was simply a drafting oversight, and will be corrected. The process has demonstrated the value of the pre-legislative scrutiny of a draft Bill. It allows views to be expressed in several fora, and allows thinking to develop.

Yr oedd pryder nad oedd y Mesur drafft yn caniatáu i gynghorau iechyd cymunedol fynnu gwybodaeth oddi wrth gyrff iechyd. Sicrhaf Aelodau mai dim ond amryfusedd drafftio oedd hynny, ac y caiff ei gywiro. Mae'r broses wedi dangos gwerth archwilio Mesur drafft cyn llunio deddfwriaeth. Mae'n caniatáu mynegi sylwadau mewn sawl fforwm, ac yn caniatáu datblygu meddyliau.

Four amendments have been tabled for this afternoon. Amendment 1 in the name of Jocelyn Davies proposes that we regret the loss of Plaid Cymru's amendments in the Health and Social Services Committee. I do not accept that. Had the amendments been adopted, we would have risked losing the Bill. Her amendment 2 also suggests that further clarity is required on the relationship of Health Professions Wales to the Health Professions Council, and how Health Professions Wales will monitor health professions in Wales. That amendment is unnecessary. Secondary legislation will provide that clarity, and regulatory bodies have not voiced undue concern over that.

Mae pedwar gwelliant wedi'u cyflwyno ar gyfer y prynhawn yma. Mae gwelliant 1 yn enw Jocelyn Davies yn cynnig ein bod yn gresynu colli gwelliannau Plaid Cymru yn y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol. Nid wyf yn derbyn hynny. Pe bai'r gwelliannau wedi'u mabwysiadu, byddem wedi bod mewn perygl o golli'r Mesur. Mae ei gwelliant 2 hefyd yn awgrymu fod angen eglurder pellach ar berthynas Proffesiynau Iechyd Cymru â Chyngor y Proffesiynau Iechyd, ac ar sut y gwnaiff Proffesiynau Iechyd Cymru fonitro'r proffesiynau iechyd yng Nghymru. Mae'r gwelliant hwnnw'n ddiangen. Bydd is-ddeddfwriaeth yn darparu'r eglurder hwnnw, ac nid yw cyrff rheoleiddio wedi lleisio gormod o bryder am hynny.

Amendment 3 in the name of Jonathan Morgan recommends reconsideration of the long and short titles of the draft Bill, which is also unnecessary. Parliamentary Counsel will review its long title when it is finalised, to ensure that it accurately reflects the contents of the Bill. Jonathan's amendment 4 asks us to note that the draft Bill is different from

Mae gwelliant 3 yn enw Jonathan Morgan yn argymhell ailystyried teitlau hir a byr y Mesur drafft, sydd hefyd yn ddiangen. Bydd y Cwnsler Seneddol yn adolygu ei deitl hir pan fydd yn ei ffurf derfynol, i sicrhau ei fod yn adlewyrchu cynnwys y Mesur yn gywir. Mae gwelliant 4 gan Jonathan yn gofyn inni nodi bod y Mesur drafft yn wahanol i'r hyn a

what was anticipated in June 2001, and is reduced in scope. I cannot support this amendment, since it would not serve a useful purpose. The Bill is shorter and narrower in scope because the time-sensitive elements have already been enacted in the National Health Service Reform and Health Care Professions Act 2002. I am sure that we will have an interesting debate today and I look forward to hearing Members' views.

12:05 p.m.

**David Lloyd:** Cynigiau y gwelliannau canlynol yn enw Jocelyn Davies. Gwelliant 1: ychwanegu ar ddiwedd pwynt 2:

*, tra'n gresynu bod gwelliannau Plaid Cymru i ehangu sgôp y Mesur, gan gynnwys gwahardd defnyddio tybaco mewn adeiladau addas a ddefnyddir gan y cyhoedd; a phwerau caniatol i ganiatáu gofal personol am ddim i'r henoed; a darparu ar gyfer archwiliad iechyd wedi cael eu colli yn y Pwyllgor hwnnw.*

Cynigiau welliant 2. Ychwanegu fel pwynt 3 newydd ac ailrifo'r pwyntiau sy'n weddill yn ôl y gofyn:

*derbyn bod angen mwy o eglurdeb am berthynas Proffesiynau Iechyd Cymru â'r Cyngor Proffesiynau Iechyd ac am fanylion sut yn union y bydd Proffesiynau Iechyd Cymru yn monitro 18 o broffesiynau iechyd amrywiol iawn yng Nghymru.*

Croeso i'r Gadair, Christine. Datganaf fuddiant fel meddyg teulu a chynghorydd sir. I gyd-fynd ag ysbryd diwedd y tymor, cefnogaf y gwelliannau i gyd, a'r cynnig. Mae gwelliant 1, sy'n nodi gwelliannau a gollwyd yn y Pwyllgor, yn nodi sut y cred Plaid Cymru y dylid ehangu sgôp y Mesur unigol cyntaf hwn ar iechyd i Gymru—mae'n ddiwrnod hanesyddol fel y clywsom—gan mai dyna yw ei haeddiant. Dylid gwneud hyn drwy gyfyngu ar yr hawl i ysmegu mewn mannau cyhoeddus, drwy geisio'r pwerau a fyddai'n ein galluogi i gynnig gofal personol am ddim i'r henoed yng Nghymru a thrwy ddatganoli'r archwiliad iechyd i Gymru. Gan fod mecanwaith archwilio gennym eisoes yma a chan fod y cyfrifoldeb dros iechyd wedi ei ddatganoli, byddai datganoli'r

ragwelwyd ym Mehefin 2001, ac yn llai o ran sgôp. Ni allaf gefnogi'r gwelliant hwn, gan na fyddai'n cyflawni unrhyw ddben buddiol. Mae'r Mesur yn fyrrach ac yn gulach o ran sgôp oherwydd fod yr elfennau sensitif i amser eisoes wedi'u deddfu yn Neddf Diwygio'r Gwasanaeth Iechyd Gwladol a'r Proffesiynau Gofal Iechyd 2002. Yr wyf yn siŵr y cawn ddadl ddiddorol heddiw ac edrychaf ymlaen at glywed barn yr Aelodau.

**David Lloyd:** I propose the following amendments in the name of Jocelyn Davies. Amendment 1: insert at the end of point 2:

*, while regretting that Plaid Cymru's amendments to expand the scope of the Bill, including the prevention of tobacco use in appropriate buildings used by the public; and permissive powers to allow free personal care for the elderly; and making provision for health audit were lost in that Committee.*

I propose amendment 2. Add as a new point 3 and renumber following points accordingly:

*accept that further clarity is required on the relationship of Health Professions Wales to the UK Health Professions Council and of the details of how exactly Health Professions Wales will monitor 18 very diverse health professions in Wales.*

Welcome to the Chair, Christine. I declare an interest as a general practitioner and a county councillor. In keeping with the end-of-term spirit, I will support all the amendments and the motion. Amendment 1, which notes amendments lost in Committee, notes how Plaid Cymru believes the scope of this first individual Bill on health for Wales—it is a historic day as we have heard—should be expanded as that is what it merits. This should be done by restricting the right to smoke in public places, by seeking the powers that would enable us to offer free personal care to the elderly in Wales and by devolving the health audit to Wales. As the audit mechanisms are already in place here and as health is already devolved, devolving the health audit would be a sensible step

archwiliad iechyd yn gam synhwyrol ymlaen. forward.

The word 'historic' has been used repeatedly in discussions on the draft National Health Service Wales Bill in Committee, elsewhere and today in the Chamber. For a Bill to be historic and groundbreaking, it must make an impact commensurate with that. A health Bill needs to make a difference to people's health. Smoking causes 7,000 deaths in Wales every year and a tendency to heart disease, cancers and lung disease. Most smokers tend to die in their 50s rather than in their 80s, as in the case of non-smokers. One in two long-term smokers are killed by their habit and passive smoking causes cancer in non-smokers. No greater impact could be made on health than to seriously address the litany of misery and the annual slaughter caused by smoking. An appreciable impact could also be made by fully enacting the recommendations of the Royal Commission on Long Term Care for the Elderly, namely by providing free personal care for the elderly. However, I will not rehearse these arguments in full today because this amendment was lost in Committee and I am repeatedly told that the Welsh Assembly Government is vigorously pursuing free personal care with its counterpart in London.

On matters that are covered in the Bill, Plaid Cymru strongly supports well-funded dynamic community health councils that are fully equipped to fight their corner for patients in all areas of the NHS. I also note the welcome extension to primary care. Coterminality between community health councils, local health boards and local authorities would be simpler in terms of dividing responsibilities. However, I recognise the strength of feeling against any further restructuring of community health councils so soon after the last restructuring process, which is also expressed in the health service.

Public health is rightly given prominence in the Bill with the development of the Wales centre for health. However, public health could be given more prominence by clamping down on smoking in public places. On Health

Defnyddiwyd y gair 'hanesyddol' dro ar ôl tro mewn trafodaethau ar Fesur drafft Gwasanaeth Iechyd Gwladol Cymru yn y Pwyllgor, mewn manau eraill a heddiw yn y Siambr. I Fesur fod yn hanesyddol a thorri tir newydd, rhaid iddo gael effaith gymesur â hynny. Mae angen i Fesur iechyd wneud gwahaniaeth i iechyd pobl. Mae ysmegu'n achosi 7,000 o farwolaethau yng Nghymru bob blwyddyn a thuedd tuag at glefyd y galon, canser ac afiechydon ar yr ysgyfaint. Tuedda'r rhan fwyaf o ysmygwyr i farw yn eu 50au yn hytrach nag yn eu 80au, fel y gwna rhai nad ydynt yn ysmegu. Lleddir un o bob dau ysmygwr tymor hir gan eu harferiad ac mae ysmegu goddefol yn achosi canser mewn pobl nad ydynt yn ysmygwyr. Ni ellid cael effaith fwy ar iechyd na mynd ati o ddifrif i ddelio â'r litani o drallod a'r lladdfa flynyddol a achosir gan ysmegu. Gellid cael effaith sylweddol hefyd drwy weithredu'n llawn argymhellion y Comisiwn Brenhinol ar Ofal Tymor Hir i'r Henoed, sef darparu gofal personol am ddim i'r henoed. Fodd bynnag, nid ymarferaf y dadleuon hyn yn llawn heddiw oherwydd collwyd y gwelliant hwn yn y Pwyllgor a dywedir wrthyf sawl gwaith fod Llywodraeth Cynulliad Cymru yn ddyfal yn ceisio sicrhau gofal personol am ddim gyda'i chorff cyfatebol yn Llundain.

Ar faterion sydd wedi'u cynnwys yn y Mesur, mae Plaid Cymru yn gryf o blaid cynghorau iechyd cymunedol sydd wedi'u harfogi'n llawn i ymladd eu cornel dros gleifion ym mhob rhan o'r GIG. Nodaf hefyd yr estyniad i ofal sylfaenol, sydd i'w groesawu. Byddai cael cynghorau iechyd cymunedol, byrddau iechyd lleol ac awdurdodau lleol i gyd i rannu'r un terfynau daearyddol yn symlach er mwyn rhannu cyfrifoldebau. Fodd bynnag, cydnabyddaf y cryfder teimlad yn erbyn unrhyw ailstrwythuro pellach ar y cynghorau iechyd cymunedol mor fuan ar ôl y broses ailstrwythuro ddiwethaf, a fynegir yn y gwasanaeth iechyd hefyd.

Rhoddir lle amlwg i iechyd cyhoeddus yn y Mesur, a da hynny, gyda datblygiad y ganolfan iechyd i Gymru. Er hynny, gellid rhoi mwy o amlygrwydd i iechyd cyhoeddus drwy wahardd ysmegu mewn manau

Professions Wales, amendment 2 reflects some of the concerns that have been expressed to me by people from the 18 diverse professions covered by Health Professions Wales. These include speech therapy, art therapy, physiotherapy, nursing, midwifery, health visiting, chiropody, podiatry, radiography, healthcare support workers and scientific officers. Many of these professions feel that greater clarity is required regarding the nature of their relationship with the UK Health Professions Council and how HPW will monitor these diverse health professions and their continuing professional development.

The publication of the first health draft Bill for Wales is a significant event for the National Assembly. The process is ongoing, as we have heard. I hope that the experience gained by all concerned will be valuable in the Assembly's legislative development.

**David Melding:** I propose the following amendments in the name of Jonathan Morgan. Amendment 3: add a new point at the end of the motion:

*recommends the reconsideration of the long and short titles of the draft Bill.*

I propose amendment 4. Add a new point at the end of the motion:

*notes that the draft Bill is substantially different to that anticipated in June 2001 and much reduced in scope.*

Thank you for calling me to speak, 'Acting Deputy Presiding Officer'. It is a pleasure to see you in the Chair, Christine.

This draft Bill has had a strange history. It is appropriate that we revisit the events of the past year or so, because they inform the prelegislative scrutiny that the Assembly now undertakes. The draft Bill started as a vehicle to enact the reforms to the structure of the NHS in Wales. That was the draft Bill's original purpose and essential function. The Minister for Health and Social Services said in June 2001:

cyhoeddus. O ran Proffesiynau Iechyd Cymru, mae gwelliant 2 yn adlewyrchu rhai o'r pryderon a fynegwyd i mi gan bobl o'r 18 proffesiwn amrywiol a gynrychiolir yn Proffesiynau Iechyd Cymru. Mae'r rhain yn cynnwys therapi lleferydd, therapi celf, ffisiotherapi, nyrsio, bydwreigiaeth, ymwelwyr iechyd, trin traed, podiatreg, radiograffeg, gweithwyr cefnogi gofal iechyd a swyddogion gwyddonol. Mae llawer o'r proffesiynau hyn yn teimlo fod angen mwy o eglurdeb ynghylch natur eu perthynas â Chyngor Proffesiynau Iechyd y DU a sut y gwnaiff Proffesiynau Iechyd Cymru fonitro'r proffesiynau iechyd amrywiol hyn a'u datblygiad proffesiynol parhaus.

