



**Cynulliad Cenedlaethol Cymru
Cofnod y Trafodion**

**The National Assembly for Wales
The Record of Proceedings**

**Dydd Mercher, 23 Tachwedd 2005
Wednesday, 23 November 2005**

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Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynndi 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 2 p.m. gyda'r Llywydd yn y Gadair.
The Assembly met at 2 p.m. with the Presiding Officer in the Chair.*

Cwestiynau i'r Gweinidog Cyllid Questions to the Finance Minister

Y Portffolio Iechyd a Gwasanaethau Cymdeithasol The Health and Social Services Portfolio

Q1 Rhodri Glyn Thomas: A wnaiff y Gweinidog ddatganiad am y ddarpariaeth gyffredinol yn y gyllideb ar gyfer y portffolio iechyd a gwasanaethau cymdeithasol? OAQ0334(FIN)

The Finance Minister (Sue Essex): The draft budget published on 27 September proposed increases of over £108 million, or 8.2 per cent, for the health and social services portfolio from 2005-06 to 2006-07.

Rhodri Glyn Thomas: O ystyried, erbyn 2007, y bydd y gyllideb gyffredinol ar gyfer iechyd wedi dyblu o £2.7 biliwn pan ddaeth y Cynulliad i fodolaeth yn 1999 i £5.4 biliwn, a allwch chi esbonio pam mae gwasanaethau a gomisiynir gan fyrddau iechyd lleol yn cael eu cwtogi, a pham mae gwasanaethau a ddarperir gan ymddiriedolaethau yn cael eu torri ar draws Cymru?

Sue Essex: We would all acknowledge, as local representatives, that huge demand has developed in health over the years. I have been speaking to Brian about the budget, and, overall, it looks as though health boards and trusts will come in more or less on budget. However, we must realise that local health boards and others often have to take difficult decisions on priorities, as demand will always exceed supply.

Jonathan Morgan: According to the latest figures, more than 200 beds in the Cardiff and Vale NHS Trust area are blocked—accounting for 20 per cent of the available beds. Do you agree that that is an unacceptable position for the capital city and the Vale, not least because it prevents people

C1 Rhodri Glyn Thomas: Will the Minister make a statement on the overall budget provision for the health and social services portfolio? OAQ0334(FIN)

Y Gweinidog Cyllid (Sue Essex): Yr oedd y gyllideb ddrafft a gyhoeddwyd ar 27 Medi yn cynnig cynnydd o fwy na £108 miliwn, neu 8.2 y cant, ar gyfer y portffolio iechyd a gwasanaethau cymdeithasol o 2005-06 i 2006-07.

Rhodri Glyn Thomas: Given that, by 2007, the general health budget will have doubled from £2.7 billion when the Assembly was established in 1999 to £5.4 billion, can you explain why there are cutbacks in services commissioned by local health boards, and why there are cuts in services provided by trusts right across Wales?

Sue Essex: Byddem oll yn cydnabod, fel cynrychiolwyr lleol, fod galw enfawr wedi datblygu ym maes iechyd dros y blynyddoedd. Yr wyf wedi bod yn siarad â Brian am y gyllideb, ac ar y cyfan ymddengys y bydd byrddau iechyd ac ymddiriedolaethau yn cadw o fewn eu cyllidebau, fwy neu lai. Fodd bynnag, rhaid inni sylweddoli bod byrddau iechyd lleol ac eraill yn aml yn gorfod gwneud penderfyniadau anodd am flaenoriaethau, oherwydd bydd y galw bob amser yn fwy na'r hyn sydd ar gael.

Jonathan Morgan: Yn ôl y ffigurau diweddaraf, mae dros 200 o welyau yn ardal Ymddiriedolaeth GIG Caerdydd a'r Fro yn cael eu blocio—sy'n cyfrif am 20 y cant o'r gwelyau sydd ar gael. A ydych yn cytuno bod hynny'n sefyllfa annerbyniol i'r brifddinas a'r Fro, yn anad dim oherwydd ei bod yn atal

who need elective surgery from going into hospital? It also makes it difficult for people in accident-and-emergency departments to move into appropriate wards. In fact, two weeks ago, I encountered a patient in the accident-and-emergency department who had been waiting for a bed for 50 hours on a trolley. That is an unacceptable situation. Will you and the Minister for Health and Social Services agree to meet representatives of Cardiff Local Health Board to see how this position can be alleviated? Whatever has been done so far is simply not working.

Sue Essex: I agree that delayed transfers of care are not good news as regards the efficient use of beds, and they are certainly not good news for patients. I know of the situation in Cardiff. I recently met representatives of Cardiff Local Health Board, the trust, the community health council and others, although that was not only to discuss delayed transfers of care. Only last Friday, I was looking at the issue of delayed transfers of care. One of the crucial issues in Cardiff is that of mental health provision. In analysing some of the blockages—and this is what I am told by the professionals—I hope that we will see progress on mental health provision in Cardiff. It is one of the most important areas, as everyone knows, and different plans have been put forward over many years.

That is one side of the coin. The other side is that we have put lots of money in to try to support the local authority and local health board to crack the issue of provision. We constantly need to be aware of this. As you rightly say, figures will go up and down, but they are not the kind of figures that we want to see.

Jenny Randerson: The NHS budget has to include the additional cost of free prescriptions. I was surprised to hear the Minister for Health and Social Services indicating in committee this morning that no studies had been undertaken into the likely

pobl y mae angen llawdriniaeth ddewisol arnynt rhag mynd i'r ysbyty? Mae hefyd yn ei gwneud yn anodd i bobl mewn adrannau damweiniau ac achosion brys symud i wardiau priodol. Yn wir, bythefnos yn ôl, cyfarfûm â chlaf yn yr adran damweiniau ac achosion brys a oedd wedi bod yn aros am wely am 50 awr ar droli. Mae hynny'n sefyllfa annerbyniol. A wnewch chi a'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol gytuno i gwrdd â chynrychiolwyr o Fwrdd Iechyd Lleol Caerdydd i weld sut y gellir lliniaru'r sefyllfa hon? Nid yw'r hyn a wnaed hyd yma yn gweithio.

Sue Essex: Cytunaf nad yw achosion o oedi wrth drosglwyddo gofal yn newyddion da o ran defnyddio gwelyau'n effeithlon, ac yn bendant nid ydynt yn newyddion da i gleifion. Gwn am y sefyllfa yng Nghaerdydd. Cyfarfûm yn ddiweddar â chynrychiolwyr o Fwrdd Iechyd Lleol Caerdydd, yr ymddiriedolaeth, y cyngor iechyd cymuned ac eraill, er nad unig ddiben hynny oedd trafod achosion o oedi wrth drosglwyddo gofal. Ddydd Gwener diwethaf, yr oeddwn yn edrych ar achosion o oedi wrth drosglwyddo gofal. Un o'r prif broblemau yng Nghaerdydd yw darparu gwasanaethau iechyd meddwl. Wrth ddadansoddi rhai o'r achosion o flocio gwelyau—a dyma a ddywed gweithwyr proffesiynol wrthyf—gobeithiaf y gwelwn gynnydd o ran darparu gwasanaethau iechyd meddwl yng Nghaerdydd. Mae'n un o'r meysydd pwysicaf, fel y gŵyr pawb, ac mae gwahanol gynlluniau wedi'u cyflwyno dros nifer o flynyddoedd.

Dyna un ochr i'r geiniog. Yr ochr arall yw ein bod wedi buddsoddi llawer o arian i geisio cynorthwyo'r awdurdod lleol a'r bwrdd iechyd lleol i ddatrys y broblem ddarpariaeth. Mae angen inni fod yn ymwybodol o hyn yn barhaus. Yr ydych yn llygad eich lle pan ddywedwch y bydd ffigurau'n cynyddu ac yn gostwng, ond nid dyna'r math o ffigurau yr ydym am eu gweld.

Jenny Randerson: Rhaid i gyllideb y GIG gynnwys cost ychwanegol presgripsiynau am ddim. Yr oeddwn yn synnu clywed y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol yn nodi yn y pwyllgor y bore yma nad oes unrhyw astudiaethau wedi'u

increase in the uptake of prescriptions as a result of the move towards free prescriptions. What calculations have you done, Minister, and what money have you put in the budget to ensure that the cost of additional prescriptions issued will be covered?

Sue Essex: I was not present in committee, so I do not know what Brian said. However, when the original budgeting was done in looking at this as a manifesto pledge, some work was done—to the best of my memory—on the issue of how free take-up might be a driver for increased numbers and costs of prescriptions. As a result, there was also a view about how work might go on to control that and reduce the cost.

An enormous piece of work has been done across the UK on bringing down the cost of drugs. That is an important piece of work that has not, perhaps, been paid a lot of attention over recent years. Therefore, as well as what we are doing here on free prescriptions, there is also that major exercise on reducing the cost of pharmaceutical drugs. I will write to you with the actual sums, as specific sums of money were put in to allow the prescription pledge to be delivered.

gwneud o'r cynnydd tebygol mewn presgripsiynau o ganlyniad i'r cam tuag at bresgripsiynau am ddim. Pa gyfrifiadau yr ydych wedi eu gwneud, Weinidog, a pharian yr ydych wedi ei roi yn y gyllideb i sicrhau darparu ar gyfer cost presgripsiynau ychwanegol?

Sue Essex: Nid oeddwn yn bresennol yn y pwyllgor, felly, ni wn beth a ddywedodd Brian. Fodd bynnag, pan luniwyd y gyllideb wreiddiol wrth edrych ar hyn fel addewid manifesto, gwnaed rhywfaint o waith—hyd y cofiaf—ar y ffordd y gallai presgripsiynau am ddim arwain at gynnydd yn y nifer a chynyddu costau. O ganlyniad, ystyriwyd hefyd sut y gallai gwaith barhau i reoli hynny a lleihau'r gost.

Gwnaed llawer iawn o waith ledled y DU ar leihau cost cyffuriau. Mae hynny'n waith pwysig nad yw, hwyrach, wedi cael llawer o sylw dros y blynyddoedd diwethaf. Felly, yn ogystal â'r hyn yr ydym yn ei wneud yma ar bresgripsiynau am ddim, mae yna hefyd yr ymarfer pwysig i leihau cost cyffuriau fferyllol. Ysgrifennaf atoch i roi'r union symiau, oherwydd buddsoddiwyd symiau penodol o arian er mwyn cyflawni'r addewid ar bresgripsiynau.

Fformiwla Cyllido ar gyfer Cymru Funding Formula for Wales

C2 David Lloyd: A wnaiff y Gweinidog ddatganiad am unrhyw sylwadau a dderbyniodd ynghylch y fformiwla cyllido ar gyfer Cymru? OAQ0344(FIN)

Sue Essex: The issue is raised with me from time to time and, of course, I listen carefully to what people have to say about this important subject.