Mae cyhoeddi'r Mesur iechyd drafft cyntaf i Gymru yn ddigwyddiad arwyddocaol i'r Cynulliad Cenedlaethol. Mae'r broses yn un barhaus, fel y clywsom. Gobeithiaf y bydd y profiad a enillwyd gan bawb a fu'n ymwneud â hyn yn werthfawr yn natblygiad deddfwriaethol y Cynulliad.

**David Melding:** Cynigiaf y gwelliannau canlynol yn enw Jonathan Morgan. Gwelliant 3: ychwanegu pwynt newydd ar ddiwedd y cynnig:

*yn argymhell ailystyried teitlau hir a byr y Mesur drafft.*

Cynigiaf welliant 4. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

*yn nodi bod y Mesur drafft yn sylweddol wahanol i'r hyn a ddisgwyliwyd ym mis Mehefin 2001 ac yn llawer llai o ran sgôp.*

Diolch am alw arnaf i siarad, 'Ddirprwy Lywydd Gweithredol'. Mae'n dda eich gweld yn y Gadair, Christine.

Mae hanes rhyfedd i'r Mesur drafft hwn. Mae'n briodol inni ailymweld â digwyddiadau'r flwyddyn a aeth heibio, oherwydd maent yn hysbysu'r craffu cyn deddfu a gyflawnir gan y Cynulliad yn awr. Dechreuodd y Mesur drafft fel cerbyd i weithredu'r diwygiadau i strwythur y GIG yng Nghymru. Dyna oedd pwrpas gwreiddiol a swyddogaeth hanfodol y Mesur drafft. Dywedodd y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol ym Mehefin

2001:

‘The Bill is expected to include provisions for further reform of the NHS in Wales within the framework outlined in the Assembly’s plan, “Improving Health in Wales”.’

‘Disgwylir i’r Mesur gynnwys darpariaethau ar gyfer diwygio’r GIG ymhellach yng Nghymru o fewn y fframwaith a amlinellwyd yng nghynllun y Cynulliad, “Gwella Iechyd yng Nghymru”.’

Five weeks later, the Minister changed her mind, and said that the health reforms would be dealt with in an England and Wales Bill—the NHS Reform and Health Care Professions Bill, which has since become an Act. The Minister says that that is because it was time sensitive. However, that is not a credible excuse for changing the position, because if it was time sensitive, she would surely have known that five weeks earlier, unless that dramatic fact was only brought to her attention late in the day: a civil servant must have been dilatory, or she was not able to grasp the importance of the situation early on.

Bûm wythnos yn ddiweddarach, newidiodd y Gweinidog ei meddwl, a dywedodd y byddid yn delio â’r diwygiadau iechyd mewn Mesur i Gymru a Lloegr—Mesur Diwygio’r GIG a’r Proffesiynau Gofal Iechyd, sydd bellach yn Ddeddf. Dywed y Gweinidog fod hynny oherwydd ei fod yn fater amser-sensitif. Fodd bynnag, nid yw hynny’n esgus credadwy dros newid y safbwynt, oherwydd os oedd yn sensitif i amser, buasai wedi gwybod hynny bum wythnos yn gynharach, siawns, oni bai mai dim ond yn hwyr yn y dydd y daethpwyd â’r ffaith ddramatig honno i’w sylw; rhaid bod gwas sifil wedi bod yn araf, neu ei bod hi wedi methu deall pwysigrwydd y sefyllfa yn gynnar yn y dydd.

It is interesting that in the Assembly’s lifetime there have been England and Wales Bills on two major reforms to public services, namely health and education. We must ask whether this is an appropriate way to proceed, and whether it allows us to have the level of prelegislative scrutiny that we want. Executive devolution, as it exists in Wales, must, as an accompaniment, see Wales-only parliamentary Bills published much more routinely, certainly on major reforms to public services. If we do not have that, we will not have the level of input that the people of Wales expect the Assembly, which is responsible for policy in these areas, to have. At present, there is a considerable defect in the devolution settlement.

Mae’n ddiddorol y cafwyd yn ystod oes y Cynulliad Fesurau i Gymru a Lloegr ar ddau ddiwygiad mawr i wasanaethau cyhoeddus, sef iechyd ac addysg. Rhaid gofyn a yw hyn yn ffordd briodol o fynd ati, ac a ydyw’n caniatáu inni gael y lefel o graffu cyn deddfu a ddymunem. Rhaid i ddatganoli gweithredol, fel y mae’n bodoli yng Nghymru, weld cyhoeddi Mesurau seneddol i Gymru’n unig yn llawer mwy rheolaidd, yn sicr ar ddiwygiadau mawr i wasanaethau cyhoeddus. Os na chawn hynny, ni chawn y lefel o fewnbwn y disgwylia pobl Cymru i’r Cynulliad, sy’n gyfrifol am bolisi yn y meysydd hyn, ei chael. Ar hyn o bryd, mae diffyg sylweddol yn y cytundeb datganoli.

I quote from the Welsh Affairs Select Committee’s report on the draft Bill:

Dyfynnaf o adroddiad y Pwyllgor Dethol ar Faterion Cymreig ar y Mesur drafft:

‘The draft Bill which appeared in May 2002 is therefore substantially different to that apparently envisaged a year earlier, and somewhat thinner’.

‘Mae’r Mesur drafft a ymddangosodd ym Mai 2002 yn sylweddol wahanol felly i hwnnw a ragwelwyd flwyddyn ynghynt, a rhywfaint yn deneuach’.

That rather dry observation is true, and embarrassing for the Minister, but, to be constructive, one should proceed and consider what is in the draft Bill that has been

Mae’r sylw sychlyd hwnnw’n wir, ac yn destun embaras i’r Gweinidog, ond, a bod yn adeiladol, dylid symud ymlaen ac ystyried beth sydd yn y Mesur drafft sydd wedi’i

presented to us. Originally, the draft Bill, when it was announced, did not refer to community health councils. They have been plucked off the shelf and put into this draft Bill to give it some purpose. However, that tactic, born of desperate necessity because there was a gap, is quite a good idea. The Minister had earlier made a policy decision to preserve community health councils in Wales—whereas they have been abolished in England—and has taken this opportunity to allow considerable scrutiny of their future function. That is good. There has been much debate about what community health councils should do, what resources they will need, what powers they should be given, and that has been valuable. I generally welcome the fact that at least some useful purpose has been found for this legislative scrutiny role that was given to us, but which was not used for its original function. The Select Committee, like both opposition parties, has called for the Bill's scope to be widened by changing the long and short titles. That is in paragraph 14 of its report—I am sure that the Minister has seen it.

On the reforms envisaged for community health councils and their development, patient support services should be managed by community health councils, and we shall continue to pursue this line and try to advance it. An all-Wales community health council body should be made a statutory organisation, and not just a body that the Assembly might establish. I know that the Minister is fully intent on establishing that body, but a successor could in future decide to abolish it. That is inappropriate. It should be preserved in statute, and we should take this opportunity to do that.

Finally, it is not appropriate for the Assembly to appoint Members of the all-Wales body envisaged for community health councils. It should be independent. Its membership should be made up of the individual chairs of community health councils.

gyflwyno inni. Yn wreiddiol, nid oedd y Mesur drafft, pan y'i cyhoeddwyd, yn cyfeirio at gynghorau iechyd cymunedol. Maent hwy wedi'u tynnu oddi ar y silff a'u gosod i mewn i'r Mesur drafft hwn i roi rhyw bwrpas iddo. Fodd bynnag, mae'r dacteg honno, a anwyd o anghenraid taer oherwydd fod bwlch, yn syniad eithaf da. Yr oedd y Gweinidog wedi gwneud penderfyniad polisi ynghynt i gadw cynghorau iechyd cymunedol yng Nghymru—tra'r oeddent wedi'u diddymu yn Lloegr—a chymerodd y cyfle hwn i ganiatáu craffu sylweddol ar eu swyddogaeth i'r dyfodol. Mae hynny'n dda. Bu llawer o ddadlau ynghylch beth y dylai cynghorau iechyd cymunedol ei wneud, pa adnoddau y bydd eu hangen arnynt, pa bwerau y dylid eu rhoi iddynt, a bu hynny'n werthfawr. Croesawaf yn gyffredinol y ffaith o leiaf fod rhyw bwrpas defnyddiol wedi'i ganfod i'r rôl graffu deddfwriaethol hon a roddwyd inni, ond na ddefnyddiwyd ar gyfer ei swyddogaeth wreiddiol. Mae'r Pwyllgor Dethol, fel y ddwy wrthblaid, wedi galw am ledw sgôp y Mesur drwy newid y teitlau hir a byr. Mae hynny ym mharagraff 14 ei adroddiad—yr wyf yn siŵr fod y Gweinidog wedi ei weld.

Ar y diwygiadau a ragwelir i gynghorau iechyd cymunedol a'u datblygiad, dylai cynghorau iechyd cymunedol reoli gwasanaethau cefnogi cleifion, a gwnawn barhau i ddilyn y mater hwn a cheisio'i hyrwyddo. Dylai corff i gynghorau iechyd cymunedol Cymru gyfan gael ei wneud yn gorff statudol, ac nid dim ond yn gorff y gallai'r Cynulliad ei sefydlu. Gwn fod y Gweinidog yn llawn fwriadu sefydlu'r corff hwnnw, ond gallai olynydd iddi yn y dyfodol benderfynu ei ddiddymu. Mae hynny'n amhriodol. Dylid ei warchod mewn statud, a dylem gymryd y cyfle hwn i wneud hynny.

Yn olaf, nid yw'n briodol i'r Cynulliad benodi Aelodau'r corff Cymru-gyfan a ragwelir i gynghorau iechyd cymunedol. Dylai fod yn annibynnol. Cadeiryddion unigol y cynghorau iechyd cymunedol ddylai ffurfio ei aelodaeth.

*Daeth y Dirprwy Lywydd i'r Gadair am 12.12 p.m.  
The Deputy Presiding Officer took the Chair at 12.12 p.m.*

**Kirsty Williams:** I welcome once again the **Kirsty Williams:** Croesawaf unwaith eto yr

principle of publishing Bills in draft form to allow us the opportunity at the earliest stages to influence their final form. I particularly welcome the opportunity that the Health and Social Services Committee took to examine the draft Bill in depth. I regret the Assembly's slowness in the last three years in taking on its role as a legislature, in scrutinising primary and secondary legislation. I am proud of the trail that the Health and Social Services Committee is trying to blaze by spending considerable time considering legislation. It is a trend that I hope we will be able to continue in future.

We had a useful discussion. I hope that backbenchers—or those who are not members of the Health and Social Services Committee—will take the opportunity to speak in this debate. The usual suspects in the field of health have had an opportunity to discuss this, and I hope that other Members will take the opportunity to have their input into this important draft Bill. The Committee was able to put forward useful amendments to the draft Bill. I trust that those amendments will be taken on board by the Westminster Government. If they are not, I look forward to the opportunity of scrutinising Don Touhig in the autumn and challenging him on why he has not taken the Health and Social Services Committee's views on board. We were able to make useful amendments, not least getting rid of the gender specific way in which the Bill is currently drafted. I do not need to say that it is male-gender specific, referring to 'he' and 'chairmen'. I hope that we will teach the parliamentary draftsmen a lesson or two—[ASSEMBLY MEMBERS: 'Draftspeople.'] I think that they are draftsmen given that they are writing in the male gender.

12:15 p.m.

I have some sympathy with the issue of the Bill's long and short titles. However, we need a shot of reality on this. If we extended the Bill's scope, we would be in danger of losing this opportunity altogether. This argument, and Plaid Cymru's amendment 1, again graphically illustrates why the Assembly needs primary legislative powers. We should

egwyddor o gyhoeddi Mesurau ar ffurf ddrafft i ganiatáu'r cyfle o'r dechrau inni ddylanwadu ar eu ffurf derfynol. Croesawaf yn arbennig y cyfle a gymerodd y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol i archwilio'r Mesur drafft yn drylwyr. Gresynaf at arafwch y Cynulliad yn y tair blynedd diwethaf yn ymgymryd â'i rôl fel corff deddfwriaethol, i graffu ar ddeddfwriaeth sylfaenol ac is. Yr wyf yn falch o'r modd y mae'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol yn ceisio arloesi drwy dreulio amser sylweddol yn ystyried deddfwriaeth. Mae'n duedd y gobeithiaf y byddwn yn gallu ei pharhau yn y dyfodol.

Cawsom drafodaeth fuddiol. Gobeithiaf y gwnaiff aelodau'r meinciau cefn—neu'r rheini nad ydynt yn aelodau o'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol—gymryd y cyfle i siarad yn y ddadl hon. Mae'r wynebau arferol ym maes iechyd wedi cael cyfle i drafod hyn, a gobeithiaf y cymer Aelodau eraill y cyfle i gael rhoi eu mewnbwn i'r Mesur drafft pwysig hwn. Gallodd y Pwyllgor gyflwyno diwygiadau defnyddiol i'r Mesur drafft. Hyderaf y derbynir y diwygiadau hynny gan Lywodraeth San Steffan. Os na, edrychaf ymlaen at y cyfle i holi Don Touhig yn yr hydref a'i herio i ddweud pam nad yw wedi derbyn sylwadau'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol. Llwyddasom i wneud diwygiadau buddiol, nid lleiaf o ran cael gwared o'r modd y drafftiwyd y Mesur ar hyn o bryd gan gyfeirio'n benodol at un rhyw. Nid oes angen imi ddweud mai gwrywaidd yw'r cyfeiriadau penodol hynny, gan gyfeirio at 'he' a 'chairmen'. Gobeithiaf y gallwn ddysgu gwers neu ddwy i'r drafftsmyn seneddol—[AELODAU'R CYNULLIAD: 'Drafftsobl.'] Yr wyf yn meddwl mai drafftsmyn ydynt o ystyried eu bod yn ysgrifennu yn y gwrywaidd.

Mae gennyf ryw faint o gydymdeimlad â mater teitlau hir a byr y Mesur. Fodd bynnag, mae angen inni fod yn realistig ynglŷn â hyn. Pe estynnem sgôp y Mesur, byddem mewn perygl o gollir y cyfle'n gyfangwbl. Mae'r ddadl hon, a gwelliant 1 gan Blaid Cymru, eto'n dangos yn glir pam y mae angen pwerau deddfu sylfaenol ar y Cynulliad. Ni

not be limited in terms of what we would like to achieve in our legislation because we feel that we must work within the timetable and requirements set down by Westminster. As David said, once again the issue of what is contained in this Bill is a graphic illustration of why we need primary legislative powers here. We need to be able to move forward in terms of the great changes that we are seeing in the NHS in Wales, and not be reliant on England and Wales Bills and curtailed Bills for Wales where changing the long and short titles could jeopardise the whole Bill. I know that Plaid Cymru does not want to see the Bill's content jeopardised.

On some of the Bill's content and the principles of the community health councils, David is right, this is a wonderful opportunity to show how the Assembly is pursuing a different path from England, where there has been great furore over the abolition of community health councils. I am pleased that in Wales the Minister has decided to go down a different path, and not only retain our community health councils, but extend the scope of their work into primary care, which is welcome, as well as extending their powers in other areas, and creating a uniform service that can be provided by community health councils throughout Wales. Those community health councils will need to deliver those services in different ways, according to where they are in Wales, but people will know that they can expect a uniform service from their community health councils. I also welcome the opportunity to create this all-Wales body to support individual community health councils, their officers and their members in taking that work forward.

I am glad that Dai now has concerns about the reorganisation of community health councils. He did not voice those concerns in Committee, but I am glad that Plaid Cymru now recognises that the community health councils have recently undergone many changes. I am also glad that it will not pursue coterminosity, which would have led to the abolition of the community health council in my constituency. We fought tooth and nail for it and managed to persuade the then Secretary of State to keep it in Brecon and

ddylem gael ein cyfyngu yn yr hyn yr hoffem ei gyflawni yn ein deddfwriaeth oherwydd y teimlwn fod yn rhaid inni weithio o fewn yr amserlen a'r gofynion a bennir gan San Steffan. Fel y dywedodd David, unwaith eto mae'r cwestiwn beth a gynhwysir yn y Mesur hwn yn darlunio'n gwbl eglur pam y mae arnom angen pwerau deddfu sylfaenol yma. Mae angen inni allu symud ymlaen yn nhermau'r newidiadau mawr yr ydym yn eu gweld yn y GIG yng Nghymru, ac nid dibynnu ar Fesurau i Gymru a Lloegr a Mesurau wedi'u cwtogi i Gymru lle gallai newid y teitlau hir a byr beryglu'r Mesur cyfan. Gwn nad oes ar Blaid Cymru eisiau gweld peryglu cynnwys y Mesur.

Ar ryw gymaint o gynnwys y Mesur ac egwyddorion y cynghorau iechyd cymunedol, mae David yn iawn, mae hwn yn gyfle bendigedig i ddangos sut y mae'r Cynulliad yn torri cwys wahanol i Loegr, lle bu ffræ fawr ynghylch diddymu'r cynghorau iechyd cymunedol. Yr wyf yn falch y penderfynodd y Gweinidog yng Nghymru ddilyn llwybr gwahanol, ac nid yn unig gadw ein cynghorau iechyd cymunedol, ond ymestyn sgôp eu gwaith i ofal sylfaenol, sydd i'w groesawu, yn ogystal ag ymestyn eu pwerau mewn mannau eraill, a chreu gwasanaeth unffurf y gellir ei ddarparu gan gynghorau iechyd cymunedol drwy Gymru gyfan. Bydd angen i'r cynghorau iechyd cymunedol hynny gyflwyno'r gwasanaethau hynny mewn ffyrdd gwahanol, yn ôl lle y maent yng Nghymru, ond bydd pobl yn gwybod y gallant ddisgwyl gwasanaeth unffurf gan eu cynghorau iechyd cymunedol. Croesawaf hefyd y cyfle i greu'r corff hwn i Gymru gyfan i gefnogi cynghorau iechyd cymunedol unigol, eu swyddogion a'u haelodau wrth fynd â'r gwaith hwnnw yn ei flaen.

Yr wyf yn falch fod gan Dai bryderon bellach ynghylch ad-drefnu cynghorau iechyd cymunedol. Ni leisiodd y pryderon hynny yn y Pwyllgor, ond yr wyf yn falch fod Plaid Cymru erbyn hyn yn sylweddoli bod y cynghorau iechyd cymunedol wedi mynd drwy lawer o newidiadau'n ddiweddar. Yr wyf yn falch nad aiff ar drywydd cysoni ffiniau ychwaith, a fuasai wedi arwain at ddiddymu'r cyngor iechyd cymunedol yn fy etholaeth i. Bu inni frwydro'n galed amdano a llwyddasom i berswadio'r Ysgrifennydd



Radnorshire. Therefore, I am glad that we are not forcing them to be coterminous and that the power to oversee the development of community health councils will lie within Wales and not with Westminster. Health Professions Wales thinks that they will be vital institutions for developing our staff in the NHS in Wales, making it a great place in which to work. I welcome the opportunity to discuss this again.

**The Deputy Presiding Officer:** There are three more Members to speak on behalf of the Government. I would normally ask the Minister to reply at this stage, but although this Bill has already been considered carefully by the Health and Social Services Committee, I will call backbench Members to speak on behalf of the Government because it is an important debate. However, I would be grateful if they confined their comments to a maximum of three minutes.

**John Griffiths:** I welcome this Bill. It is important to get the structures right in Wales, if we are to deliver the quality of healthcare that the people of Wales deserve and demand. Members have already referred to the difficulty of attempting to extend the scope of the Bill due to the dangers of losing the Bill entirely. I agree that that illustrates the need for the Assembly to develop primary legislative powers because we must address the wider agenda, not least of which is effective health promotion in Wales and in due course, perhaps a ban on smoking in public places in Wales.

Many have already mentioned the terrible toll smoking takes on health in Wales each year. I urge the Assembly to move as quickly as possible towards a ban on smoking in public places in Wales in the short term, through the introduction of health and safety changes for employees. Why should they have to choose between their jobs and their health when it comes to passive smoking in the workplace? They should not have to choose, and we must remedy that situation as quickly as possible. We must have voluntary no-smoking codes in public places, pursued initially through local authorities. I know that many are currently considering such moves. We need to do all that we can without primary legislation, and given the current limitation on our powers,

Gwladol ar y pryd i'w gadw ym Mrycheiniog a Sir Faesyfed. Felly, yr wyf yn falch nad ydym yn eu gorfodi i rannu ffiniau ac y bydd y grym i oruchwylio datblygiad cynghorau iechyd cymunedol yn gorwedd yng Nghymru ac nid gyda San Steffan. Cred Proffesiynau Iechyd Cymru y byddant yn sefydliadau hanfodol i ddatblygu ein staff yn y GIG yng Nghymru, gan ei gwneud yn lle gwych i weithio. Croesawaf y cyfle i drafod hyn eto.

**Y Dirprwy Lywydd:** Mae tri Aelod arall i siarad ar ran y Llywodraeth. Fel arfer, gofynnwn i'r Gweinidog ateb yn awr, ond er bod y Mesur eisoes wedi'i ystyried yn ofalus gan y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol, galwaf ar Aelodau'r meinciau cefn i siarad ar ran y Llywodraeth am ei bod yn ddadl bwysig. Fodd bynnag, byddwn yn ddiolchgar pe cyfyngent eu sylwadau i dri munud ar y mwyaf.

**John Griffiths:** Croesawaf y Mesur hwn. Mae'n bwysig cael y strwythurau'n iawn yng Nghymru, os am gyflwyno gofal iechyd o'r ansawdd y mae pobl Cymru'n ei haeddu ac yn ei fynnu. Soniodd Aelodau eisoes mor anodd yw ceisio ymestyn sgôp y Mesur oherwydd y peryglon o golli'r Mesur yn gyfangwbl. Cytunaf fod hynny'n amlygu'r angen i'r Cynulliad ddatblygu pwerau deddfu sylfaenol, oherwydd mae'n rhaid inni ddelio â'r agenda ehangach, gan gynnwys hybu iechyd yn effeithiol yng Nghymru a, maes o law, efallai, gwahardd ysmegu mewn mannau cyhoeddus yng Nghymru.

Mae llawer wedi sôn yn barod am yr effaith ofnadwy a gaiff ysmegu ar iechyd yng Nghymru bob blwyddyn. Anogaf y Cynulliad i symud cyn gynted ag y bo modd tuag at wahardd ysmegu mewn mannau cyhoeddus yng Nghymru yn y tymor byr, drwy gyflwyno newidiadau iechyd a diogelwch i weithwyr. Pam y dylai fod yn rhaid iddynt ddewis rhwng eu swyddi a'u hiechyd pan ddaw'n fater o ysmegu goddefol yn y gweithle? Ni ddylent orfod dewis, a rhaid inni gywiro'r sefyllfa honno cyn gynted ag y bo modd. Rhaid inni gael codau dim-ysmegu gwirfoddol mewn mannau cyhoeddus, wedi'u gweithredu ar y dechrau drwy awdurdodau lleol. Gwn fod llawer yn ystyried symudiadau o'r fath ar hyn o bryd. Mae angen gwneud y

we need to move as quickly as possible towards primary legislative powers so that we can introduce a complete ban on smoking in public places.

Healthy living messages are clear: you should not smoke, you should drink alcohol in moderation, eat a low-fat, high-fibre diet and exercise regularly. Those are widely accepted now. If we are to make inroads into health improvement in Wales, we must ensure that people have taken those messages on board and live according to them.

The poorest people are often not receptive to such messages because they are so busy surviving from day to day that they already have too much to think and be concerned about. However, a ban on smoking in public places would encourage people to give up smoking and not to start, because it would clearly signal that it is socially unacceptable to smoke in public places and endanger the health of others. Many smokers, who want to give up, would welcome such a ban because they mainly smoke socially and it would therefore prevent them from doing so.

In conclusion, given the terrible—

**The Deputy Presiding Officer:** Order. Your three minutes are up. I will allow one more sentence.

**John Griffiths:** Introducing effective and practical moves towards a ban on smoking in public places is a matter of great urgency.

**Alun Pugh:** I will vote to support this Bill this afternoon. It brings into effect some minor but potentially useful administrative changes. My main concern is that this Bill could have been a vehicle for making a real impact on tackling the biggest single cause of preventable death—smoking. Every year 7,000 people in Wales die from smoking-related diseases and the multinational tobacco companies recruit another 7,000 Welsh children to replace them. Those deaths are

cyfan a allwn heb ddeddfwriaeth sylfaenol, ac yn wyneb y cyfyngiad presennol ar ein galluoedd, mae angen inni symud cyn gynted ag sy'n bosibl tuag at bwerau deddfu sylfaenol fel y gallwn gyflwyno gwaharddiad llwyr ar ysmegu mewn mannau cyhoeddus.

Mae negeseuon byw'n iach yn glir: ni ddylech ysmegu, dylech yfed alcohol yn gymedrol, bwyta deiet braster isel, ffibr uchel ac ymarfer yn rheolaidd. Derbynnir y rheini yn gyffredinol erbyn hyn. Os am gymryd camau tuag at wella iechyd yng Nghymru, rhaid inni sicrhau bod pobl wedi derbyn y negeseuon hynny a'u bod yn byw'n unol â hwynt.

Yn aml nid yw'r bobl dlotaf yn barod i dderbyn negeseuon o'r fath am eu bod mor brysur yn byw o ddydd i ddydd nes bod ganddynt eisoes ormod i feddwl a phryderu amdano. Er hynny, byddai gwaharddiad ar ysmegu mewn mannau cyhoeddus yn annog pobl i roi'r gorau i ysmegu ac i beidio â dechrau, oherwydd byddai'n rhoi arwydd clir ei bod yn gymdeithasol annerbyniol ysmegu mewn mannau cyhoeddus a pheryglu iechyd pobl eraill. Byddai llawer o ysmegwyr, sydd eisiau rhoi'r gorau iddi, yn croesawu gwaharddiad o'r fath gan mai ysmegu'n gymdeithasol a wnânt yn bennaf a byddai hynny felly'n eu hatal rhag gwneud hynny.

I gloi, gan mor ofnadwy—

**Y Dirprwy Lywydd:** Trefn. Mae eich tri munud ar ben. Caniatâf un frawddeg arall.

**John Griffiths:** Mae cyflwyno symudiadau effeithiol ac ymarferol tuag at waharddiad ysmegu mewn mannau cyhoeddus yn fater o frys mawr.