David Lloyd: Mae Denmarc, fel y gwyddoch, yn ariannu'r Ynys Las drwy fformiwla sy'n seiliedig ar angen, ac sy'n cael ei hailasesu bob tair blynedd. Ond, mae Cymru yn parhau i gael ei hariannu heb unrhyw asesiad o anghenion. Sut yr ydych yn gallu cyfiawnhau hynny?

Sue Essex: I was with you when that was mentioned; I remember how keen you were to hear that. 'Where Greenland goes, Wales

Q2 David Lloyd: Will the Minister make a statement on any representations she has received regarding the funding formula for Wales? OAQ0344(FIN)

Sue Essex: Codir y mater gyda mi o bryd i'w gilydd, ac wrth gwrs byddaf yn gwrandao'n ofalus ar yr hyn sydd gan bobl i'w ddweud am y pwnc pwysig hwn.

David Lloyd: Denmark, as you know, provides funding for Greenland on a needs-based formula, which is reassessed every three years. However, Wales continues to be funded without any assessment of need. How can you justify that?

Sue Essex: Yr oeddwn gyda chi pan grybwyllwyd hynny; cofiaf mor awyddus yr oeddech i glywed hynny. Eich arwyddair ar

will follow' was your motto after that.

I remember hearing this a few months ago, and the issue of need frequently comes up. I see that Ieuan has a question prepared for me on this. I am prepared to listen and be open on this. I look forward to receiving the information that Ieuan said that he has on the work done on needs assessment. I would be genuinely interested in seeing that. When that comes, I can respond to you more fully.

The Leader of the Welsh Liberal Democrat Group (Michael German): I was also there, Minister, but I will not mention Greenland. Can you tell us what attracts you to maintaining the current Barnett formula?

Sue Essex: We have gone over this ground before, but I will repeat what I find attractive. We know about some worries that people have; Dai has just expressed his worry. The formula gives us certainty that, virtually immediately after Gordon Brown's announcement, we get a clear view of what money will be coming to Wales. We check that, but it does give us a clear view. That certainty on money through the system is important. As you will know, we have tried to make the local government formula a needs-based formula, but it is incredibly complicated. As time goes on, it becomes more and more complicated. Changes to the formula have enormous repercussions, as it changes distribution. There are downsides to that.

The second issue—and this is worth saying—is that some people would say, 'If it ain't broke, don't fix it'. Over the years, the Barnett formula has delivered considerable sums of money to Wales.

Michael German: As you might expect, I do not necessarily agree with that view—in fact, I definitely do not. I find it strange that your Government is pursuing needs-based changes—we have had the Townsend formula in health, and, as you say, you have been pursuing changes to the local government formula to make it more needs-

ôl hynny oedd 'Ble bynnag yr aiff yr Ynys Las, yr aiff Cymru'.

Cofiaf glywed hyn rai misoedd yn ôl, ac mae'r mater angen yn codi'n aml. Gwelaf fod Ieuan wedi paratoi cwestiwn imi ar hyn. Yr wyf yn barod i wrando a bod yn agored. Edrychaf ymlaen at gael y wybodaeth y dywedodd Ieuan ei bod ganddo am y gwaith a wnaed ar asesu anghenion. Byddai gennyf ddi-ddordeb gwirioneddol mewn gweld y wybodaeth honno. Pan ddaw, gallaf roi ymateb llawnach ichi.

Arweinydd Grŵp Democratiaid Rhyddfrydol Cymru (Michael German): Yr oeddwn i yno hefyd, Weinidog, ond ni soniaf am yr Ynys Las. A allech ddweud wrthym beth sy'n eich denu i gadw'r fformiwla Barnett bresennol?

Sue Essex: Yr ydym wedi trafod hyn o'r blaen, ond ailadroddaf yr hyn sy'n atyniadol. Gwyddom am rai o'r pryderon sydd gan bobl; mae Dai newydd fynegi ei bryder ef. Mae'r fformiwla'n rhoi sicrwydd inni y byddwn, bron yn syth ar ôl cyhoeddiad Gordon Brown, yn cael darlun clir o'r arian a gaiff Cymru. Byddwn yn gwirio hynny, ond mae'n rhoi darlun clir inni. Mae'r sicrwydd hwnnw am arian drwy'r system yn bwysig. Fel y gwyddoch, yr ydym wedi ceisio gwneud fformiwla llywodraeth leol yn fformiwla sy'n seiliedig ar angen, ond mae'n gymhleth iawn. Wrth i amser fynd yn ei flaen, mae'n mynd yn fwyfwy cymhleth. Caiff newidiadau yn y fformiwla ôl-effeithiau enfawr, gan eu bod yn newid y broses ddyrannu. Mae yna anfanteision i hynny.

Yr ail broblem—ac mae hyn yn werth ei ddweud—yw y byddai rhai pobl yn dweud na ddylid newydd rhywbeth sy'n gweithio. Dros y blynyddoedd, mae fformiwla Barnett wedi sicrhau bod Cymru yn cael symiau sylweddol o arian.

Michael German: Fel y byddech yn ei ddisgwyl, efallai, nid wyf yn cytuno â'r farn honno o reidrwydd—yn wir, yn sicr nid wyf yn cytuno â'r farn honno. Yr wyf yn synnu bod eich Llywodraeth yn mynd ar ôl newidiadau yn seiliedig ar angen—yr ydym wedi cael fformiwla Townsend ym maes iechyd ac, fel y dywedwch, yr ydych wedi

based. You say that it is right for the Welsh Assembly Government to do that for the people of Wales, but that it is not right for the UK to do the same. Why is that?

Sue Essex: You will also know, as I say this with monotonous frequency, that the Barnett formula does not apply only to us; there are other players in the game. You will know that there is no great outcry in Scotland for a change in the Barnett formula, where there is a Liberal and Labour coalition. Scotland feels that it could lose out as a result. That is—*[Interruption.]*

The Presiding Officer: Order. I have not called the leader of the opposition.

Sue Essex: I know that Mike is about to leap to his feet yet again, but—*[Interruption.]*

2.10 p.m.

The Presiding Officer: Order. It is a privilege extended only to party leaders to come in with additional supplementaries, and I want that tradition to continue.

Sue Essex: I look forward to him doing his leaping.

In fairness to Glyn Davies, who is not here at the moment—but here he comes now—he recognised that other countries and people are affected by the Barnett formula. In asking for change, you must be careful that you do not end up in a worse position. That is why I would be interested in seeing the information that people have, and I would be a fair judge of that.

Michael German: You are right to say that this has to be a UK solution and a UK issue, and that is why I think that UK-based parties have a duty to look at the matter. In our party, we have reached an accord with our colleagues in Scotland and in the rest of the United Kingdom. It is important that we look at this as a means of doing what we are supposed to do on centrally collected tax, which is to meet the needs of our communities. There is no evidence whatsoever that we would suffer from having

bod yn ceisio newid fformiwla llywodraeth leol i fod yn fwy seiliedig ar angen. Dywedwch ei bod yn iawn i Lywodraeth Cynulliad Cymru wneud hynny dros bobl Cymru, ond nad yw'n iawn i'r DU wneud yr un fath. Pam felly?

Sue Essex: Fe wyddoch hefyd, gan fy mod yn dweud hyn yn undonog o aml, nad i ni yn unig y mae fformiwla Barnett yn berthnasol; mae'n berthnasol i eraill hefyd. Fe wyddoch nad yw'r Alban, lle mae clymblaid Ryddfrydol a Llafur, yn galw am newid yn fformiwla Barnett. Mae'r Alban o'r farn y gallai fod ar ei cholled o ganlyniad. Mae hynny'n—*[Torri ar draws.]*

Y Llywydd: Trefn. Nid wyf wedi galw arweinydd yr wrthblaid.

Sue Essex: Gwn fod Mike ar fin neidio ar ei draed unwaith eto, ond—*[Torri ar draws.]*

Y Llywydd: Trefn. Dim ond arweinwyr pleidiau a gaiff y fraint o ofyn cwestiynau atodol ychwanegol, ac yr wyf am weld y traddodiad hwnnw'n parhau.

Sue Essex: Edrychaf ymlaen at ei weld yn neidio ar ei draed.

I fod yn deg â Glyn Davies, nad yw yma ar hyn o bryd—ond dyma ef yn dod yn awr—yr oedd yn cydnabod bod fformiwla Barnett yn effeithio ar wledydd a phobl eraill. Wrth ofyn am newid, rhaid bod yn ofalus na fyddwch mewn sefyllfa waeth yn y pen draw. Dyna pam y byddai gennyf ddi-ddordeb mewn gweld y wybodaeth sydd gan bobl, a byddwn yn ei barnu'n deg.

Michael German: Yr ydych yn llygad eich lle pan ddywedwch fod yn rhaid i'r DU ddatrys hyn ac mai mater i'r DU ydyw, a dyna pam y credaf fod gan bleidiau'r DU ddyletswydd i edrych ar y mater. Yn ein plaid ni, yr ydym wedi dod i gytundeb gyda'n cyd-aelodau yn yr Alban ac yng ngweddill y Deyrnas Unedig. Mae'n bwysig inni edrych ar hyn fel modd i wneud yr hyn yr ydym i fod i'w wneud o ran treth a gesglir yn ganolog, sef diwallu anghenion ein cymunedau. Nid oes yna dystiolaeth o gwbl y byddem yn

a needs-based formula, when we have the biggest Objective 1 area in the UK, but, if we were to become the richer partner, we would expect another method of distribution. I do not know why the Labour Party is frightened of dealing with this matter on a UK basis.

Sue Essex: It is because we do not want to move to a situation in which we might lose out. That is the absolute bottom line. There are enormous advantages at present, and the degree to which we have benefited in recent years amounts to 4 per cent growth in real terms. The key issue is having a Government that is prepared to put money into public expenditure. You get fixated by the formula and the process, but, like me, you should be adamant about getting money into public services. That is what will give us the big changes in Wales.

dioddef yn sgîl fformiwla yn seiliedig ar angen, pan fo gennym yr ardal Amcan 1 fwyaf yn y DU. Ond pe byddem yn datblygu fel y partner cyfoethocaf, byddem yn disgwyl dull dyrannu arall. Nid wyf yn deall pam y mae'r Blaid Lafur yn ofni mynd i'r afael â'r mater hwn ar sail y DU yn gyfan.