**Alun Pugh:** Pleidleisiaf i gefnogi'r Mesur hwn y prynhawn yma. Mae'n dod â rhai newidiadau gweinyddol bychain, ond a allai fod yn fuddiol, i rym. Fy mhrif bryder yw y gallasai'r Mesur hwn fod yn gerbyd i wneud gwir effaith ar dacllo'r achoswr unigol mwyaf o farwolaethau y gellid eu hatal—sef ysmegu. Bob blwyddyn bydd 7,000 o bobl yng Nghymru'n marw o affiechydon cysylltiedig ag ysmegu a bydd y cwmnïau tybaco rhyngwladol yn recriwtio 7,000 arall o

not evenly spread; they are concentrated in the most disadvantaged communities in Wales. Yet we allow the sale of a lethal and highly addictive carcinogen to children.

12:25 p.m.

Despite a growing body of literature on the risks to non-smokers of environmental tobacco smoke, there are no controls on smoking in indoor public places. I accept the Minister's view that, given Westminster's procedures, it would have been difficult to amend the Bill in such a way. The fact that the draft National Health Service (Wales) Bill cannot be used to tackle the biggest source of ill health in Wales reinforces my view that the Assembly needs its own primary law-making powers.

The medical profession wants such controls. It is not surprising that those who spend their working lives dealing with smoking-induced cancers are keen for these measures to be enforced. I believe that there is growing support among all parties in the Assembly for controls on smoking in indoor public places in Wales. Such controls work effectively in countries that are serious about cutting the death toll from cancer and heart disease. However, our record on smoking is not entirely blameless; this building was a no-smoking building in 1999, when the Assembly moved in. One of the Assembly's first acts was to spend £8,000 on creating a smoking area where Members and staff could go to damage their hearts, lungs, mouths, throats, bladders, skin and reproductive organs. It is not difficult to understand—when we do that—why we have limited success in reducing smoking rates in Wales.

Finally, I hope that the battle to eliminate the health hazards of environmental tobacco smoke will not proceed at the same snail's pace as the quarter-century battle to ban tobacco advertising, and that Welsh people

blant Cymru i gymryd eu lle. Nid yw'r marwolaethau hynny wedi'u gwasgaru'n gyfartal; maent wedi'u canoli yng nghymunedau mwyaf difreintiedig Cymru. Eto yr ydym yn caniatáu gwerthu achoswr cancer marwol a hynod o gaethiwus i blant.

Er gwaethaf corff cynyddol o lenyddiaeth ar beryglon mwg tybaco yn yr amgylchedd i rai nad ydynt yn ysmygwyr, nid oes dim mesurau i reoli ysmegu mewn mannau cyhoeddus dan do. Derbyniaf farn y Gweinidog y byddai wedi bod yn anodd, yn wyneb gweithdrefnau San Steffan, diwygio'r Mesur yn y fath fodd. Mae'r ffaith na ellir defnyddio Mesur drafft y Gwasanaeth Iechyd Gwladol (Cymru) i fynd i'r afael â ffynhonnell fwyaf afiechyd yng Nghymru yn atgyfnerthu fy marn fod angen i'r Cynulliad gael ei bwerau ei hun i lunio deddfwriaeth sylfaenol.

Mae ar y proffesiwn meddygol eisiau mesurau rheoli o'r fath. Nid yw'n syndod fod y rheini sy'n treulio'u horiau gwaith yn delio â chanserau a ysgogwyd gan ysmegu yn awyddus i'r mesurau hyn gael eu gweithredu. Credaf fod cefnogaeth gynyddol ymhlith pob plaid yn y Cynulliad i fesurau rheoli ysmegu mewn mannau cyhoeddus dan do yng Nghymru. Mae mesurau rheoli o'r fath yn gweithio'n effeithiol mewn gwledydd sydd o ddifrif ynghylch lleihau'r ffigurau marwolaethau o ganser a chlefyd y galon. Fodd bynnag, nid yw ein record ni ar ysmegu'n gwbl ddi-fai; yr oedd yr adeilad hwn yn adeilad di-fwg yn 1999, pan symudodd y Cynulliad i mewn. Un o'r pethau cyntaf a wnaeth y Cynulliad oedd gwario £8,000 ar greu man ysmegu lle gallai Aelodau a staff fynd i niweidio'u calonnau, eu hysgyfaint, eu cegau, eu llwnc, eu pledrenni, eu croen a'u horganau atgenhedlu. Nid yw'n anodd deall—a ninnau'n gwneud hynny—pam mai llwyddiant cyfyngedig a gawn wrth geisio lleihau ysmegu yng Nghymru.

Yn olaf, gobeithiaf nad aiff y frwydr i ddileu peryglon iechyd mwg tybaco yn yr amgylchedd yn ei blaen yr un mor araf â'r frwydr chwarter canrif i wahardd hysbysebu tybaco, ac y caiff pobl Cymru y lefel o

will have the level of protection that exists in more health-conscious areas of the world.

**Eleanor Burnham:** My main concern regards the community health councils. They play a vital and integral role in Wales's NHS provision, promoting and protecting patients' rights, and providing assistance and advocacy and mediation services. I recently met one of the north Wales community health councils and was immensely impressed by its dedication on behalf of its local communities and patients.

The Welsh Liberal Democrats have consistently called for the strengthening of community health councils' powers and organisation. We are pleased that the draft Bill proposes to do that. However, I would like the Minister to give an assurance that extra funding will be made available as soon as possible to allow them to continue their wonderful work for patients.

**The Minister for Health and Social Services (Jane Hutt):** I am grateful for Members' contributions. This debate goes back to our policies in 'Improving Health in Wales', which the First Minister and I launched in February 2001. It set out an ambitious agenda for reform that was essential for improving the health and wellbeing of the people of Wales.

From the start it was clear that we needed legislation but that time was pressing. We were committed to abolishing health authorities from April 2003 and we wanted to retain local health boards and introduce a duty to produce health and wellbeing strategies. To take our plan forward, we were able to secure a legislative slot for a Bill dealing with health in Wales. That, as you recall David, was announced in the Queen's Speech in June 2001. Of course, we recognise that there have been two Bills in order to secure enabling powers for our reforms, and the National Health Service Reform and Health Care Professions Act 2002 has now been enacted. As Kirsty alluded to, the fact that we debated the draft secondary legislation for that Act is excellent and David made some constructive contributions to that. This is a new area in our

warchodaeth sy'n bodoli mewn rhannau o'r byd sy'n fwy ymwybodol o faterion iechyd.

**Eleanor Burnham:** Mae a wnelo fy mhrif bryder i â'r cynghorau iechyd cymunedol. Maent yn chwarae rhan hanfodol ac allweddol yn narpariaeth y GIG yng Nghymru, gan hyrwyddo a gwarchod hawliau cleifion, a darparu cymorth a gwasanaethau eiriolwr a chanolwr. Yn ddiweddar cyfarfûm ag un o gynghorau iechyd cymunedol y Gogledd, a gwnaeth ei ymroddiad ar ran cleifion a chymunedau lleol argraff ddofn arnaf.

Mae Democratiaid Rhyddfrydol Cymru wedi galw'n gyson am gryfhau pwerau a threfniadaeth cynghorau iechyd cymunedol. Yr ydym yn falch fod y Mesur drafft yn bwriadu gwneud hynny. Fodd bynnag, hoffwn i'r Gweinidog roi sicrwydd y darperir cyllid ychwanegol cyn gynted ag y bo modd i ganiatáu iddynt barhau â'u gwaith gwych dros gleifion.

**Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt):** Yr wyf yn ddiolchgar am gyfraniadau'r Aelodau. Aiff y ddadl hon yn ôl at ein polisiau yn 'Gwella Iechyd yng Nghymru', a lansiwyd gan y Prif Weinidog a mi yn Chwefror 2001. Amlinellodd y ddogfen honno agenda uchelgeisiol ar gyfer diwygio a oedd yn hanfodol i wella iechyd a lles pobl Cymru.

O'r dechrau yr oedd yn glir fod arnom angen deddfwriaeth ond bod amser yn brin. Yr oeddem wedi ymrwymo i ddiddymu cynghorau iechyd cymunedol o Ebrill 2003 ac yr oedd arnom eisiau cadw byrddau iechyd lleol a chyflwyno dyletswydd i lunio strategaethau iechyd a lles. I fynd â'n cynllun yn ei flaen, llwyddasom i sicrhau slot deddfwriaethol ar gyfer Mesur a ddeliai ag iechyd yng Nghymru. Cyhoeddwyd hynny, fel y cofiwch, David, yn Araith y Frenhines ym Mehefin 2001. Wrth gwrs, sylweddolwn y cafwyd dau Fesur i sicrhau pwerau galluogi i'n diwygiadau, ac mae Deddf Diwygio'r Gwasanaeth Iechyd Gwladol a'r Proffesiynau Gofal Iechyd 2002 bellach mewn grym. Fel y crybwyllodd Kirsty, mae'r ffaith inni drafod yr is-ddeddfwriaeth ddrafft ar gyfer y Ddeddf honno yn wych, a gwnaeth David rai cyfraniadau adeiladol at hynny. Dyma faes

constitutional development. It was clear that we needed to include those clauses into that Act to move to abolish health authorities next year and establish health boards. Also, in the draft National Health Service (Wales) Bill, we are covering areas which were part of 'Improving Health in Wales' which received widespread support.

The retention of community health councils, as Kirsty, Eleanor and others said, has been welcomed and understood by the people of Wales as an area where we will make progress as a result of this primary legislation.

**Brian Hancock:** Some time ago, Minister, you mentioned the health boards. I have continuously asked about the restructuring of health boards being a cost-neutral change, but we have now heard that it will cost between £12 million and £15 million. As somebody said, that is the cost of a hospital. Will you comment on that?

**The Deputy Presiding Officer:** Order. It would be helpful if you had been here to take part in the debate.

**Jane Hutt:** Brian was not in the Chamber for the debate, nor was he in the Health and Social Services Committee meeting yesterday, where I accounted for the fact that the cost of the new local health boards and additional modernisation of a reformed health service will be the same as the current cost of an outdated mode of government through the health authorities, which will be abolished from next March.

I will now turn to Dai's amendments and the baggage that Plaid Cymru has tried to bring in to this National Health Service (Wales) Bill, such as free personal care, banning smoking in public places and a range of other measures. As you know, the simple constitutional point is that if we were to include such issues we would lose the Bill. It would be historic if the first ever draft Bill to be provided and considered by the Assembly failed to get any further than our deliberations because of inappropriate amendments. That is the simple constitutional

newydd yn ein datblygiad cyfansoddiadol. Yr oedd yn glir fod arnom angen cynnwys y cymalau hynny yn y Ddeddf honno i symud i ddiddymu awdurdodau iechyd y flwyddyn nesaf a sefydlu byrddau iechyd. Hefyd, ym Mesur drafft y Gwasanaeth Iechyd Gwladol (Cymru), yr ydym yn ymdrin â meysydd a oedd yn rhan o 'Gwella Iechyd yng Nghymru' a gafodd gefnogaeth eang.

Mae pobl Cymru, fel y dywedodd Kirsty, Eleanor ac eraill, wedi croesawu'r ffaith y cedwir cynghorau iechyd cymunedol ac wedi deall fod hwn yn faes lle cymerwn gamau ymlaen o ganlyniad i'r ddeddfwriaeth sylfaenol hon.

**Brian Hancock:** Beth amser yn ôl, Weinidog, cyfeiriasoch at y byrddau iechyd. Yr wyf wedi gofyn a gofyn ynghylch ailstrwythuro'r byrddau iechyd fel newid cost-niwtral, ond yr ydym wedi clywed yn awr y bydd yn costio rhwng £12 miliwn a £15 miliwn. Fel y dywedodd rhywun, mae hynny'n gost ysbyty. A wnewch chi sylw ar hynny?

**Y Dirprwy Lywydd:** Trefn. Buasai o gymorth pe buasech wedi bod yma i gymryd rhan yn y ddadl.

**Jane Hutt:** Nid oedd Brian yn y Siambr ar gyfer y ddadl, nac ychwaith yng nghyfarfod y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol ddoe, lle rhoddais gyfrif am y ffaith y bydd cost y byrddau iechyd lleol newydd a gwaith moderneiddio ychwanegol ar wasanaeth iechyd diwygiedig yr un fath â chost gyfredol modd henffasiwn o lywodraethu drwy'r awdurdodau iechyd, a ddiddymir o fis Mawrth nesaf.

Trof yn awr at welliannau Dai a'r pethau ychwanegol y mae Plaid Cymru wedi ceisio'u cynnwys yn y Mesur Gwasanaeth Iechyd Gwladol (Cymru) hwn, megis gofal personol am ddim, gwahardd ysmegu mewn manau cyhoeddus ac amrediad o gamau eraill. Fel y gwyddoch, y pwynt cyfansoddiadol syml yw, pe baem yn cynnwys materion o'r fath, byddem yn colli'r Mesur. Byddai'n hanesyddol pe bai'r Mesur drafft cyntaf erioed i'w ddarparu a'i ystyried gan y Cynulliad yn methu mynd dim pellach na'n trafodaethau oherwydd gwelliannau

fact—you know that as well as everyone else in the Chamber. You had an opportunity to raise an important issue, and I will focus on the important issue of banning smoking in public places. John Griffiths, Alun Pugh, the Welsh Affairs Select Committee and others, have raised this issue in evidence and in consultation. It is important that we take that matter forward, but it is not to be included in this Bill. That would be inappropriate and we would lose the Bill as a consequence. It is a policy matter that we must seriously consider. I suggest that the Health and Social Services Committee do so.

I met Hazel Blears, the Parliamentary Under-Secretary of State for Health, recently to press the UK Government to adopt the approved code of practice on smoking in public places. That is the appropriate route, which the Health and Safety Commission advises, to move towards the banning of smoking in public places. It is a route that we must go down in partnership with the UK Government—legislation would be its responsibility. I am also urging Hazel Blears to take forward the instigation of a publicity campaign in Wales on the dangers of passive smoking. The Assembly has the powers to promote smoke-free public places by means of guidance and raising awareness. That is what we must do now, and I am committed to taking it forward. The Welsh Assembly Government is taking this forward, along with a campaign on the dangers of passive smoking. Although the amendment is inappropriate, I am grateful that it has been brought to my attention. We have debated it in the Committee, and it is in the public domain. It has also brought us closer, in conjunction with the UK Government, to adopting that approved code of practice on smoking in public places. A valuable contribution has been made.

You made important points, Dai, about the clarity that you seek in terms of Health Professions Wales, the allied health professions, relationships with the health professions councils and the monitoring of health professions in Wales. As I said in my rejection of the amendment, these are matters

amhriodol. Dyna'r ffaith gyfansoddiadol syml—gwyddoch hynny gystal â neb arall yn y Siambr. Cawsoch gyfle i godi mater pwysig, a chanolbwyntiaf ar fater pwysig gwahardd ysmygu mewn mannau cyhoeddus. Cododd John Griffiths, Alun Pugh, y Pwyllgor Dethol ar Faterion Cymreig ac eraill y mater hwn mewn tystiolaeth ac mewn ymgynghoriad. Mae'n bwysig ein bod yn mynd â'r mater yn ei flaen, ond ni chaiff ei gynnwys yn y Mesur hwn. Byddai hynny'n amhriodol a byddem yn colli'r Mesur o ganlyniad. Mae'n fater polisi y mae'n rhaid inni ei ystyried o ddifrif. Awgrymaf fod y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol yn gwneud hynny.

Cwrddais â Hazel Blears, yr Is-Ysgrifennydd Gwladol dros Iechyd, yn ddiweddar i bwysio ar Lywodraeth y DU i fabwysiadu'r cod ymarfer a gymeradwywyd ar ysmygu mewn mannau cyhoeddus. Dyna'r ffordd briodol, yn unol â chynghor y Comisiwn Iechyd a Diogelwch, i symud tuag at wahardd ysmygu mewn mannau cyhoeddus. Mae'n ffordd y mae'n rhaid inni ei throedio mewn partneriaeth â Llywodraeth y DU—ei chyfrifoldeb hi fyddai deddfu. Yr wyf yn annog Hazel Blears hefyd i fynd ati i roi ymgyrch gyhoeddusrwydd ar waith yng Nghymru ar beryglon ysmygu goddefol. Mae gan y Cynulliad y pwerau i hyrwyddo mannau cyhoeddus di-fwg drwy gyfrwng canllawiau a chodi ymwybyddiaeth. Dyna beth y mae'n rhaid inni ei wneud yn awr, ac yr wyf wedi ymrwymo i fynd ymlaen â hyn. Mae Llywodraeth Cynulliad Cymru yn mynd ymlaen â hyn, ynghyd ag ymgyrch ar beryglon ysmygu goddefol. Er bod y gwelliant yn amhriodol, yr wyf yn ddiolchgar am iddo gael ei ddwyn i'm sylw. Yr ydym wedi ei drafod yn y Pwyllgor, ac mae'n destun trafod cyhoeddus. Mae hefyd wedi dod â ni'n nes, ar y cyd â Llywodraeth y DU, at fabwysiadu'r cod ymarfer cymeradwy hwnnw ar ysmygu mewn mannau cyhoeddus. Mae cyfraniad gwerthfawr wedi'i wneud.

Gwnaethoch bwyntiau pwysig, Dai, ynghylch yr eglurder a geiswch yn nhermau Proffesiynau Iechyd Cymru, y proffesiynau iechyd cysylltiedig, cysylltiadau â'r cynghorau proffesiynau iechyd a monitro'r proffesiynau iechyd yng Nghymru. Fel y dywedais wrth wrthod y gwelliant, materion

for secondary legislation, and we will get that clarity through the secondary legislation that you request in your amendment. We have learnt from this process, and the powers must be enabling. We must consider our own direct powers of secondary legislation to provide that detail and clarity, which it is appropriate for us to do, and not to have as the title of the Bill. That also applies to your point, David, on the Wales centre for health. We need to consider the clarity of the title and function when we develop and scrutinise the Order. I want to take that forward, and I note your points.

12:35 p.m.

I especially welcome Members' support for the community health councils. That will mean strengthening and reforming. The community health councils embrace that change. However, it will also mean supporting their ability to provide a complaints advocacy service. We have estimated the costs of that, and that will be part of our budget planning round discussions. Wales will be taking a step forward in representing and providing an independent source of advice complaints advocacy and representations for patients in Wales, to which we are all signed up, and enabling community health councils to play their part, not only in secondary care in our hospital services, but in primary care today.

This is a historic day. We have learnt much through this process. There have been useful contributions. Pre-legislative scrutiny works, and we have given the draft Bill a thorough and searching scrutiny. We have had useful insights and recommendations from the Welsh Affairs Select Committee and the Welsh Grand Committee, and the 34 people and bodies that have made representations have made a valuable contribution. It is now up to the Secretary of State to consider the points that have been made over the summer. As was seen in the Welsh Grand Committee debate on Tuesday, the points that have come through are already being considered closely, as was clear from Don Touhig's response. The Assembly's views will be particularly

ar gyfer is-ddeddfwriaeth yw'r rhain, a chawn yr eglurder hwnnw drwy'r is-ddeddfwriaeth a geisiwch yn eich gwelliant. Yr ydym wedi dysgu oddi wrth y broses hon, a rhaid i'r pwerau fod yn rhai sy'n galluogi. Rhaid inni ystyried ein pwerau is-ddeddfu uniongyrchol ein hunain i ddarparu'r manylder a'r eglurder hwnnw, rhywbeth y mae'n briodol inni ei wneud, a pheidio â'i gael yn deitl y Mesur. Mae hynny'n berthnasol i'ch pwynt chithau, David, ar ganolfan iechyd Cymru. Mae angen inni ystyried eglurder y teitl a'r swyddogaeth pan fyddwn yn datblygu ac yn craffu ar y Gorchymyn. Mae arnaf eisiau mynd ymlaen â hynny, a nodaf eich pwyntiau.

Croesawaf yn arbennig gefnogaeth Aelodau i'r cynghorau iechyd cymunedol. Bydd hynny'n golygu cryfhau ac ailffurfio. Mae'r cynghorau iechyd cymunedol yn coleddu'r newid hwnnw. Fodd bynnag, bydd yn golygu cefnogi eu gallu i ddarparu gwasanaeth eiriolaeth ar gwynion hefyd. Yr ydym wedi amcangyfrif costau hynny, a bydd hynny'n rhan o'n trafodaethau ar y cylch cynllunio cyllideb. Bydd Cymru'n cymryd cam ymlaen wrth gynrychioli a darparu ffynhonnell annibynnol o gyngor, eiriolaeth ar gwynion a chynrychiolaeth i gleifion yng Nghymru, rhywbeth yr ydym i gyd yn ei gefnogi, gan alluogi cynghorau iechyd cymunedol i chwarae eu rhan, nid yn unig mewn gofal eilaidd yn ein gwasanaethau ysbytai, ond mewn gofal sylfaenol heddiw.

Mae heddiw'n ddiwrnod hanesyddol. Yr ydym wedi dysgu llawer drwy'r broses hon. Cafwyd cyfraniadau buddiol. Mae craffu cyn deddfu'n gweithio, ac yr ydym wedi craffu'n drwyadl ac yn ymchwilgar ar y Mesur drafft. Cawsom sylwadau ac argymhellion buddiol gan y Pwyllgor Dethol ar Faterion Cymreig a'r Uwch Bwyllgor Cymreig, a gwnaethpwyd cyfraniad gwerthfawr gan y 34 o bobl a chyrrff a gyflwynodd sylwadau. Mater i'r Ysgrifennydd Gwladol bellach yw ystyried y pwyntiau a wnaethpwyd dros yr haf. Fel a welwyd yn nadl yr Uwch Bwyllgor Cymreig ddydd Mawrth, mae'r pwyntiau sydd wedi dod drwodd eisoes yn cael eu hystyried yn fanwl, rhywbeth a oedd yn glir yn ymateb Don Touhig. Bydd sylwadau'r Cynulliad yn

important.

arbennig o bwysig.

*Gwelliant 1: O blaid 5, Ymatal 4, Yn erbyn 26.  
Amendment 1: For 5, Abstain 4, Against 26.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Davies, Geraint  
Hancock, Brian  
Lloyd, David  
Ryder, Janet  
Thomas, Owen John

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Burnham, Eleanor  
Butler, Rosemary  
Chapman, Christine  
Davidson, Jane  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Lloyd, Val  
Middlehurst, Tom  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Sinclair, Karen  
Thomas, Gwenda  
Williams, Kirsty

Ymataliodd yr Aelodau canlynol:  
The following Members abstained:

Bourne, Nick  
Graham, William  
Melding, David  
Morgan, Jonathan

*Gwrthodwyd y gwelliant.  
Amendment defeated.*

*Gwelliant 2: O blaid 9, Ymatal 0, Yn erbyn 27.  
Amendment 2: For 9, Abstain 0, Against 27.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bourne, Nick  
Davies, Geraint  
Graham, William  
Hancock, Brian  
Lloyd, David  
Melding, David  
Morgan, Jonathan  
Ryder, Janet  
Thomas, Owen John

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Burnham, Eleanor  
Butler, Rosemary  
Chapman, Christine  
Davidson, Jane  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine



Halford, Alison  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Law, Peter  
Lloyd, Val  
Middlehurst, Tom  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Sinclair, Karen  
Thomas, Gwenda  
Williams, Kirsty

*Gwrthodwyd y gwelliant.  
Amendment defeated.*

*Gwelliant 3: O blaid 9, Ymatal 0, Yn erbyn 27.  
Amendment 3: For 9, Abstain 0, Against 27.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bourne, Nick  
Davies, Geraint  
Graham, William  
Hancock, Brian  
Lloyd, David  
Melding, David  
Morgan, Jonathan  
Ryder, Janet  
Thomas, Owen John

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Burnham, Eleanor  
Butler, Rosemary  
Chapman, Christine  
Davidson, Jane  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Law, Peter  
Lloyd, Val  
Middlehurst, Tom  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Sinclair, Karen  
Thomas, Gwenda  
Williams, Kirsty

*Gwrthodwyd y gwelliant.  
Amendment defeated.*

*Gwelliant 4: O blaid 9, Ymatal 0, Yn erbyn 25.  
Amendment 4: For 9, Abstain 0, Against 25.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Bourne, Nick  
Davies, Geraint  
Graham, William  
Hancock, Brian

Pleidleisiodd yr Aelodau canlynol yn erbyn:  
The following Members voted against:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Butler, Rosemary

Lloyd, David  
Melding, David  
Morgan, Jonathan  
Ryder, Janet  
Thomas, Owen John

Chapman, Christine  
Davidson, Jane  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Lloyd, Val  
Middlehurst, Tom  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Sinclair, Karen  
Thomas, Gwenda  
Williams, Kirsty

*Gwrthodwyd y gwelliant.  
Amendment defeated.*

*Cynnig: O blaid 36, Ymatal 0, Yn erbyn 0.  
Motion: For 36, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:  
The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Chapman, Christine  
Davidson, Jane  
Davies, Geraint  
Evans, Delyth  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Halford, Alison  
Hancock, Brian  
Hart, Edwina  
Hutt, Jane  
Jones, Ann  
Jones, Carwyn  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Melding, David  
Middlehurst, Tom  
Morgan, Jonathan  
Morgan, Rhodri  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Gwenda  
Thomas, Owen John

Williams, Kirsty

*Derbyniwyd y cynnig.  
Motion carried.*

## **Dadl Fer Short Debate**

### **Cludiant Ysgol—Amser Newid School Transport—Time for Change**

**Owen John Thomas:** I have received requests from Brian Gibbons and Jonathan Morgan to contribute to this debate.

The Education Act 1944 makes it a statutory duty for local education authorities to provide pupils with free transport to the relevant school if they reside beyond walking distance to that school. The House of Lords ruling relating to walking distance effectively defined it as two miles for pupils under eight years of age, and three miles for all other pupils. The statutory arrangements only apply to pupils aged between five and 16. Thus pupils aged three, four, 17 and 18 who live outside the statutory limits do not qualify for free transport to school.

In 1950, six years after the 1944 Act, the number of road vehicles registered throughout the countries of Britain was just short of 4 million. By today, it is almost 30 million, making children's journeys to school nearly eight times more hazardous than when the legal definition of walking distance was made. Clearly, whether walking along busy city roads or narrow country lanes, the legal definition of walking distance, drawn up almost 60 years ago, is not reasonable in the contemporary context. Furthermore, at a time when we are promoting lifelong learning, pupils aged three, four, 17 and 18, should benefit as of statutory right from arrangements for free school transport.

By today, well over 80 per cent of all three and four-year-olds are in receipt of full or part-time education, and over 50 per cent of 16 to 18-year-olds attend school or a college of further education. Moreover, in 2004, it will become a statutory duty for local authorities to make part-time provision

**Owen John Thomas:** Yr wyf wedi cael ceisiadau gan Brian Gibbons a Jonathan Morgan i gyfrannu at y ddadl hon.

O dan Ddeddf Addysg 1944 mae dyletswydd statudol ar awdurdodau addysg lleol i ddarparu cludiant am ddim i ddisgyblion i'r ysgol berthnasol os ydynt yn byw y tu allan i bellter cerdded i'r ysgol honno. Diffiniwyd pellter cerdded mewn dyfarniad gan Dŷ'r Arglwyddi i bob pwrpas fel dwy filltir i ddisgyblion dan wyth oed, a thair milltir i ddisgyblion eraill. Nid yw'r trefniadau statudol ond yn berthnasol i ddisgyblion rhwng pump ac 16 mlwydd oed. Felly nid yw disgyblion tair a phedair oed, ac 17 a 18 oed, sy'n byw y tu allan i'r terfynau statudol yn gymwys ar gyfer cludiant am ddim i'r ysgol.