Sue Essex: Y rheswm am hynny yw nad ydym yn dymuno bod mewn sefyllfa lle y gallem fod ar ein colled. Dyna'r rheswm hollol sylfaenol. Mae yna fanteision enfawr ar hyn o bryd, ac yn ystod y blynyddoedd diwethaf gwelsom dwf o 4 y cant mewn termau gwirioneddol. Y mater allweddol yw cael Llywodraeth sy'n fodlon buddsoddi arian mewn gwariant cyhoeddus. Yr ydych yn canolbwyntio gormod ar y fformiwla a'r broses, ond fel fi dylech fod yn benderfynol o fuddsoddi arian mewn gwasanaethau cyhoeddus. Dyna fydd yn dod â'r newidiadau mawr inni yng Nghymru.

Yr Egwyddorion sy'n Sail i'r Gyllideb Ddrafft The Principles Underpinning the Draft Budget

Q3 Ann Jones: Will the Minister make a statement on the principles that underpin the formulation of the draft budget? OAQ0324(FIN)

Sue Essex: The Assembly's budgets are aligned to the strategic priorities of 'Wales: A Better Country'. The proposed draft budget reflected the application of these principles.

Ann Jones: When you presented the draft budget, I was pleased to see social justice running through the portfolio lines and the major spending lines. Representatives of many organisations, to whom I have spoken, are now waiting to see the result of the budget debate, and many are fearful that it will not be possible to undertake their work if certain other services are prioritised. For example, the additional money for health and social care is making many people nervous about whether that will actually be invested or siphoned off elsewhere. Will you assure me that you will continue to make sure that social justice is a major plank in all your thinking in budgetary terms?

C3 Ann Jones: A wnaiff y Gweinidog ddatganiad am yr egwyddorion sy'n sail i lunio'r gyllideb ddrafft? OAQ0324(FIN)

Sue Essex: Mae cyllidebau'r Cynulliad yn gydnaws â blaenoriaethau strategol 'Cymru: Gwlad Well'. Yr oedd y gyllideb ddrafft arfaethedig yn adlewyrchu rhoi'r egwyddorion hyn ar waith.

Ann Jones: Pan fu ichi gyflwyno'r gyllideb ddrafft, yr oeddwn yn falch o weld cyfiawnder cymdeithasol yn rhedeg drwy'r llinellau portffolio a'r prif linellau gwario. Mae cynrychiolwyr llawer sefydliad yr wyf wedi siarad â hwy yn aros yn awr i weld canlyniad y ddadl ar y gyllideb, ac mae nifer yn ofni na fydd yn bosibl cyflawni eu gwaith os caiff gwasanaethau penodol eraill eu blaenoriaethu. Er enghraifft, mae'r arian ychwanegol ar gyfer iechyd a gofal cymdeithasol yn gwneud i nifer o bobl deimlo'n nerfus ynghylch y cwestiwn a gaiff hwnnw ei fuddsoddi mewn gwirionedd neu a gaiff ei ddargyfeirio i rywle arall. A wnewch fy sicrhau y byddwch yn parhau i sicrhau bod cyfiawnder cymdeithasol yn brif ystyriaeth yn eich holl drafod ar y gyllideb?

Sue Essex: Social justice is the key to unlocking economic prosperity, social stability and everything else that we require. A big exercise was undertaken through the spending review to make sure that our spending is aligned with our priorities. That is the key issue. In terms of where our budget will go, virtually all of it goes out of the door to other organisations. The first question this afternoon was on the importance of the health budget. Health organisations need this information urgently so that they can make their allocations. It is often the case that they need to pass on money to other organisations. For example, local health boards pass on money to a whole range of organisations, and trusts buy in services. Therefore, this is a complex process and one in which people outside the Assembly are just as interested as Members are, perhaps even more so.

Arweinydd yr Wrthblaid (Ieuan Wyn Jones): Yr oedd y Gweinidog yn disgwyl imi ofyn cwestiwn am fformiwla Barnett, ond ni wneuthum hynny. Gan ei bod wedi cyfeirio at hynny, hoffwn gadarnhau, at bwrpas y Cofnod, y caiff y dystiolaeth sydd gennym ei chyflwyno i'r Gweinidog yn eithaf buan. Gobeithiaf y bydd hi'n ymateb i hynny. Mae gennyf gwestiwn heddiw am yr hyn y mae cynghorau lleol yn ei ddweud wrthym, sef oherwydd y setliad yn yr arfaeth yn y gyllideb ddrafft, y byddant yn gorfod codi'r dreth gyngor yn eithaf sylweddol mewn manau o Gymru eto eleni.

Yr wyf yn siŵr bod y Gweinidog yn ymwybodol o'r ffaith fod y ganran o bensiwn y wladwriaeth y mae pensiwnwr yn ei defnyddio i dalu'r dreth gyngor wedi codi yn sylweddol yn ystod y blynyddoedd diwethaf. Yn 1996-97, canran o bensiwn y wladwriaeth oedd yn gyfystyr â'r dreth gyngor oedd 13 y cant; bellach, y mae bron yn 20 y cant. Gan fod nifer o bensiwnwyr wedi gweld y dreth gyngor yn codi, nid yn unig yn flynyddol ond oherwydd yr ailfandio, pa gymorth y mae'r Gweinidog yn credu y dylid ei roi i bensiwnwyr yn y gyllideb eleni?

Sue Essex: On Welsh local government, as Ieuan will know, we work out the budget by

Sue Essex: Cyfiawnder cymdeithasol yw'r allwedd i sicrhau ffyniant economaidd, sefydlogrwydd cymdeithasol a phopeth arall y mae ei angen arnom. Cynhaliwyd ymarfer mawr drwy'r adolygiad o wariant er mwyn sicrhau bod ein gwariant yn gydnaws â'n blaenoriaethau. Dyna'r mater allweddol. O ran i ble yr aiff ein cyllideb, mae bron i gyd yn mynd i sefydliadau eraill. Pwysigrwydd y gyllideb iechyd oedd y cwestiwn cyntaf a ofynnwyd y prynhawn yma. Mae angen y wybodaeth hon ar sefydliadau iechyd ar fyrder er mwyn iddynt allu dyrannu eu harian. Yn aml iawn mae angen iddynt roi arian i sefydliadau eraill. Er enghraifft, mae byrddau iechyd lleol yn rhoi arian i ystod eang o sefydliadau, ac mae ymddiriedolaethau'n prynu gwasanaethau. Felly, mae hon yn broses gymhleth ac yn un y mae gan bobl y tu allan i'r Cynulliad gymaint o ddiddordeb ynddi ag Aelodau, a mwy efallai.

The Leader of the Opposition (Ieuan Wyn Jones): The Minister expected me to ask a question on the Barnett formula, but I did not do that. Since she has referred to that, I wish to confirm, for the Record, that the evidence we possess will be presented to the Minister fairly soon. I hope she will respond to that. I have a question today about what local councils are telling us, namely that, as a result of the proposed settlement in the draft budget, they will have to increase council tax fairly considerably in parts of Wales yet again this year.

I am sure the Minister is aware that the percentage of the state pension which a pensioner must use to pay council tax has increased dramatically during recent years. In 1996-97, the percentage of the state pension that equated to council tax was 13 per cent; it is now nearly 20 per cent. Given that many pensioners see council tax increasing, not only annually but also because of the rebanding exercise, what assistance does the Minister believe should be given to pensioners in the budget this year?

Sue Essex: O ran llywodraeth leol Cymru, fel y gŵyr Ieuan, yr ydym yn llunio'r gyllideb

looking at the pressures on Welsh local government, going through them by item and responding to them. We have done that with local government in the consultative forum on finance, which includes members of the opposition. We also did it in the Local Government and Public Services Committee, and in the partnership council meeting the week before last. People in local government respect the fact that this Government has responded to those identified key pressures. You will know that the Welsh Local Government Association said in a press release that it had received a settlement, at 5.1 per cent growth, that was 'better than expected'. That is some doing for the WLGA, and I was pleased to see that.

In terms of setting the council tax, we all understand that the council tax will go up. I do not expect there not to be an increase, and neither would anyone else in the Assembly. That has to happen. However, from some ad-hoc conversations with councillors, my understanding is that they want to be extremely reasonable this year. Everyone knows that no-one wants to see additional pressure on council tax over and above what can be justified. Therefore, I am not really sure to what you are referring regarding the cases. In fact, I had a meeting with the WLGA this morning.

Turning to your point on council tax and pensioners, I think that you are right to say that there is an issue for those people on fixed incomes, in terms of changes in council tax levels and revaluation, but that is why we introduced a moderation scheme last year. Most importantly, one of the downsides of the property tax that we have in the UK, in this case the council tax, is that the council tax benefit scheme, as it is now called, is just not good enough to do the job required. I have made that very clear to Ministers and to Sir Michael Lyons, and will continue to do so at every opportunity.

Ieuan Wyn Jones: Minister, I think that we all acknowledge that there was a damping mechanism last year, and that there will be one this year. However, that helps only a very

drwy edrych ar y gwahanol bwysau sydd ar lywodraeth leol Cymru, gan fynd drwyddynt fesul eitem ac ymateb iddynt. Yr ydym wedi gwneud hynny gyda llywodraeth leol yn y fforwm ymgynghorol ar gyllid, sy'n cynnwys aelodau o'r gwrthbleidiau. Gwnaethom hynny hefyd yn y Pwyllgor Llywodraeth Leol a Gwasanaethau Cyhoeddus, ac yng nghyfarfod y cyngor partneriaeth yr wythnos cyn yr wythnos diwethaf. Mae pobl mewn llywodraeth leol yn parchu'r ffaith bod y Llywodraeth hon wedi ymateb i'r pwysau allweddol hynny a nodwyd. Fel y gwyddoch, dywedodd Cymdeithas Llywodraeth Leol Cymru mewn datganiad i'r wasg ei bod wedi cael setliad, ar dwf o 5.1 y cant, a oedd yn 'well na'r disgwyl'. Mae hynny'n dipyn o ddweud gan CLILC, ac yr oeddwn yn falch o weld hynny.

O ran pennu'r dreth gyngor, mae pob un ohonom yn deall y bydd y dreth gyngor yn cynyddu. Nid wyf yn disgwyl na fydd cynnydd, ac ni fyddai neb arall yn y Cynulliad ychwaith. Mae'n rhaid i hynny ddigwydd. Fodd bynnag, yn sgîl rhai sgysiau ad-hoc gyda chynghorwyr, deallaf eu bod am fod yn rhesymol iawn eleni. Mae pawb yn gwybod nad oes neb am weld pwysau ychwanegol ar y dreth gyngor uwchlaw'r hyn y gellir ei gyfiawnhau. Felly, nid wyf yn siŵr iawn at beth yr ydych yn cyfeirio yn yr achosion. A dweud y gwir, cefais gyfarfod gyda CLILC y bore yma.