Yn 1950, chwe blynedd ar ôl Deddf 1944, ychydig dan 4 miliwn o gerbydau oedd wedi'u cofrestru i fod ar y ffyrdd yng ngwledydd Prydain. Erbyn heddiw, mae'n agos at 30 miliwn, sy'n golygu bod siwrneiau plant i'r ysgol bron wyth gwaith yn fwy peryglus na phan wnaethpwyd y diffiniad cyfreithiol o bellter cerdded. Yn amlwg, boed rhywun yn cerdded ar hyd strydoedd prysur y ddinas neu lonydd cul cefn gwlad, nid yw'r diffiniad cyfreithiol o bellter cerdded, a luniwyd bron 60 mlynedd yn ôl, yn rhesymol yn y cyd-destun cyfoes. At hynny, mewn oes pan ydym yn hyrwyddo dysgu gydol oes, dylai disgyblion tair, pedair, 17 a 18 oed gael hawl statudol i fanteisio ar drefniadau cludiant am ddim i'r ysgol.

Erbyn heddiw, mae ymhell dros 80 y cant o bob plentyn tair a phedair blwydd oed yn derbyn addysg amser llawn neu ran-amser, ac mae dros 50 y cant o bobl ifanc 16 i 18 oed yn mynychu ysgol neu goleg addysg bellach. At hynny, yn 2004, gosodir dyletswydd statudol ar awdurdodau lleol i sicrhau bod

available for all three-year-olds. Indeed, some local authorities already operate more generous definitions of the walking distance to school and the age groupings laid down in the House of Lords ruling. Four authorities have implemented policies of one and a half miles for children aged three to 11, and two miles for secondary school pupils up to the age of 19. Five other authorities have policies that are also more progressive than the outdated ruling of the 1940s, and most others have arrangements giving some measure of free school transport for 16 to 18-year-olds. However, the situation generally is inconsistent, reflecting the need to reform the definition of walking distance and the age range of pupils who qualify for free school transport.

For the four years from 1999 to 2003, the National Assembly Government has allocated £7.6 million for the Safe Routes to School scheme, recognising the growing need to promote the safety of children and to discourage the use of family cars to take pupils back and forth to school. This is a welcome move but, when one considers the demand to provide safe routes to serve each of Wales's 1,860 schools, it is clearly a long-term aim. In the meantime, we need to establish a modern definition of walking distance, perhaps by placing pupils into a primary school group of three to 11-year-olds and a secondary school group of 11 to 18-year-olds, protected by a statutory right to school transport. It would seem to me that a walking distance of one mile for the younger group and two miles for the older group would be a moderate improvement on the 1944 definitions.

Unfortunately, the National Assembly does not, as yet, keep data on the numbers of children receiving free school transport and its cost. In the knowledge that some local authorities extend the facility of free school transport beyond the limits of age and distance, it would be useful if the Minister could collate data, in terms of cost and numbers, on the current provision for under-fives, five to eight-year-olds, eight to 11-year-olds, 11 to 16-year olds and 16 to 18-year olds. This would enable an assessment to be made of the effect in terms of numbers

darpariaeth ran-amser ar gael i bob plentyn tair blwydd oed. Yn wir, mae rhai awdurdodau lleol eisoes yn gweithredu yn ôl diffiniadau mwy hael o'r pellter cerdded i'r ysgol a'r grwpiau oedran a bennir yn nyfarniad Tŷ'r Arglwyddi. Mae pedwar awdurdod wedi gweithredu polisiau o filltir a hanner i blant tair i 11 oed, a dwy filltir i ddisgyblion ysgol uwchradd hyd at 19 oed. Mae gan bum awdurdod arall bolisiau sydd hefyd yn fwy blaengar na dyfarniad henffasiwn y 1940au, ac mae gan y rhan fwyaf o'r lleill drefniadau i roi rhyw fesur o gludiant am ddim i'r ysgol i ddisgyblion 16 i 18 oed. Fodd bynnag, mae'r sefyllfa'n gyffredinol yn anghyson, gan adlewyrchu'r angen i ddiwygio'r diffiniad o bellter cerdded ac ystod oed disgyblion sy'n gymwys i gael cludiant am ddim i'r ysgol.

Am y pedair blynedd o 1999 hyd 2003, mae Llywodraeth Cynulliad Cymru wedi dyrannu £7.6 miliwn ar gyfer y cynllun Llwybrau Diogel i'r Ysgol, gan gydnabod yr angen cynyddol i hyrwyddo diogelwch plant a gwrthannog defnyddio car teulu i fynd â phlant yn ôl ac ymlaen i'r ysgol. Mae hyn i'w groesawu, ond, pan ystyrir y galw am ddarparu llwybrau diogel i wasanaethu pob un o'r 1,860 ysgol yng Nghymru, mae'n amlwg mai nod tymor hir ydyw. Yn y cyfamser, mae angen inni sefydlu diffiniad modern o bellter cerdded, efallai drwy osod disgyblion mewn grŵp ysgol gynradd o blant teirblwydd i 11 oed, a grŵp ysgol uwchradd o rai 11 i 18 oed, a'u gwarchod gan hawl statudol i gael cludiant ysgol. Ymddengys i mi y byddai pellter cerdded o un filltir i'r grŵp iau a dwy filltir i'r grŵp hŷn yn welliant cymedrol ar ddiffiniadau 1944.

Yn anffodus, nid yw'r Cynulliad Cenedlaethol, hyd yma, yn cadw data ar niferoedd y plant sy'n derbyn cludiant am ddim i'r ysgol, a'r gost. Gan wybod bod rhai awdurdodau lleol yn ymestyn cyfleuster cludiant ysgol di-dâl y tu hwnt i gyfyngiadau oed a phellter, byddai'n ddefnyddiol pe gallai'r Gweinidog gasglu data, yn nhermau cost a niferoedd, ar y ddarpariaeth gyffredol i blant dan bump, plant pump i wyth oed, wyth i 11 oed, 11 i 16 oed ac 16 i 18 oed. Byddai hyn yn caniatáu gwneud asesiad o'r effaith yn nhermau niferoedd a chost a geid wrth

and cost of extending provision through the introduction of walking distance limits and age groupings that reflect contemporary circumstances. Yet, even without such detailed data, it is known that tens of thousands of pupils use free school transport daily. The use of this facility is common in rural and urban areas, and predominantly where Catholic, Church in Wales, Welsh-medium and special needs provision is concerned.

12:45 p.m.

Trof yn awr at iaith y nefoedd. Y mae'r ffordd y mae addysg wedi ehangu ar ddau ben y sbectrum, hynny yw i blant o dan bump oed ac i rai dros 16 oed, yn golygu bod yn rhaid inni ailystyried cludiant am ddim i'n hysgolion. Y mae'n amlwg nad yw'n rhesymol disgwyl i blant tair a phedair oed deithio rhwng dwy a phedair milltir, a hynny am dâl, er mwyn mynychu'r ysgol agosaf o ddewis eu rhieni. Nid yw'n rhesymol ychwaith ddisgwyl i ddisgyblion rhwng 16 ac 18 oed dalu am siwrnai ddwyffordd o rhwng pedair a chwe milltir, a hynny weithiau ar ddau fws.

Mae egwyddorion sylfaenol y Cynulliad, sef cyfle cyfartal, cynwysoldeb a chynaliadwyedd, yn ymwneud â gwerthoedd cymdeithasol. Wrth roi'r egwyddorion hyn ar waith, mae'n hen bryd inni ailystyried y rheoliadau statudol sy'n ymwneud â chludiant am ddim i blant ysgol. Yn ogystal â hynny, wrth gydnabod pwysigrwydd sylfaenol datblygu dysgu gydol oes, o'r blynyddoedd cynnar ymlaen, mae'n dilyn bod mawr angen newid rheoliadau a luniwyd i fodloni anghenion cymdeithas yn ystod y 1940au.

Ystyriwch oblygiadau'r rheoliadau hynafol hyn i riant heb gar sy'n mynd ar siwrnai ddwyffordd o ychydig dan bedair milltir er mwyn mynd â phlentyn tair oed i uned feithrin am hanner diwrnod. Hefyd, cofiwch mai'r pellter cerdded byrraf sy'n diffinio'r pellter rhwng y cartref a'r ysgol. Nid oes sôn, er enghraifft, am y ffordd y bydd bws yn ei dilyn dros y filltir a chwarter cyntaf, na thrywydd yr ail fws dros y filltir olaf, nac ychwaith y pellter rhwng y cartref a'r safle

ehangu'r ddarpariaeth drwy gyflwyno terfynau pellter cerdded a grwpiau oed sy'n adlewyrchu amgylchiadau cyfoes. Eto, hyd yn oed heb ddata manwl o'r fath, gwyddom fod degau o filoedd o ddisgyblion yn defnyddio cludiant am ddim i'r ysgol bob dydd. Mae defnydd y cyfleuster hwn yn gyffredin mewn ardaloedd gwledig a threfol, ac yn gyffredin iawn lle mae darpariaeth addysg Gatholig, yr Eglwys yng Nghymru, cyfrwng Cymraeg ac anghenion arbennig dan sylw.

I will now turn to the language of heaven. The way in which education has expanded at each end of the spectrum, namely for under-fives and those over 16 years of age, means that we must reconsider free transport to our schools. It is obvious that it is unreasonable to expect three and four-year-olds to travel between two and four miles in order to attend the closest school of their parents' choosing and be charged for doing so. It is also unreasonable to expect 16 to 18-year-old pupils to pay for a return journey of between four and six miles, which sometimes involves changing buses.

The Assembly's underlying principles of equality of opportunity, inclusivity and sustainability relate to social values. In acting upon these principles, it is high time that we reconsidered the statutory regulations governing free school transport. Furthermore, in acknowledging the fundamental importance of developing lifelong learning, from the early years onwards, it follows that the regulations introduced to meet the needs of society in the 1940s need to be amended urgently.

Consider the implications of these outdated regulations for a parent who is not a car-owner and who has to make a round trip of just under four miles in order to take a three-year-old to a nursery unit for half a day. Also, you should remember that the distance between school and the home is calculated using the shortest walking distance. No reference is made, for example, to the route that a bus takes for the first mile and a quarter or to the route taken by the second bus for the

bws a rhwng y safle bws a'r ysgol ar y pen arall. Weithiau, mae'r pellter lleiaf o ddwy filltir yn golygu teithio ar hyd llwybr na fyddai neb yn ei ddefnyddio am bob math o resymau, gan gynnwys diogelwch a hwylustod.

Wrth orffen, yr wyf yn cydnabod bod dyfodiad y Cynulliad Cenedlaethol wedi rhoi'r cyfle inni godi a thrafod materion mewn modd nad oedd yn bosibl o'r blaen. Gwn y bydd rhieni sy'n gofidio am gludiant a diogelwch eu plant yn gwerthfawrogi'r lles a ddaw oddi wrth y Cynulliad yn hyn o beth. Er nad yw pob un o'n dadleuon byr wedi cael sylw mawr hyd yn hyn, mae'n gyfrwng sy'n rhoi modd inni ddatblygu polisiau y gall pawb gytuno arnynt.

Diolch am aros i wrando ar y ddadl hon, a mwynhewch y gwyliau.

**Brian Gibbons:** I congratulate Owen John Thomas on proposing two short debates in the last two weeks on matters that are of considerable interest to me. Last week, his short debate addressed ground rent. Perhaps I should declare an interest in that regard, as my wife lives close to Castlebar in the west of Ireland, where Lord Lucan is the ground rent landlord. However, I can assure Members that he has not been around to make a personal collection for several years.

More practically, this week's subject is free school transport. This is a big issue in my constituency, particularly in the upper Afan valley. The local comprehensive school is situated in the centre of the valley, and between 50 and 100 children who live just less than three miles from the school have to pay a concessionary fare to use school transport. The upper Afan valley is the wettest part of Wales and most of the roads do not have pavements, which means that a journey to school on foot can be hazardous. Therefore, distance is not the only issue. We must also address climate conditions, road safety and the number of children walking along roads at any one time. These factors inconvenience and pose a serious risk to children. The number of children who receive

last mile. Neither is the distance between the home and the bus stop and between the bus stop and the school at the other end taken into account. In some cases, the shortest distance of two miles means having to walk along a route that no-one would use for a number of reasons, including safety and convenience.

To conclude, I acknowledge that the establishment of the National Assembly has given us the opportunity to raise and debate issues in a way that was previously not possible. I know that parents who are concerned about the transportation and safety of their children will appreciate any benefits the Assembly can bring in this regard. Although not all short debates to date have been subject to a great deal of attention, it is a means of developing policies upon which we can all agree.

Thank you for staying to listen to this debate, and enjoy the holidays.

**Brian Gibbons:** Hoffwn longyfarch Owen John Thomas am gynnig dwy ddadl fer yn y pythefnos diwethaf ar faterion sydd o gryn ddiddordeb i mi. Yr wythnos diwethaf, rhent tir oedd pwnc ei ddadl fer. Efallai y dylwn ddatgan buddiant yn hynny o beth, gan fod fy ngwraig yn byw'n agos at Castlebar yng ngorllewin Iwerddon, lle mai'r Arglwydd Lucan yw'r landlord rhent tir. Fodd bynnag, gallaf sicrhau'r Aelodau nad yw wedi bod o gwmpas i wneud casgliad personol ers rhai blynnyddoedd.

Yn fwy ymarferol, cludiant ysgol am ddim yw pwnc yr wythnos hon. Mae hyn yn fater mawr yn fy etholaeth i, yn enwedig yng nghwm Afan uchaf. Saif yr ysgol gyfun leol yng nghanol y cwm, ac mae'n rhaid i rhwng 50 a 100 o blant sy'n byw ychydig dan dair milltir o'r ysgol dalu tâl gostyngol am ddefnyddio cludiant ysgol. Cwm Afan uchaf yw rhan wlypaf Cymru ac nid oes palmentydd ar y rhan fwyaf o'r ffyrdd, sy'n golygu y gall taith i'r ysgol ar droed fod yn beryglus. Felly, nid pellter yw'r unig fater. Rhaid inni hefyd roi sylw i amodau'r hinsawdd, diogelwch y ffyrdd a nifer y plant sy'n cerdded ar hyd ffyrdd ar unrhyw un adeg. Mae'r ffactorau hynny'n achosi anghyfleuster a pherygl difrifol i blant. Mae nifer y plant sy'n cael prydau ysgol am ddim

free school meals at this school is among the highest in Wales, and the school transport fares can lead to further financial hardship for families who send their children to the school.

**Jonathan Morgan:** I thank Owen John Thomas for bringing this important subject to the Assembly's attention. He explained how the legislation was framed for a different age, which had fewer schools and fewer pupils attending those schools. It was also an age when the safety of children was, unfortunately, a less prominent issue than it is today. Were the Education and Lifelong Learning Committee to consider the issues surrounding routes to schools and free transport, we would be doing a great service.

**The Minister for Education and Lifelong Learning (Jane Davidson):** This is a welcome topic for a short debate. As Owen John explained, the legislation dates back to 1944, so it may well be time to revisit it. Today's environment is different to that of our predecessors—as they are for many Members—in 1944. However, the fundamental point of the legislation is right: no child should be denied access to education because of an inability to get to school. That important principle remains. However, we must consider how it is put into practice to reflect today's society.

Owen John highlighted how the legislation was determined. The courts decided years ago that the walking distance would be two miles for younger children and three miles for those aged eight and over. It was the courts that determined that those distances should be measured along the shortest available route that a child can walk in reasonable safety. It is important that the legislation reflects that. However, I am aware that, in many parts of Wales, reasonable safety is a difficult proposition to maintain in terms of roads without pavements. For the last 10 years, my children have walked to school along a road that has no pavement and which is lined with parked cars. They are accompanied by adults more than they need to be, because we are concerned about traffic as there is no room for cars to pass on the road. That is not a unique situation; it is a

gyda'r uchaf yng Nghymru, a gall talu am gludiant i'r ysgol arwain at fwy o galedi ariannol i deuluoedd sy'n anfon eu plant i'r ysgol.

**Jonathan Morgan:** Diolch i Owen John Thomas am ddod â'r pwnc pwysig hwn i sylw'r Cynulliad. Eglurodd sut y fframiwyd y ddeddfwriaeth ar gyfer oes wahanol, pryd yr oedd llai o ysgolion a llai o ddisgyblion yn mynychu'r ysgolion hynny. Yr oedd hefyd yn oes pryd yr oedd diogelwch plant, yn anffodus, yn bwnc llai amlwg nag ydyw heddiw. Pe bai'r Pwyllgor Addysg a Dysgu Gydol Oes yn ystyried y materion ynghylch llwybrau i'r ysgol a chludiant am ddim, byddem yn gwneud gwasanaeth da.

**Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson):** Mae hwn yn bwnc i'w goesawu ar gyfer dadl fer. Fel yr eglurodd Owen John, mae'r ddeddfwriaeth yn dyddio'n ôl i 1944, felly efallai'n wir ei bod yn bryd edrych arni o'r newydd. Mae amgylchedd heddiw'n wahanol i un ein rhagflaenwyr—a dyna ydynt i lawer o Aelodau—yn 1944. Er hynny, mae pwynt sylfaenol y ddeddfwriaeth yn iawn: ni ddylid gwadu mynediad i addysg i unrhyw blentyn oherwydd anallu i gyrraedd yr ysgol. Erys yr egwyddor bwysig honno. Fodd bynnag, rhaid inni ystyried sut mae ei gweithredu i adlewyrchu cymdeithas heddiw.

Dangosodd Owen John sut y penderfynwyd ar y ddeddfwriaeth. Penderfynodd y llysoedd flynyddoedd yn ôl mai dwy filltir fyddai'r pellter cerdded i blant iau a thair milltir i rai wyth oed a throsodd. Y llysoedd a benderfynodd y dylid mesur y pellterau hynny ar hyd y llwybr byrraf posibl y gall plentyn ei gerdded yn rhesymol o ddiogel. Mae'n bwysig bod y ddeddfwriaeth yn adlewyrchu hynny. Fodd bynnag, yr wyf yn ymwybodol fod diogelwch rhesymol, mewn llawer rhan o Gymru, yn osodiad anodd i'w gynnal yn nhermau ffyrdd heb balmentydd. Am y 10 mlynedd diwethaf, mae fy mhlant i wedi cerdded i'r ysgol ar hyd ffordd sydd heb balmant a lle mae ceir wedi parcio ar ei hyd. Cânt gwmni oedolion fwy nag sydd ei angen, oherwydd ein bod yn poeni am draffig gan nad oes lle i geir basio ar y ffordd. Nid yw honno'n sefyllfa unigryw; mae'n sefyllfa a

situation faced by the majority of parents taking their children to schools in Wales.

Our expectations have changed significantly. Our parents and grandparents walked many miles to school. In the past, having to walk six miles to school was fairly common in rural areas. Children today would be horrified if they had to walk two or three miles anywhere, let alone twice a day to and from school. However, we must also consider fitness issues. Levels of unfitness and obesity among young people are higher than ever before. We must also take account of the Assembly's commitments to sustainable development, helping young people have proper physical education, and education for good health. Therefore, I would not be in favour of removing the concept of walking distances altogether. We must also consider how we can encourage children to walk or cycle to school when possible to do so safely, as that would have health benefits. For the sake of the environment, we must reduce the number of cars being used for the daily school run.

It is important that we consider home-to-school transport in a broader context than simply getting pupils to school. The recent Audit Commission report, 'Going Places', considered the transport arrangements undertaken by local authorities and health bodies in England and Wales to give people access to social, health and education services. The commission concluded that arrangements for home-to-school transport needed to be considered alongside other transport services. They should reflect the objective of promoting social inclusion, to which Brian referred. It is less relevant to me that the upper Afan valley is one of the wettest parts of Wales—there may be competition for that status—than it is that the area has such a large number of pupils who are entitled to free school meals. They would not necessarily have alternative transport arrangements.

We must reflect objectives such as social inclusion by improving access to services and contribute to the environmental agenda by reducing car use. We should plan home-to-

wynebir gan y rhan fwyaf o rieni sy'n mynd â'u plant i ysgolion yng Nghymru.

Mae ein disgwyliadau wedi newid yn fawr. Cerddai ein rhieni a'n neiniau a'n teidiau filltiroedd lawer i'r ysgol. Yn y gorffennol, peth eithaf cyffredin oedd gorfod cerdded chwe milltir i'r ysgol mewn ardaloedd gwledig. Byddai plant heddiw'n dychryn pe bai raid iddynt gerdded ddwy neu dair milltir i unrhyw le, heb sôn am ddwy waith y dydd i'r ysgol ac adref. Fodd bynnag, rhaid inni ystyried materion ffïtrwydd hefyd. Mae lefelau anffïtrwydd a thewdra ymhlith pobl ifanc yn uwch nag erioed o'r blaen. Rhaid inni ystyried hefyd ymrwymadau'r Cynulliad i ddatblygu cynaliadwy, helpu pobl ifanc i gael addysg gorfforol dda, ac addysg ar gyfer iechyd da. Felly, ni fyddwn o blaid dileu'r cysyniad o gerdded yn gyfangwbl. Rhaid inni ystyried hefyd sut y gallwn annog plant i gerdded neu farchogaeth beic i'r ysgol lle bo modd gwneud hynny'n ddiogel, gan y gwnâi hynny les i'w hiechyd. Er mwyn yr amgylchedd rhaid inni leihau nifer y ceir a ddefnyddir ar gyfer mynd â phlant i'r ysgol bob dydd.

Mae'n bwysig ein bod yn ystyried cludiant o'r cartref i'r ysgol mewn cyd-destun ehangach na dim ond cael disgyblion i'r ysgol. Yn adroddiad diweddar y Comisiwn Archwilio, 'Cyrraedd Pen y Daith', ystyriwyd y trefniadau cludiant a wneir gan awdurdodau lleol a chyrrff iechyd yng Nghymru a Lloegr i roi mynediad i bobl at wasanaethau cymdeithasol, iechyd ac addysg. Daeth y comisiwn i'r casgliad bod angen ystyried trefniadau ar gyfer cludiant o'r cartref i'r ysgol ochr yn ochr â gwasanaethau cludiant eraill. Dylent adlewyrchu'r nod o hyrwyddo cynhwysiant cymdeithasol, y cyfeiriodd Brian ato. Mae'n llai perthnasol i mi fod cwm Afan uchaf yn un o rannau gwlypaf Cymru—efallai fod cystadleuaeth am y statws hwnnw—na bod gan yr ardal nifer mor fawr o ddisgyblion sydd â hawl i gael prydau ysgol am ddim. Ni fyddai ganddynt drefniadau cludiant amgen o reidrwydd.

Rhaid inni adlewyrchu amcanion fel cynhwysiant cymdeithasol drwy wella mynediad at wasanaethau a chyfrannu at yr agenda amgylcheddol drwy leihau'r defnydd



school transport alongside social transport provided by local authorities, with transport managers working with their education colleagues. In addition to making a range of recommendations for local authorities to act upon, the report recommended that central Government should review the legislative framework covering home-to-school transport. The Audit Commission felt that changes should be considered, with a view to creating arrangements that more closely reflect modern family circumstances and working patterns, and that address parents' concerns for their children's safety. We must pursue this with the Westminster Government.

12:55 p.m.

**Brian Hancock:** Brian Gibbons mentioned pupils who live on the cusp of the distance and must therefore pay concessionary transport fares. If those pupils are aged 14 and older, they must not only pay concessionary fares but, if they travel after school—to a school event, for example—they must pay adult fares. Will you consider this issue, so that older pupils pay a fair fare?

**Jane Davidson:** I will finish my point on legislation first, as that was the thrust of Owen John Thomas's short debate. I am happy to support that. We are keen to see how our colleagues intend to respond to the recommendations, which relate to England and Wales. I will work with Westminster colleagues on any proposed changes.

The thinking will be influenced by the results of a study currently being undertaken by the social exclusion unit in Whitehall. That study analyses the links between poor transport and access to work and key services such as education and healthcare. The outcomes will be available in the autumn, and we will then consider what action must be taken.

**Owen John Thomas:** The autumn is pretty close, Minister. Will you have an opportunity, in the short period between now and the autumn, to feed into that consultation

o geir. Dylem gynllunio cludiant o'r cartref i'r ysgol ochr yn ochr â chlodiant cymdeithasol a ddarperir gan awdurdodau lleol, gyda rheolwyr cludiant yn gweithio gyda'u cydweithwyr ym myd addysg. Yn ogystal â gwneud amrediad o argymhellion i awdurdodau lleol weithredu arnynt, argymhellodd yr adroddiad y dylai'r Llywodraeth ganolog adolygu'r fframwaith deddfwriaethol ar gyfer cludiant o'r cartref i'r ysgol. Teimlai'r Comisiwn Archwilio y dylid ystyried newidiadau, gyda golwg ar greu trefniadau sy'n adlewyrchiad agosach o amgylchiadau a phatrymau gweithio teuluoedd modern, ac sy'n tawelu pryderon rhieni am ddiogelwch eu plant. Rhaid inni fynd ar ôl hyn gyda Llywodraeth San Steffan.

**Brian Hancock:** Soniodd Brian Gibbons am ddisgyblion sy'n byw ar ffin y pellter ac sydd felly'n gorfod talu prisiau teithio gostyngol. Os yw'r disgyblion hynny'n 14 oed a throsodd, rhaid iddynt nid yn unig dalu prisiau gostyngol ond, os teithiant ar ôl oriau ysgol—i ddigwyddiad yn yr ysgol, er enghraifft—rhaid iddynt dalu prisiau oedolion. A wnewch chi ystyried y mater hwn, fel y caiff disgyblion hyn dalu pris teg?

**Jane Davidson:** Gorffennaf fy mhwynt ar ddeddfwriaeth yn gyntaf, gan mai dyna oedd ergyd dadl fer Owen John Thomas. Yr wyf yn hapus i gefnogi hynny. Yr ydym yn awyddus i weld sut y bwriada ein cyd-aelodau ymateb i'r argymhellion, a wneir yng nghyswllt Cymru a Lloegr. Gweithiaf gyda fy nghyd-aelodau yn San Steffan ar unrhyw newidiadau a gynigir.

Dylanwedir ar y meddylfryd gan ganlyniadau astudiaeth sy'n cael ei gwneud ar hyn o bryd gan yr uned allgáu cymdeithasol yn Whitehall. Mae'r astudiaeth honno'n dadansoddi'r cysylltiadau rhwng cludiant gwael a mynediad at waith a gwasanaethau allweddol fel addysg a gofal iechyd. Bydd y canlyniadau ar gael yn yr hydref, ac wedyn fe ystyriwn beth fydd angen ei wneud.