I droi at eich pwynt am y dreth gyngor a phensiynwyr, yr ydych yn iawn i ddweud bod yna broblem i'r rheini sydd ar incwm sefydlog, o ran newidiadau yn lefelau'r dreth gyngor ac ailbrisió. Ond dyna pam y bu inni gyflwyno cynllun cymedroli y llynedd. Yn bwysicaf oll, un o'r agweddau negyddol ar y dreth eiddo sydd gennym yn y DU, y dreth gyngor yn yr achos hwn, yw nad yw cynllun budd-dal y dreth gyngor, fel y'i gelwir yn awr, yn ddigon da i wneud y gwaith angenrheidiol. Yr wyf wedi gwneud hynny'n glir iawn i Weinidogion ac i Syr Michael Lyons, a byddaf yn parhau i wneud hynny bob cyfle a gaf.

Ieuan Wyn Jones: Weinidog, credaf fod pob un ohonom yn cydnabod bod yna ddull dampio y llynedd, ac y bydd un eleni. Fodd bynnag, mae hynny'n helpu lleiafrif bach

small minority of people and pensioners. You did not dispute the fact that the proportion of the state pension now paid in council tax was substantially higher last year than it was before the Assembly's inception. A significant proportion of pensioners' incomes is now going on local taxation. Is the Minister prepared to extend the help that is already included in the draft budget to more pensioners? That is the question that I was asking her.

The second point that I put to the Minister is that, on all the indices that I have seen, council tax disproportionately affects those on lower incomes across the board, whether they are pensioners or not. There is a clear correlation, with a higher proportion of low incomes going on council tax than is the case for wealthy people. That is an acknowledged fact. Given that it is such an unfair tax, does the Minister justify it in the long term?

2.20 p.m.

Sue Essex: Regarding your first point, you will know that I was responding to your amendment. On the question of whether that is a fair take, and the proportions that people pay, it is true to say that council tax levels have gone up since the Assembly was set up, but, if you look at the time before the Assembly was set up, you will see that they were going up then, and have done ever since council tax came into being. That is because local government is providing a wider range of services now than in the past, because public expectations have gone up. It is understandable that levels have gone up, but they should not go up too much. As you remember, last year, I introduced the principles for capping, because I was extremely worried that council tax could have gone up to levels that we should not permit.

On whether a property tax is fair, we have had this debate many times. I know that your party favours a local income tax, but it was interesting that, during the course of the general election, what the leader of the Liberal Democrats said during a tired moment at that press conference—and no-one blames him; we all understand why he

iawn o bobl a phensiynwyr yn unig. Nid oeddech yn gwadu'r ffaith fod cyfran pensiwn y wladwriaeth a delir yn awr mewn treth gyngor yn sylweddol uwch y llynedd nag yr oedd cyn dechrau'r Cynulliad. Mae cyfran sylweddol o incwm pensiynwyr yn awr yn mynd ar drethiant lleol. A yw'r Gweinidog yn barod i ymestyn yr help, sydd eisoes wedi'i gynnwys yn y gyllideb ddrafft, i gynnwys mwy o bensiynwyr? Dyna'r cwestiwn yr oeddwn yn ei ofyn iddi.

Yr ail bwynt yr hoffwn dynnu sylw'r Gweinidog ato yw bod y dreth gyngor, ym mhob mynegai yr wyf wedi'i weld, yn effeithio'n anghyfartal ar y rheini sydd ar incwm is drwyddi draw, boed yn bensiynwyr neu beidio. Mae yna gydberthynas glir, gyda chyfran uwch o incymau is yn mynd ar dreth gyngor nag sy'n digwydd i bobl gyfoethog. Mae hynny'n ffaith gydnabyddedig. O gofio ei bod yn dreth mor annheg, a all y Gweinidog ei chyfiawnhau yn y pen draw?

Sue Essex: O ran eich pwynt cyntaf, gwyddoch mai ymateb i'ch gwelliant yr oeddwn yn ei wneud. O ran y cwestiwn a yw hynny'n deg, a'r cyfrannau y mae pobl yn eu talu, mae'n wir dweud bod lefelau'r dreth gyngor wedi codi ers sefydlu'r Cynulliad. Ond os ystyriwch yr adeg cyn sefydlu'r Cynulliad, fe welwch eu bod yn codi bryd hynny, ac maent wedi gwneud hynny ers i'r dreth gyngor gael ei chyflwyno. Y rheswm am hynny yw bod llywodraeth leol yn darparu ystod ehangach o wasanaethau yn awr nag yn y gorffennol, oherwydd bod disgwyliadau'r cyhoedd wedi codi. Mae'n ddealladwy bod lefelau wedi codi, ond ni ddylent godi'n ormodol. Y llynedd, fel y cofiwch, cyflwynais yr egwyddorion ar gyfer capio, oherwydd yr oeddwn yn pryderu'n fawr y gallai'r dreth gyngor fod wedi codi i lefelau na ddylem eu caniatáu.

O ran a yw dreth eiddo yn deg, yr ydym wedi cael y drafodaeth hon droeon gwaith. Gwn fod eich plaid yn ffafrio treth incwm leol, ond yr oedd yn ddiddorol, yn ystod yr etholiad cyffredinol, fod yr hyn a ddywedodd arweinydd y Democratiaid Rhyddfrydol yn y gynhadledd honno i'r wasg, ar eiliad flinedig—ac nid oes neb yn ei feio; yr ydym i

felt so tired—produced a sea change in public opinion on the ground, because it made people aware that there is no perfect solution to this. All the schemes that come forward have strengths and weaknesses. The weakness of a property tax is that you need a compensatory mechanism for people, as you say, on low and fixed incomes. We have the council tax benefit system, and that works for a large number of people, but it does not work for enough people and it does not work at all levels, and that is what needs to happen if the property tax is going to be fair.

As to the long-term future, I have always said that I do not feel that adamantly against local income tax. If that is what Sir Michael Lyons recommends, and that is what happens, you will not find me weeping and wailing, because I can understand the merits of both schemes. However, we have the council tax, and that is the one that we are implementing.

Ieuan Wyn Jones: I think that there is common ground here, but there are issues on which our views clearly diverge. However, just to confirm the point, pensioners are worse off. Telling a pensioner on the doorstep that it was much worse and that the tax was went up much more under the Tories is, frankly, meaningless. The pensioner on the doorstep wants to hear what this Government intends to do to help him or her with regard to council tax. I do not think that there is disagreement between us, Minister, but I stress that, whether you are a pensioner or a person on a low income, it is likely that the poorer the area in which you live, the higher the council tax will be. Just think of Blaenau Gwent, for example, where there are low incomes and a council tax that is substantially higher than the Welsh average. So, on all these counts, we agree that we should have a fairer system, but, in the short term, the people of Wales are entitled to hear from their Government what measures will be taken in the budget to ameliorate the impact of council tax.

Sue Essex: In areas of Wales, there is a whole range of council tax levels, and that is partly inherited from the pretty botched local

gyd yn deall pam yr oedd yn teimlo mor flinedig—wedi achosi newid mawr ym marn y cyhoedd ar lawr gwlad, am ei fod yn gwneud pawb yn ymwybodol nad oes ateb perfffaith i hyn. Mae yna gryfderau a gwendidau ym mhob un o'r cynlluniau a gyflwynir. Gwendid treth eiddo yw bod angen dull digolledu ar gyfer pobl, fel y dywedwch, sydd ar incwm is a sefydlog. Mae gennym system o fudd-dal treth gyngor, ac mae honno'n gweithio i nifer fawr o bobl. Ond nid yw'n gweithio i ddigon o bobl ac nid yw'n gweithio ar bob lefel, a dyna sy'n angenrheidiol os yw'r dreth eiddo i fod yn deg.

O ran y dyfodol pell, yr wyf wedi dweud o'r cychwyn nad wyf yn gwrthwynebu treth incwm leol gymaint â hynny. Os dyna'r hyn y mae Syr Michael Lyons yn ei argymhell, ac os dyna a fydd yn digwydd, ni fyddaf yn torri fy nghalon, oherwydd gallaf ddeall rhinweddau'r ddau gynllun. Fodd bynnag, mae'r dreth gyngor gennym, a dyna'r un yr ydym yn ei gweithredu.

Ieuan Wyn Jones: Credaf fod tir cyffredin yma, ond mae yna faterion lle mae ein safbwyntiau yn amlwg yn wahanol. Fodd bynnag, i gadarnhau'r pwynt, mae pensiynwyr yn waeth eu byd. A bod yn onest, byddai dweud wrth bensiynwr ar garreg y drws fod y sefyllfa lawer yn waeth a bod y dreth wedi codi llawer iawn mwy dan y Toriaid yn ddiystyr. Mae'r pensiynwr ar garreg y drws am glywed beth y mae'r Llywodraeth hon yn bwriadu ei wneud i'w helpu gyda'r dreth gyngor. Ni chredaf ein bod yn anghytuno, Weinidog, ond pwysleisiaf, pa un a ydych yn bensiynwr neu'n berson ar incwm isel, ei bod yn debygol po dlotaf yw'r ardal lle'r ydych yn byw, uchaf oll fydd y dreth gyngor. Ystyriwch Flaenau Gwent, er enghraifft, lle mae incymau'n isel a threth gyngor sy'n sylweddol uwch na'r cyfartaledd ar gyfer Cymru. Felly, ym mhob agwedd, cytunwn y dylem gael system decach. Ond yn y cyfnod byr mae gan bobl Cymru yr hawl i glywed gan eu Llywodraeth pa fesurau a gymerir yn y gyllideb i leddfu effaith y dreth gyngor.

Sue Essex: Mewn rhannau o Gymru, mae yna ystod eang o lefelau treth gyngor, a etifeddwyd yn rhannol oherwydd llanastr ad-

government reorganisation that took place under the Tories, and people do remember that. It was botched, and it gave all sorts of different financial bases for local authorities. I have long discussions with my colleagues from Neath Port Talbot, because that was one authority that inherited a difficult financial base. That is the rationale for our introducing, as a Government, a redistributive measure in the form of the revenue support grant. There is something like a difference of £300 or £400 between the top and the lowest authorities in terms of the support that we pay per head. That is important.

I disagree with you when you say that people do not remember the bad days of the Tories; they certainly remembered it in my patch at the general election. Pensioners have long memories.

As to your last point, I repeat that I am responding to the amendment, and that is where we will leave it.

The Leader of the Welsh Conservatives (Nick Bourne): If we can concentrate on what bothers pensioners now, it is the level of council tax that they currently pay. Lessons in history, whether about the last Conservative Government or the Labour Government before that, are irrelevant for these purposes. Pensioners are paying far more in council tax now than they were five years ago. It is a substantial part of their fixed income, as is the case for other people on fixed incomes. I think that the Minister agrees with that, and I agree with her that the council tax benefit system is not meeting that need. It plainly is not. Given that we have this problem, which has been compounded by revaluation—and I know that the revaluation was done at arm's length—does the Minister recognise that people on fixed incomes generally, and, quite possibly, pensioners specifically, have a need that must be met out of the public funds in order to meet the public need that she referred to, quite rightly, as one of the issues that must be addressed in setting a budget, or, in this case, a draft budget?

drefnu llywodraeth leol o dan y Torïaid, ac mae pobl yn cofio hynny. Roedd hi'n llastr, ac arweiniodd at bob math o wahanol sylfeini ariannol ar gyfer awdurdodau lleol. Caf drafodaethau maith gyda'm cydweithwyr yng Nghastell-nedd Port Talbot, oherwydd dyna un o'r awdurdodau a etifeddodd sylfaen ariannol anodd. Dyna'r sail resymegol dros inni, fel Llywodraeth, gyflwyno mesur aildosbarthu ar ffurf grant cynnal refeniw. Mae gwahaniaeth o ryw £300 neu £400 rhwng yr awdurdodau uchaf a'r rhai isaf o ran y cymorth a dalwn fesul pen. Mae hynny'n bwysig.

Anghytunaf â chi pan ddywedwch nad yw pobl yn cofio dyddiau du y Torïaid; yr oeddent yn bendant yn eu cofio yn fy ardal i yn yr etholiad cyffredinol. Mae gan bensiynwyr gof da.

O ran eich pwynt olaf, dywedaf eto fy mod yn ymateb i'r gwelliant, a dyna lle y gadawn ni hi.

Arweinydd Ceidwadwyr Cymru (Nick Bourne): Os gallwn ganolbwyntio ar yr hyn sy'n peri pryder i bensiynwyr yn awr, lefel y dreth gyngor a delir ganddynt ar hyn o bryd yw hynny. Mae gwersi hanes, boed am y Llywodraeth Doriaidd ddiwethaf neu'r Llywodraeth lafur cyn hynny, yn amherthnasol at y dibenion hyn. Mae pensiynwyr yn talu llawer mwy o dreth gyngor yn awr nag yr oeddent bum mlynedd yn ôl. Mae'n rhan sylweddol o'u hincwm sefydlog, fel y mae i bobl eraill sydd ar incwm sefydlog. Credaf fod y Gweinidog yn cytuno â hynny, a chytunaf â hi nad yw'r system budd-dal treth gyngor yn diwallu'r angen hwnnw. Mae hynny'n amlwg. O gofio bod gennym y broblem hon, sy'n waeth oherwydd ailbriso—a gwn fod yr ailbriso wedi ei wneud o hyd braich—a yw'r Gweinidog yn cydnabod bod gan bobl sydd ar incwm sefydlog yn gyffredinol, ac o bosibl pensiynwyr yn benodol, angen y mae'n rhaid ei ddiwallu drwy ddefnyddio arian cyhoeddus er mwyn diwallu'r angen cyhoeddus y mae'n cyfeirio ato, a hynny'n briodol, fel un o'r materion y mae'n rhaid mynd i'r afael â hwy wrth bennu cyllideb, neu gyllideb ddrafft yn yr achos hwn?

Sue Essex: I will not take what I have said any further. However, the Government recognises the position with council tax. In the past two years, Gordon Brown has given support to pensioners, in particular, for council tax. This December, all households of pensioners aged over 65 will receive an extra £200. That is a substantial sum of money, and shows recognition of the points that you made.

One fact that should not be missed—and it could easily be missed—is that, in Wales, as a Government, we give much greater support to local government than is the case in England. If memory serves me right, it is somewhere between 20 per cent and 25 per cent more. In itself, that helps to keep council tax lower for pensioners in Wales than in England. I have been looking at comparisons between comparable towns and cities in England and Wales, and they are stark. Before and post-revaluation, council tax levels are around 25 per cent lower than in England. Sometimes, the difference is even greater than that. There is a huge difference between Newport and Gloucester and between Cardiff and Bristol. I know that it is hard for pensioners, but, in Wales, that extra support from us as a Government to local government is reflected in levels of council tax.

Nick Bourne: It is not about making a comparison between Newport and Gloucester. It is how sharply it has risen that is going to hit pensioners. We should not make superficial comparisons. It is how sharply council tax has risen that will affect pensioners' budgets. There are also differences in wealth between that city and that town that you have not begun to look at. I am not sure that such superficial comparisons help us.

I will move on because the Minister, perhaps understandably, has said all that she wants to on that point. I wish to ask her about another issue underpinning the draft budget, which is the funding gap between England and Wales for higher education. All of the literature that I have seen, and probably that the Minister

Sue Essex: Nid wyf am ymhelaethu ar yr hyn a ddywedais. Fodd bynnag, mae'r Llywodraeth yn cydnabod y sefyllfa gyda'r dreth gyngor. Yn y ddwy flynedd diwethaf, mae Gordon Brown wedi rhoi cymorth i bensiyntwyr, yn benodol, ar gyfer y dreth gyngor. Ym mis Rhagfyr eleni bydd pob cartref sy'n cynnwys pensiyntwyr dros 65 oed yn cael £200 yn ychwanegol. Mae hynny'n swm sylweddol o arian, ac mae'n dangos cydnabyddiaeth o'r pwyntiau a wnaethpwyd gennyh.

Un ffaith na ddylid ei cholli—a gellid ei cholli'n hawdd—yw ein bod ni, fel Llywodraeth, yng Nghymru yn rhoi llawer mwy o gymorth i lywodraeth leol nag a wneir yn Lloegr. Os cofiaf yn iawn, rhoddir rhwng 20 y cant a 25 y cant yn fwy. Ynndo'i hun mae hynny'n helpu cadw'r dreth gyngor yn is ar gyfer pensiyntwyr yng Nghymru o gymharu â Lloegr. Bwm yn edrych ar gymariaethau rhwng trefi a dinasoedd tebyg yng Nghymru a Lloegr, ac mae gwahaniaeth amlwg. Cyn y broses adbrisio ac wedyn mae lefelau'r dreth gyngor tua 25 y cant yn is nag yn Lloegr. Weithiau, mae'r gwahaniaeth hyd yn oed yn fwy na hynny. Mae gwahaniaeth mawr rhwng Casnewydd a Chaerloyw a rhwng Caerdydd a Bryste. Gwn ei fod yn anodd i bensiyntwyr, ond yng Nghymru mae'r cymorth ychwanegol a roddir gennym fel Llywodraeth i lywodraeth leol yn cael ei adlewyrchu yn lefelau'r dreth gyngor.

Nick Bourne: Nid mater o dynnu cymhariaeth rhwng Casnewydd a Chaerloyw yw hyn. Yr hyn a fydd yn effeithio ar bensiyntwyr yw pa mor gyflym y mae'r dreth wedi codi. Ni ddylem wneud cymariaethau arwynebol. Yr hyn a fydd yn effeithio ar gyllidebau pensiyntwyr yw pan mor gyflym y mae'r dreth gyngor wedi codi. Mae gwahaniaethau hefyd mewn cyfoeth rhwng dinasoedd a threfi nad ydych wedi dechrau eu hystyried. Nid wyf yn siŵr a yw cymariaethau arwynebol felly yn ein helpu.

Symudaf ymlaen gan fod y Gweinidog, ac mae hynny'n ddealladwy hwyrach, wedi dweud popeth sydd ganddi i'w ddweud ar y pwynt hwnnw. Hoffwn ei holi am fater arall sy'n ategu'r gyllideb ddrafft, sef y bwch ariannu rhwng Cymru a Lloegr ar gyfer addysg uwch. Mae'r holl lenyddiaeth yr wyf

has seen, starting with the Rees report and going on to the interim HEFCW report—we have not seen the full report yet—indicates that there is a considerable gap in the funding for higher education in England and that for higher education in Wales. Does the Minister accept that, given the undertaking made by the First Minister, this year's draft budget must start to address that gap?

Sue Essex: There are two factors here. First, we must accurately say what the gap is. I have looked at the Rees report. That was a use of secondary information, which is quite questionable. I do not think that anyone in higher education is quoting the figures in the Rees report. On the HEFCW report, we see a range of figures depending on different methodologies. What we know is that, next year, the fees regime that will come into effect in England, will change things enormously. I have said publicly that, in the final budget, there will be an extra £3 million in the supplementary income stream. There will definitely be more money. You know that you and I and the First Minister and your colleagues have been discussing the issue. I have said that, if there is a funding gap—there may well be, but none of us knows exactly—we are prepared to address it. We have given that assurance and we are not going to go back on that. It is a question, if there is a gap, of how much it is. Assuming that there is a gap—that is still an unproven figure—it is a question of how much and over what timescale.

Nick Bourne: I accept that, and I have not pressed the Minister on the size of the funding gap quite deliberately, because opinions vary. However, what the Minister has not answered, and what I will press her on, is whether, given that there is a funding gap—I think that we all accept that there is one, it is just a question of its extent—she, as the First Minister promised, will begin to address it in the current year. I am not pressing you for a figure; I am just asking, in principle, whether you will do that, as has been promised?

fi wedi'i gweld, a'r Gweinidog yn ôl pob tebyg, gan ddechrau gydag adroddiad Rees ac yna adroddiad interim CCAUC—nid ydym wedi gweld yr adroddiad llawn eto—yn nodi bod bwllch sylweddol rhwng yr arian sydd ar gael ar gyfer addysg uwch yn Lloegr a'r hyn sydd ar gael ar gyfer addysg uwch yng Nghymru. A yw'r Gweinidog yn cytuno, o gofio ymrwymiad y Prif Weinidog, fod yn rhaid i'r gyllideb ddrafft eleni ddechrau mynd i'r afael â'r bwllch hwnnw?