**Owen John Thomas:** Mae'r hydref yn eithaf agos, Weinidog. A gewch gyfle, yn y cyfnod byr rhwng yn awr a'r hydref, i fwydo i'r broses ymgynghori honno—os na wnaethoch

process—if you have not already done so—or is Wales not part of it?

**Jane Davidson:** I said that the outcomes of the social exclusion unit's study will inform how we jointly take legislation forward. We will be fully involved, as the legislation will cover England and Wales.

As Owen John noted, it is important that local education authorities already have discretion to provide more generous transport provision than the statutory minimum. Around half the authorities in Wales use that discretion. Most authorities provide free transport to denomination and Welsh-medium schools, where pupils live beyond the statutory walking distances, even if they are not the nearest schools to pupils' homes. As part of the 'Going Places' recommendations, the Audit Commission highlighted that issue as a possible area for change in the law. LEAs can also assist by paying all or part of all pupils' costs. Some authorities in Wales take account of parental income, which is important in terms of the social inclusion agenda.

**Geraint Davies:** Can the quality of buses be considered as part of the review? The buses provided are often of poor quality, and do not have seatbelts and so on. That should be included in any review of public transport. If quality buses were provided, pupils would be more likely to continue using them as adults.

**Jane Davidson:** The quality of buses is important. Assembly Members have written to their relevant local authorities to complain about the quality of buses used by local authorities—I have done so myself. It is local authorities that award the contracts for school transport, so they must be more vigilant in this. Interesting work is going on across Wales, with some local authorities using road-testing to ensure that the vehicles comply with legislation and so that they can be confident that they offer a safe environment for young people. I endorse that approach to all local authorities.

hynny eisoes—ynneu onid yw Cymru'n rhan ohoni?

**Jane Davidson:** Dywedais y bydd canlyniadau astudiaeth yr uned allgáu cymdeithasol yn hysbysu'r modd yr awn â deddfwriaeth ymlaen ar y cyd. Bydd gennym ran lawn, gan y bydd y ddeddfwriaeth yn berthnasol i Gymru a Lloegr.

Fel y nododd Owen John, mae'n bwysig bod gan awdurdodau addysg lleol ddisgresiwn yn barod i ddarparu darpariaeth cludiant fwy hael na'r isafswm statudol. Mae oddeutu hanner yr awdurdodau yng Nghymru'n defnyddio'r hawl hwnnw. Mae'r rhan fwyaf o awdurdodau'n darparu cludiant am ddim i ysgolion enwadol ac ysgolion Cymraeg, lle mae disgyblion yn byw y tu hwnt i'r pellterau cerdded statudol, hyd yn oed os nad y rhain yw'r ysgolion agosaf at gartrefi'r disgyblion. Fel rhan o argymhellion 'Cyrraedd Pen y Daith', amlygodd y Comisiwn Archwilio y mater hwnnw fel man lle gellid efallai newid y gyfraith. Gall AALlau helpu hefyd drwy dalu'r cyfan neu ran o gostau'r holl ddisgyblion. Mae rhai awdurdodau yng Nghymru'n ystyried incwm y rhieni, sy'n bwysig yn nhermau'r agenda cynhwysiant cymdeithasol.

**Geraint Davies:** A ellir ystyried ansawdd y bysus yn rhan o'r adolygiad? Mae'r bysus a ddarperir yn aml o ansawdd gwael, heb wregysau diogelwch ac ati. Dylid cynnwys hynny mewn unrhyw adolygiad o gludiant cyhoeddus. Pe darperid bysus o ansawdd da, byddai disgyblion yn fwy tebygol o barhau i'w defnyddio pan fyddent yn oedolion.

**Jane Davidson:** Mae ansawdd bysus yn bwysig. Mae Aelodau Cynulliad wedi ysgrifennu at eu hawdurdodau lleol perthnasol i gwyno am ansawdd y bysus a ddefnyddir gan awdurdodau lleol—yr wyf fi wedi gwneud hynny fy hun. Awdurdodau lleol sy'n dyfarnu'r contractau ar gyfer cludiant ysgol, felly rhaid iddynt fod yn fwy gwyliadwrus yn hyn. Mae gwaith diddorol yn digwydd ledled Cymru, ac mae rhai awdurdodau lleol yn defnyddio profion ffordd i sicrhau bod cerbydau'n cydymffurfio â deddfwriaeth ac er mwyn gallu bod yn hyderus eu bod yn cynnig amgylchedd diogel i bobl ifanc. Cymeradwyaf y ffordd honno o

fynd ati i bob awdurdod lleol.

**Owen John Thomas:** You mentioned the provision of buses for church schools, Welsh-medium schools and special education. The Education Act 1944 makes it a right for parents to send their children to the nearest school of their choice. The two or three mile limit also applies in those cases. Therefore, there is no special concession. It is a statutory duty.

**Jane Davidson:** Such circumstances will often mean children travelling across county borders, so it is not the responsibility of an individual local authority. Local authorities offer a range of provision, as you identified, in terms of how they deliver school transport. This also takes into account the differences between urban and rural environments, and you would expect different arrangements to operate in different circumstances.

In the time remaining, I wish to identify some of the relevant points you raised. There is provision in the Education Bill currently going through Parliament that requires local authorities to draw up transport policies for those over statutory school age—17 and 18-year-olds. This is important because colleges, not just schools, need to be included. We want young people to make active choices about continuing in post-16 education.

By 2004, young children will have a statutory opportunity to receive part-time education from the age of three. There is a range of issues to consider in this regard, such as the fact that the education will be part-time and transport costs are high. However, it will be the responsibility of the early years and childcare partnerships to consider provisions at the local level. We must not lose sight of the fact that providing home-to-school transport costs money. In this financial year, about £66.4 million will be spent on school transport, and the level of expenditure continues to rise. This is partly due to the higher safety specifications coming progressively into force, which I am sure all Members support.

**Owen John Thomas:** Cyfeiriasoch at ddarparu bysus ar gyfer ysgolion eglwys, ysgolion Cymraeg ac addysg arbennig. Mae Deddf Addysg 1944 yn sefydlu hawl rhieni i anfon eu plant i'r ysgol agosaf o'u dewis hwy. Mae'r terfyn dwy neu dair milltir yn weithredol yn yr achosion hynny hefyd. Felly, nid oes consesiwn arbennig. Mae'n ddyletswydd statudol.

**Jane Davidson:** Bydd amgylchiadau o'r fath yn aml yn golygu fod plant yn teithio ar draws ffiniau siroedd, fel nad yw'n gyfrifoldeb un awdurdod lleol. Mae awdurdodau lleol yn cynnig amrediad o ddarpariaeth, fel a nodwyd gennych, o ran sut y darparant gludiant ysgol. Mae hyn hefyd yn ystyried y gwahaniaethau rhwng amgylcheddau trefol a gwledig, a byddech yn disgwyl i drefniadau gwahanol weithredu mewn gwahanol amgylchiadau.

Yn yr amser sydd yn weddill, hoffwn nodi rhai o'r pwyntiau perthnasol a godwyd gennych. Mae darpariaeth yn y Mesur Addysg sy'n mynd drwy'r Senedd ar hyn o bryd sy'n mynnu bod awdurdodau lleol yn llunio polisiau cludiant ar gyfer y rhai sydd dros oed ysgol statudol—rhai 17 a 18 oed. Mae hyn yn bwysig oherwydd mae angen cynnwys colegau, ac nid ysgolion yn unig. Mae arnom eisiau i bobl ifanc wneud dewisiadau cadarnhaol ynghylch parhau mewn addysg ôl-16.

Erbyn 2004, caiff plant ifanc gyfle statudol i dderbyn addysg ran-amser o dair oed ymlaen. Mae amrediad o faterion i'w hystyried ynglŷn â hyn, fel y ffaith y bydd yr addysg yn rhan-amser a bod costau cludiant yn uchel. Fodd bynnag, cyfrifoldeb y partneriaethau blynyddoedd cynnar a gofal plant fydd ystyried darpariaethau ar lefel leol. Rhaid inni beidio â cholli golwg ar y ffaith bod darparu cludiant o'r cartref i'r ysgol yn costio arian. Yn y flwyddyn ariannol hon, caiff rhyw £66.4 miliwn ei wario ar gludiant ysgol, ac mae lefel y gwariant yn codi o hyd. Mae hyn yn rhannol oherwydd y manylebau diogelwch uwch a ddaw i rym fesul tipyn, gyda chefnogaeth yr holl Aelodau, yr wyf yn siŵr.

I will focus on some of the safety issues. Regulations now require all new buses, apart from those for urban use that accommodate standing passengers, to be fitted with seatbelts. This is an important step for which parents in Wales campaigned tirelessly. I am delighted that these regulations are now in force. Although the requirements will not apply to older buses, local authorities can negotiate with their transport providers to make it a condition of the contract that buses fitted with seatbelts must be provided for school services, by perhaps offering a longer-term contract as an incentive. I hope that all local authorities in Wales will actively take forward this provision.

The pilot projects on the use of yellow school buses, one of which is taking place in Wrexham, are testing new approaches. The distinctive features of this scheme include buses that are highly visible, fitted with lap belts and have specially trained drivers. Each child is picked up at an identified point and parents have a direct phone line to the bus control centre. Therefore, we are interested in the outcome of this pilot project.

You also mentioned Safe Routes to School. This is an important initiative that was introduced in 1999. It is an important aspect of promoting healthier lifestyles for children and reducing car usage. The initiative can provide funding for crossing and traffic calming measures, improvements to school entrances, the construction of cycle and footpaths, secure cycle facilities, lockers and changing rooms. Successful schemes require a whole-school approach, involving the co-operation of parents and local authorities. This involvement is necessary if a school scheme is to be used effectively. As every Member knows, the schemes are proving to be popular and, to date, the Assembly Government has provided £7.6 million for the initiative.

I am grateful for the opportunity to discuss these important issues. Everyone wants their children to be bussed safely and appropriately to school. We should take the opportunity to

Yr wyf am ganolbwyntio ar rai o'r materion diogelwch. Mae'r rheoliadau'n gofyn bellach fod pob bws newydd, ar wahân i'r rheini ar gyfer defnydd trefol sy'n cario teithwyr ar eu traed, wedi'i ffitio â gwregysau diogelwch. Dyma gam pwysig y mae rhieni yng Nghymru wedi ymgyrchu'n ddiffino drosto. Yr wyf wrth fy modd fod y rheoliadau hyn mewn grym bellach. Er na fydd y gofynion yn berthnasol i fysis hŷn, gall awdurdodau lleol negodi gyda'u darparwyr cludiant i osod amod ar y contract fod yn rhaid darparu bysus â gwregysau diogelwch ynddynt ar gyfer gwasanaethau ysgol, drwy gynnig contract hirach efallai fel cymhelliant. Gobeithio y gwnaiff pob awdurdod lleol yng Nghymru weithredu'r ddarpariaeth hon yn gadarnhaol.

Mae'r prosiectau peilot ar ddefnyddio bysus ysgol melyn, y mae un ohonynt yn digwydd yn Wrecsam, yn profi dulliau newydd. Mae nodweddion arbennig y cynllun hwn yn cynnwys bysus sy'n weladwy iawn, gyda gwregysau glin, a gyrrwyr wedi'u hyfforddi'n arbennig. Codir pob plentyn mewn man penodol ac mae gan rieni linell ffôn uniongyrchol i ganolfan reoli'r bysus. Felly, mae gennym ddiddordeb yng nghanlyniad y prosiect peilot hwn.

Soniasoch am Llwybrau Diogel i'r Ysgol hefyd. Mae hon yn fenter bwysig, a gyflwynwyd yn 1999. Mae'n agwedd bwysig o hybu ffyrdd o fyw iachach i blant a lleihau'r defnydd o geir. Gall y fenter ddarparu cyllid ar gyfer croesfannau a mesurau tawelu traffig, gwelliannau i fynedfeydd ysgolion, adeiladu llwybrau troed a lonydd beiciau, cyfleusterau beiciau diogel, loceri ac ystafelloedd newid. Mae cynlluniau llwyddiannus yn galw am gyfraniad yr ysgol gyfan, gan gynnwys cydweithrediad rhieni ac awdurdodau lleol. Mae angen y cyfranogiad hwn os yw cynllun ysgol i gael ei ddefnyddio'n effeithiol. Fel y gŵyr pob Aelod, mae'r cynlluniau'n profi'n boblogaidd, a hyd yma, mae Llywodraeth y Cynulliad wedi darparu £7.6 miliwn ar gyfer y fenter.

Yr wyf yn ddiolchgar am y cyfle i drafod y materion pwysig hyn. Mae ar bawb eisiau i'w plant gael eu cludo'n ddiogel ac yn briodol i'r ysgol. Dylem gymryd y cyfle i glymu hyn i

tie this in with our widening participation and social inclusion agendas, as well as to reflect our health aspirations for young people and contribute to the Government's overall agenda of sustainability. I look forward to the outcome of the social exclusion unit's work in terms of how legislation could be framed more appropriately for the future.

mewn â'n hagendâu ymledol ar gyfranogiad a chynhwysiant cymdeithasol, yn ogystal ag adlewyrchu'n dyheadau iechyd ar gyfer pobl ifanc a chyfrannu at agenda gyffredinol y Llywodraeth ar gynaliadwyedd. Edrychaf ymlaen at ganlyniad gwaith yr uned allgáu cymdeithasol yn nhermau sut y gellid fframio deddfwriaeth yn fwy priodol ar gyfer y dyfodol.

**The Deputy Presiding Officer:** That brings today's proceedings to a close.

**Y Dirprwy Lywydd:** Daw hynny â thrafodion heddiw i ben.

*Daeth y cyfarfod i ben am 1.02 p.m.  
The session ended at 1.02 p.m.*