Sue Essex: Mae dau ffactor yma. Yn gyntaf, mae'n rhaid inni ddweud yn gywir faint yw'r bwllch. Yr wyf wedi edrych ar adroddiad Rees. Yr oedd hwnnw'n defnyddio gwybodaeth eilaidd, sy'n ddigon dadleuol. Ni chredaf fod neb ym maes addysg uwch yn dyfynnu'r ffigurau a roir yn adroddiad Rees. O ran adroddiad CCAUC, gwelwn ystod o ffigurau yn dibynnu ar wahanol fethodolegau. Yr hyn a wyddom yw y bydd y system ffioedd a ddaw i rym yn Lloegr y flwyddyn nesaf yn newid pethau'n sylweddol. Yr wyf wedi dweud yn gyhoeddus y bydd £3 miliwn ychwanegol ar gael ar gyfer y ffrwd incwm atodol yn y gyllideb derfynol. Bydd mwy o arian ar gael yn bendant. Gwyddoch eich bod chi a mi a'r Prif Weinidog a'ch cyd-Aelodau wedi bod yn trafod y mater. Yr wyf wedi dweud, os oes bwllch ariannu—mae hynny'n bosibl, ond ni wŷr neb hynny'n bendant—ein bod yn barod i fynd i'r afael ag ef. Yr ydym wedi rhoi'r sicrwydd hwnnw, ac ni fyddwn yn cefnu ar hynny. Os oes bwllch, y cwestiwn yw faint o fwllch. A bwrw bod bwllch—nid yw'r ffigur wedi'i brofi eto—y cwestiwn yw faint o fwllch a beth yw'r raddfa amser.

Nick Bourne: Derbyniaf hynny, ac nid wyf wedi pwysu ar y Gweinidog ynglŷn â maint y bwllch ariannu yn fwriadol, oherwydd mae barn yn amrywio. Fodd bynnag, yr hyn nad yw'r Gweinidog wedi'i ateb, a'r hyn y byddaf yn pwysu arni i'w ateb yw a fydd hi, fel yr addawodd y Prif Weinidog, a bwrw bod bwllch ariannu—credaf fod pob un ohonom yn derbyn bod un, y cwestiwn yw faint o fwllch—yn dechrau mynd i'r afael ag ef yn ystod y flwyddyn gyfredol. Nid wyf yn pwysu arnoch am ffigur; dim ond gofyn i chi, mewn egwyddor, a fyddwch yn gwneud hynny, fel yr addawyd?

2.30 p.m.

Sue Essex: I think that the First Minister's commitment was to address this in the current budget round. If I were to read HEFCW's reply, it has a slightly different interpretation to what you are trying to press me to say. Higher Education Wales is pleased to see that we have responded to its issue on the supplementary income stream, which deals with top-up fees; we will put an extra £3 million into that fund. That is its main consideration at the moment.

Nick Bourne: Clearly, you are not speaking to the same people at HEW if that is the message that you are getting, because it is not the message which we are getting about the issue. I have spoken to many people at HEW about the proposals, and whether or not they are happy with it. I thought that we had agreed that the supplementary income stream is not relevant to the funding gap in any case. You keep mentioning it, but it does not deal with the existing funding gap.

Sue Essex: Of course it is relevant—the extra £3 million is relevant, because it is money going to higher education. You are shaking your head; we will check it later, but my understanding is that the £3 million will go towards breaching the funding gap.

In terms of what it is saying, I can only talk to my colleague, Jane Davidson, who met with HEW recently. The report is contrary to what you say. This is the problem. We should try to get accurate information and figures and a common agreed figure, so that we can have much more confidence in the programme for addressing it.

Nick Bourne: The supplementary income stream relates to the numbers of students—it does not relate to the historic funding gap, and I do not know where you are going on this.

On HEW, the Minister is clearly not speaking to the same vice-principals and heads of higher education that I speak to, because there is a serious difference of opinion here.

Sue Essex: Credaf fod y Prif Weinidog wedi ymrwymo i fynd i'r afael â hyn yn y cylch cyllideb cyfredol. Pe bawn yn darllen ateb CCAUC, mae ei ddehongliad ychydig yn wahanol i'r hyn yr ydych yn ceisio pwyso arnaf i'w ddweud. Mae Addysg Uwch Cymru yn falch o weld ein bod wedi ymateb i'w broblem ar y ffrwd incwm atodol, sy'n ymdrin â ffioedd atodol; byddwn yn rhoi £3 miliwn ychwanegol yn y gronfa honno. Dyna ei brif ystyriaeth ar hyn o bryd.

Nick Bourne: Yn amlwg, os dyna yw'r neges yr ydych yn ei chael, nid ydych yn siarad â'r un bobl yn AUC, oherwydd nid dyna'r neges yr ydym yn ei chael ynglŷn â'r mater. Yr wyf wedi siarad â nifer o bobl yn AUC am y cynigion, ac a ydynt yn fodlon arnynt neu beidio. Yr oeddwn yn credu ein bod wedi cytuno nad yw'r ffrwd incwm atodol yn berthnasol i'r bwlch ariannu beth bynnag. Yr ydych yn dal i sôn amdano, ond nid yw'n ymdrin â'r bwlch ariannu presennol.

Sue Essex: Wrth gwrs fod hynny'n berthnasol—mae'r £3 miliwn ychwanegol yn berthnasol, gan ei fod yn arian sy'n mynd i addysg uwch. Yr ydych yn ysgwyd eich pen; cawn wirio hyn yn ddiweddarach, ond yn ôl a ddeallaf bydd y £3 miliwn yn mynd at leihau'r bwlch ariannu.

O ran yr hyn y mae'n ei ddweud, yr unig beth y gallaf ei wneud yw siarad â'm cyd-Weinidog, Jane Davidson, a gyfarfu ag AUC yn ddiweddar. Mae'r adroddiad yn groes i'r hyn a ddywedwch. Dyna'r broblem. Dylem geisio cael gwybodaeth a ffigurau cywir a ffigur cyffredin wedi ei gytuno, fel y gallwn fod lawer yn fwy hyderus yn y rhaglen i fynd i'r afael â hyn.

Nick Bourne: Mae'r ffrwd incwm atodol yn ymwneud â niferoedd myfyrwyr—nid yw'n ymwneud â'r bwlch ariannu hanesyddol, ac ni wn beth yw'r pwynt yr ydych yn ceisio'i wneud.

O ran AUC, mae'n amlwg nad yw'r Gweinidog yn siarad â'r un is-brifathrawon a phenaethiaid addysg uwch ag yr wyf fi'n siarad â hwy, gan fod yma wahaniaeth barn

There is a funding gap which must be addressed, and we were promised that it would start to be addressed in this financial year. That is not happening.

Sue Essex: I will check what Rhodri said—I thought that it said in the current budget round. It is my understanding that the supplementary income stream is a contribution towards the funding gap, but I will also check that. You have my commitment, and the First Minister's commitment, that he intends to keep to his word. It is just a question of working that through. We have had very sensible discussions around the issue, and there is no point in playing all this out in Plenary and having differences. We should stick to where we are going and use the latest report to see if we can get an accurate understanding.

Peter Black: We established during questions to the First Minister yesterday that £33 million was being held back from the local government settlement to cover the efficiency savings that the Assembly Government wants to see local councils achieve. Do you not accept that that particular method effectively takes away any discretion that local councils have to reinvest those savings into key services, because you are effectively imposing cuts on those councils?

Sue Essex: No, it is not a case of imposing cuts. I had a discussion with Mike German about it yesterday after the questions session. Since you have raised the issue, I will bury something that is frequently said by your party, namely that schools in England are exempt from such efficiency savings. I have checked this, and they are not exempt. They are required to make efficiency savings; local government is required to expect 40 per cent savings from schools. Thank you for raising the issue, because it has given me a chance to say that what you have said in the past is not exactly accurate.

In terms of where we are in Wales, I have held another discussion with the Welsh Local Government Association. Our comments on

difrifol. Mae yna fwlch ariannu y mae'n rhaid mynd i'r afael ag ef, a rhoddwyd addewid inni y byddid yn dechrau mynd i'r afael ag ef yn y flwyddyn ariannol hon. Nid yw hynny'n digwydd.

Sue Essex: Gwiriaf yr hyn a ddywedodd Rhodri—yr oeddwn yn credu ei fod yn sôn am gylch cyfredol y gyllideb. Yn ôl a ddeallaf, mae'r ffrwd incwm atodol yn gyfraniad at y bwlch ariannu, ond gwiriaf hynny hefyd. Yr wyf yn rhoi fy ymrwymiad i chi, ac ymrwymiad y Prif Weinidog, ei fod yn bwriadu cadw at ei air. Dim ond mater o weithredu hynny sydd eisiau. Yr ydym wedi cael trafodaethau synhwyrol iawn am y mater, ac nid oes unrhyw ddiben mynd drwy hyn oll yn y Cyfarfod Llawn pan fydd gan bawb safbwyntiau gwahanol. Dylem gadw at ein nod a defnyddio'r adroddiad diweddaraf i weld a allwn gael dealltwriaeth glir.

Peter Black: Yn ystod y cwestiynau i'r Prif Weinidog ddoe, cadarnhawyd bod £33 miliwn yn cael ei ddal yn ôl o'r setliad llywodraeth leol i gynnwys yr arbedion effeithlonrwydd y mae Llywodraeth y Cynulliad am i gynghorau lleol eu gwneud. Oni dderbyniwch fod y dull penodol hwnnw, i bob pwrpas, yn dileu unrhyw ryddid sydd gan gynghorau lleol i ailfuddsoddi'r arbedion hynny mewn gwasanaethau allweddol, oherwydd eich bod, i bob pwrpas, yn gosod toriadau ar y cynghorau hynny?

Sue Essex: Na, nid ydym yn gosod toriadau. Cefais drafodaeth gyda Mike German ynglŷn â hyn ddoe ar ôl y sesiwn cwestiynau. Gan eich bod wedi codi'r mater, rhoddaf daw ar rywbeth a ddywedir yn aml gan eich plaid chi, sef bod ysgolion yn Lloegr wedi'u heithrio rhag arbedion effeithlonrwydd felly. Yr wyf wedi gwirio hyn, ac nid ydynt wedi'u heithrio. Mae'n ofynnol iddynt wneud arbedion effeithlonrwydd; mae'n ofynnol i lywodraeth leol ddisgwyl 40 y cant o arbedion gan ysgolion. Diolch i chi am godi'r mater, gan ei fod wedi rhoi cyfle imi ddweud nad yw'r hyn a ddywedwyd gennych yn y gorffennol yn fanwl gywir.

O ran y sefyllfa yng Nghymru, yr wyf wedi cael trafodaeth arall gyda Chymdeithas Llywodraeth Leol Cymru. Mae ein sylwadau

this issue in the past provide the same answer that I am giving now: it is up to each local authority how they pursue their efficiency savings. Some are pursuing the issue through schools, in conjunction with schools, and some are not. So, I cannot understand the increasing worries that you have on this issue.

ar y mater hwn yn y gorffennol yn rhoi'r un ateb ag a roddaf yn awr: cyfrifoldeb pob awdurdod lleol yw sut y maent i sicrhau eu harbedion effeithlonrwydd. Mae rhai'n mynd ar ôl y mater drwy ysgolion, ar y cyd ag ysgolion, ac eraill yn dewis peidio â gwneud hynny. Felly, ni allaf ddeall eich pryderon cynyddol ynghylch y mater hwn.

Y Portffolio Llywodraeth Leol a Gwasanaethau Cyhoeddus The Local Government and Public Services Portfolio

Q4 William Graham: Will the Minister outline her considerations for further increases to the local government and public services portfolio? OAQ0352(FIN)

C4 William Graham: A wnaiff y Gweinidog amlinellu ei hystyriaethau ynghylch cynyddu'r portffolio llywodraeth leol a gwasanaethau cyhoeddus ymhellach? OAQ0352(FIN)

Q6 Brynle Williams: What considerations did the Minister take into account when allocating the overall budget for the local government and public services portfolio? OAQ0349(FIN)

C6 Brynle Williams: Beth fu'r Gweinidog yn ei ystyried wrth benderfynu dyraniad cyffredinol y gyllideb ar gyfer y portffolio llywodraeth leol a gwasanaethau cyhoeddus? OAQ0349(FIN)

Sue Essex: The draft budget contained provision for the revenue support grant to increase by 5.1 per cent. The local government provisional settlement which I announced has been before the Local Government and Public Services Committee and the partnership council. The prime consideration in terms of the portfolio was the expenditure report produced by local government.

Sue Essex: Yr oedd y gyllideb ddrafft yn cynnwys darpariaeth i'r grant cynnal refeniw gynyddu 5.1 y cant. Maer setliad dros dro i lywodraeth leol a gyhoeddwyd gennyf wedi bod gerbron y Pwyllgor Llywodraeth Leol a Gwasanaethau Cyhoeddus a'r cyngor partneriaeth. Y brif ystyriaeth o ran y portffolio oedd yr adroddiad ar wariant a gynhyrwyd gan lywodraeth leol.

William Graham: Newport City Council, which did not have its boundaries reorganised in 1974 or 1996, suggests that the provisional settlement made to it will be £2.6 million less and could well lead to an increase of 8.4 per cent in council tax, of which £800,000 will not be available for spending on vulnerable people. Will you look again at the assessments to be made of places like Newport?

William Graham: Mae Cyngor Dinas Casnewydd, nad ad-drefnwyd ei ffiniau yn 1974 na 1996, yn awgrymu y bydd y setliad dros dro a roddir iddo £2.6 miliwn yn llai, a gallai'n hawdd arwain at gynydd o 8.4 y cant yn y dreth gyngor, ac ni fydd £800,000 o hyn ar gael ar gyfer i'w wario ar bobl ddi-amddiffyn. A ailystyriwch yr asesïadau sydd i'w gwneud o leoedd fel Casnewydd?

Sue Essex: As you know, Newport has 5.2 per cent, which is just over the average. It is delivered by a formula agreed by the consultative forum on finance, which includes representatives of all the political parties. That is how it is distributed, and it is not for me to interfere in the formula or you would get outrage across, I suspect, 21 authorities in Wales.

Sue Essex: Fel y gwyddoch, mae Casnewydd yn cael 5.2 y cant, sydd ychydig yn uwch na'r cyfartaledd. Gwneir hynny drwy gyfrwng fformiwla y cytunwyd arni gan y fforwm ymgynghorol ar gyllid, sy'n cynnwys cynrychiolwyr o'r holl bleidiau gwleidyddol. Dyna sut y'i dosberthir, ac nid fy lle i yw ymyrryd yn y fformwla neu byddai dicter mewn 21 o awdurdodau yng Nghymru, fe

dybiaf.

Brynle Williams: Can you give me an indication of where the additional funding for the imminent merger of the police forces will come from?

Brynle Williams: A allwch roi syniad imi o ble y daw'r arian ychwanegol ar gyfer y broses sydd ar droed o uno'r heddluoedd?

Sue Essex: I do not know whether you know something that I do not in terms of the 'imminent merger', because I have not heard that it is imminent. There is a consultation, to which the Social Justice and Regeneration Committee is responding, and this is not a devolved issue. If there are mergers, I suspect that it is down to the Home Office to provide that funding.

Sue Essex: Ni wn ydych chi'n gwybod rhywbeth na wn i am yr 'uno sydd ar droed', gan nad wyf wedi clywed ei fod ar droed. Mae yna ymgynghori, ac mae'r Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio yn ymateb iddo, ac nid yw hwn yn fater sydd wedi ei ddatganoli. Os bydd uno, tybiaf mai cyfrifoldeb y Swyddfa Gartref fydd darparu'r arian hwnnw.

Y Portffolio Amgylchedd, Cynllunio a Chefn Gwlad The Environment, Planning and Countryside Portfolio

C5 Alun Ffred Jones: Pa flaenoriaethau a ystyriwyd gan y Gweinidog wrth ddyrannu'r gyllideb ar gyfer y portffolio amgylchedd, cynllunio a chefn gwlad? OAQ0316(FIN)

Q5 Alun Ffred Jones: What priorities were considered by the Minister when allocating the budget for the environment, planning and countryside? OAQ0316(FIN)

Sue Essex: When considering budget allocations, I have regular discussions with the Minister for Environment, Planning and Countryside on several issues affecting his portfolio. I also considered the views that the committee that you chair put forward, along with the issues in 'Wales: A Better Country'.

Sue Essex: Wrth ystyried dyraniadau cyllideb, byddaf yn cael trafodaethau rheolaidd â'r Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad ar lawer mater sy'n effeithio ar ei bortffolio. Yn ogystal, ystyriais y safbwyntiau a gyflwynwyd gan y pwyllgor yr ydych yn ei gadeirio, ynghyd â'r materion yn 'Cymru: Gwlad Well'.

Alun Ffred Jones: A wnaeth y Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad gais am ragor o arian i ymateb i'r galw cynyddol am arian i gyllidebu cytundebau i wella cyflwr ein safleoedd o ddi-ddordeb gwyddonol arbennig a thiroedd o'r fath?

Alun Ffred Jones: Did the Minister for the Environment, Planning and Countryside bid for additional funding to respond to the increasing demand for money to fund agreements to improve our sites of special scientific interest and similar land?

Sue Essex: I cannot remember his bid exactly, but we looked at all the issues that were there and allocated a sum of money. I know that you have responded at committee. You have already discussed the points on the budget; I am sure that the Minister will reply to you on that.

Sue Essex: Ni allaf gofio ei gais yn union, ond buom yn edrych ar yr holl faterion a oedd yno a dyrannu swm o arian. Gwn eich bod wedi ymateb yn y pwyllgor. Yr ydych eisoes wedi trafod y pwyntiau ar y gyllideb; yr wyf yn siŵr y bydd y Gweinidog yn rhoi ateb ichi ar hynny.

The Presiding Officer: Thank you, Minister. We seem to have had a lot of budget scrutiny this afternoon.

Y Llywydd: Diolch, Weinidog. Mae'n ymddangos ein bod wedi craffu gryn dipyn ar gyllideb y prynhawn yma.

Cwestiynau i'r Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad
Questions to the Minister for Environment, Planning and Countryside

Trwyddedu Hela
Game Licensing

Q1 Brynle Williams: Will the Minister make a statement on game licensing in Wales? OAQ0475(EPC)

The Minister for Environment, Planning and Countryside (Carwyn Jones): Game licensing in Wales is not devolved and is the responsibility of the Department for Environment, Food and Rural Affairs.

Brynle Williams: In anticipation of your answer, there are three—you will see where I am going with this in a minute—*[Laughter.]*

The Presiding Officer: Order. This is a very important issue.

Brynle Williams: There are currently three types of game license available: to rear game, to take game and to sell game. I understand that DEFRA, in England, will publish, ahead of Christmas, a consultation on the game Acts. Will you ensure that we have an input into that consultation to cover nutritional, social, economic and environmental matters in Wales, so that everyone from urban and rural areas can have the opportunity to benefit from these products?

Carwyn Jones: Yes.

Lorraine Barrett: Do you agree that licences should not be issued to game farms that keep birds in crowded cages, which is cruel and causes suffering, as I have seen in footage taken at a bird-rearing farm in mid Wales?

2.40 p.m.

Carwyn Jones: It is important that where any animals are kept in captivity, conditions are as humane as possible. This has been done in terms of poultry in particular with the phasing out of battery cages by 2010. I would

C1 Brynle Williams: A wnaiff y Gweinidog ddatganiad am drwyddedu hela yng Nghymru? OAQ0475(EPC)

Y Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad (Carwyn Jones): Nid yw'r gwaith o drwyddedu hela yng Nghymru wedi'i ddatganoli, a chyfrifoldeb Adran yr Amgylchedd, Bwyd a Materion Gwledig ydyw.

Brynle Williams: Gan ragweld eich ateb, mae tri—byddwch yn deall fy mhwynt yn y man—*[Chwerthin.]*

Y Llywydd: Trefn. Mae hwn yn fater pwysig iawn.

Brynle Williams: Mae tri math o drwydded hela ar gael ar hyn o bryd: magu anifeiliaid hela, dal anifeiliaid hela a gwerthu anifeiliaid hela. Deallaf y bydd DEFRA, yn Lloegr, cyn y Nadolig yn cyhoeddi ymgynghoriad ar y Deddfau hela. A sicrhewch ein bod ni'n cyfrannu at yr ymgynghoriad hwnnw er mwyn cynnwys materion maeth a materion cymdeithasol, economaidd ac amgylcheddol yng Nghymru, er mwyn i bawb o ardaloedd gwledig a threfol gael y cyfle i fanteisio ar y cynhyrchion hyn?

Carwyn Jones: Gwnaf.

Lorraine Barrett: A gytunwch na ddylid rhoi trwyddedau i ffermydd anifeiliaid hela sy'n cadw adar mewn cewyll gorlawn, sy'n greulon ac yn peri dioddefaint, fel yr wyf wedi'i weld mewn ffilm a wnaed ar fferm magu adar yn y canolbarth.

Carwyn Jones: Lle y caiff anifeiliaid eu cadw mewn caethiwed, mae'n bwysig i'r amodau fod mor ddyngarol â phosibl. Gwnaed hyn gyda dofednod yn arbennig, yn sgîl dirwyn cewyll batri i ben erbyn 2010.

want to examine what could be done in order to assist situations in which it appears that animals are kept in difficult and harsh conditions.

Janet Davies: Hen harriers, which are rare and beautiful birds, are sometimes killed by keepers to preserve grouse, which are then killed by their clients. Under the DEFRA consultation, will you ask for measures to be included in any new licences to protect these hen harriers?

Carwyn Jones: That is an important point, which I will certainly take up.

Byddwn yn dymuno archwilio'r hyn y gellid ei wneud er mwyn cynorthwyo sefyllfaoedd lle mae'n ymddangos bod anifeiliaid yn cael eu cadw mewn amodau anodd a llym.

Janet Davies: Weithiau caiff y boda tinwyn, sy'n aderyn prin a hardd, ei ladd gan giperiaid er mwyn diogelu grugieir, a'r rheini, yn eu tro, yn cael eu lladd gan eu cleientiaid. O dan ymgynghoriad DEFRA, a ofynnwch am gynnwys mesurau mewn unrhyw drwyddedau newydd er mwyn diogelu'r boda tinwyn?

Carwyn Jones: Mae hynny'n bwynt pwysig, a byddaf yn sicr yn mynd ar drywydd hynny.

Flood Risk Perygl Llifogydd

Q2 Eleanor Burnham: Will the Minister make a statement on 'Technical Advice Note 15: Development and Flood Risk'? OAQ0453(EPC)

Carwyn Jones: TAN 15, along with others, forms part of the guidance given to local planning authorities to assist them in reaching decisions on planning applications and in preparing development plans.

Eleanor Burnham: That is fine, but I understand that, in England, no-one can develop land that has been flooded during the past 100 years, while in Wales it is land that has been flooded during the past 1,000 years. Why is the advice in England different to that in Wales, and will you be reviewing the TAN to address this imbalance so that my constituents in many parts of north Wales will not be affected in such a negative way?

Carwyn Jones: We think that our guidance is better, and I understand that the Office of the Deputy Prime Minister will be reviewing the situation in England next year.

Glyn Davies: One of the consequences of TAN 8 in Wales is that a lot of land that was previously designated for development has been taken out of local development plans. Will you encourage local authorities, when

C2 Eleanor Burnham: A wnaiff y Gweinidog ddatganiad am 'Nodyn Cyngor Technegol 15: Datblygu a Pherygl o Llifogydd'? OAQ0453(EPC)

Carwyn Jones: Mae TAN 15, ynghyd ag eraill, yn rhan o'r canllawiau a roddir i awdurdodau cynllunio lleol i'w cynorthwyo wrth benderfynu ceisiadau cynllunio ac wrth baratoi cynlluniau datblygu.

Eleanor Burnham: Mae hynny'n ddigon teg, ond deallaf na all neb, yn Lloegr, ddatblygu tir lle bu llifogydd yn ystod y 100 mlynedd diwethaf. Ond yng Nghymru mae hynny'n wir am dir lle bu llifogydd yn ystod y 1,000 mlynedd diwethaf. Pam mae'r cyngor yn Lloegr yn wahanol i'r cyngor yng Nghymru, ac a fyddwch yn adolygu'r TAN er mwyn mynd i'r afael â'r anghydwysedd hwn, fel nad effeithir ar fy etholwyr mewn llawer ardal yn y gogledd mewn ffordd mor negyddol?

Carwyn Jones: Credwn fod ein canllawiau ni yn well, a deallaf y bydd Swyddfa'r Dirprwy Brif Weinidog yn adolygu'r sefyllfa yn Lloegr y flwyddyn nesaf.

Glyn Davies: Un o ganlyniadau TAN 8 yng Nghymru yw bod llawer o dir a ddynodwyd gynt ar gyfer ei ddatblygu wedi'i ddileu o gynlluniau datblygu lleol. A fyddwch yn annog awdurdodau lleol, wrth ddatblygu eu

developing their new plans, to compensate for what has been taken out by identifying new land, so that issues such as affordable housing are not made even more extreme?

Carwyn Jones: I do not believe that TAN 8 has an effect on affordable housing.

Glyn Davies: I meant to say TAN 15.

The Presiding Officer: Order. This question is about TAN 15.

Glyn Davies: I apologise. The Minister knows that that was a slip of the tongue. He did not wish to give a specific answer or make a promise on this, so he used a rather clever device to avoid it.

The Presiding Officer: Order. To attribute motives to the Minister in that way is not appropriate. I believe that the Minister might also have been referring to TAN 15.

Carwyn Jones: I strive to be accurate in answering Members' questions, and that is what I did in this case.

The Presiding Officer: Order. The question was not about TAN 8. You could not have answered a question about TAN 8 as the question is about TAN 15. His question was out of order if it was on TAN 8, but I took it to be on TAN 15. I took it to be a slip of the tongue, and Glyn Davies has confirmed that.

Carwyn Jones: In that case, through your good offices, I will allow him a second opportunity. It is important to remember that, with TAN 15, the idea is to ensure that land is not flooded, particularly where there are consequent demands on the public purse for flood prevention schemes. We have to bear in mind, particularly in terms of what has happened in Trefriw, where flooding has occurred twice in one year in an area that had not previously flooded for more than 40 years, climate change means that there are many areas of land that will now be liable to flood risk, and local authorities must work around that.

cynlluniau newydd, i ddigolledu pobl am yr hyn sydd wedi'i ddileu drwy nodi tir newydd, er mwyn osgoi gwaethygu materion megis darparu tai fforddiadwy?

Carwyn Jones: Ni chredaf fod TAN 8 yn effeithio ar ddarparu tai fforddiadwy.

Glyn Davies: TAN 15 yr oeddwn yn ei olygu.

Y Llywydd: Trefn. Mae a wnelo'r cwestiwn hwn â TAN 15.

Glyn Davies: Ymddiheuraf. Gŵyr y Gweinidog mai llithriad tafod oedd hynny. Nid oedd yn dymuno rhoi ateb penodol na gwneud addewid ar hyn, felly, defnyddiodd ffordd ddigon clyfar i osgoi'r cwestiwn.

Y Llywydd: Trefn. Nid yw priodoli cymhellion i'r Gweinidog fel hynny yn briodol. Credaf fod y Gweinidog hefyd, efallai, yn cyfeirio at TAN 15.

Carwyn Jones: Yr wyf yn ceisio bod yn gywir wrth ateb cwestiynau gan Aelodau, a dyna a wneuthum yn yr achos hwn.

Y Llywydd: Trefn. Nid oedd a wnelo'r cwestiwn â TAN 8. Ni allech fod wedi ateb cwestiwn am TAN 8 gan fod a wnelo'r cwestiwn â TAN 15. Os oedd a wnelo ei gwestiwn â TAN 8, yr oedd allan o drefn, ond cymerais mai cyfeirio at TAN 15 yr oedd. Cymerais mai llithriad tafod oedd hyn, a chadarnhawyd hynny gan Glyn Davies.

Carwyn Jones: Os felly, drwy eich cymwynasgarwch chi, rhoddaf ail gyfle iddo. Mae'n bwysig cofio, o ran TAN 15, mai'r syniad yw sicrhau na fydd gorlifo ar dir, yn arbennig lle mae galw yn sgîl hynny am arian cyhoeddus ar gyfer cynlluniau atal llifogydd. Rhaid inni gofio, yn arbennig o ran yr hyn a ddigwyddodd yn Nhrefriw, lle bu llifogydd ddwywaith mewn blwyddyn mewn ardal lle na fu llifogydd ers dros 40 mlynedd cyn hynny, fod newid yn yr hinsawdd yn golygu bod nifer o ardaloedd o dir a fydd yn awr yn agored i berygl llifogydd, a rhaid i awdurdodau lleol weithio o amgylch hynny.

Rhodri Glyn Thomas: Hoffwn fynd â chi yn ôl at y cwestiwn yr oedd Glyn Davies yn bwriadu ei ofyn ynghylch TAN 15 a'r ffaith bod tir wedi'i dynnu allan o gynlluniau datblygu unedol, sy'n golygu y bydd awdurdodau cynllunio lleol yn ei chael yn anodd dynodi ardaloedd ar gyfer tai fforddiadwy. A yw'n eich poeni fod y nodyn cyngor technegol newydd hwn yn ei gwneud yn anodd i sicrhau bod stoc o dai fforddiadwy ar gael yng Nghymru?

Rhodri Glyn Thomas: I wish to take you back to the question which Glyn Davies had intended to ask about TAN 15 and the fact that land has been taken out of unitary development plans, meaning that local planning authorities will find it difficult to identify land for affordable housing. Does it not concern you that this new TAN makes it difficult to ensure that a stock of affordable housing is available in Wales?

Carwyn Jones: Ni welais unrhyw dystiolaeth sy'n dweud hynny. Fodd bynnag, mae'n well sicrhau bod tai fforddiadwy yn cael eu hadeiladu mewn ardaloedd diogel nag mewn ardaloedd y mae perygl iddynt ddiodef llifogydd. Byddai hynny'n hollol anghyfrifol.

Carwyn Jones: I have not seen any evidence to say that. However, it would be better to ensure that affordable housing is built in safe areas rather than in areas where there is a risk of flooding. That would be utterly irresponsible.

Cynlluniau Rheoli Ardaloedd o Harddwch Naturiol Eithriadol Areas of Outstanding Natural Beauty Management Plans

Q3 Karen Sinclair: Will the Minister make a statement on areas of outstanding natural beauty management plans? OAQ0515(EPC)

C3 Karen Sinclair: A wnaiff y Gweinidog ddatganiad am gynlluniau rheoli ardaloedd o harddwch naturiol eithriadol? OAQ0515(EPC)

Carwyn Jones: The Countryside and Rights of Way Act 2000 required relevant local authorities to produce AONB management plans for these important areas. I am pleased to announce today that, following public consultation, they will not be affected by the local government plan rationalisation proposals, but will remain in place.

Carwyn Jones: O dan Ddeddf Cefn Gwlad a Hawliau Tramwy 2000, fe'i gwnaed yn ofynnol i awdurdodau lleol perthnasol gynhyrchu cynlluniau rheoli AHNE ar gyfer yr ardaloedd pwysig hyn. Yr wyf yn falch o gyhoeddi heddiw, yn dilyn ymgynghori cyhoeddus, na fydd y cynigion i resymoli cynlluniau llywodraeth leol yn effeithio arnynt, ond y byddant yn parhau.

Karen Sinclair: As you know, the Clwydian range, situated in north-east Wales, is one of the most stunning landscapes in the country. Since its designation as an area of outstanding natural beauty in 1985, that status has helped protect the flora, fauna and geological as well as landscape features of the range for the benefit of the whole of Wales. Given that recent new designations have been made in England for two new national parks in the New Forest and Sussex downs, is it not time that Wales looked to further extend the protection that it gives to some of its most precious landscapes? Given the popularity of places like Dinas Brân castle, the Llangollen railway and the

Karen Sinclair: Fel y gwyddoch, mae bryniau Clwyd, yn y gogledd-ddwyrain, yn un o'r tirweddau mwyaf godidog yn y wlad. Ers eu dynodi'n ardal o harddwch naturiol eithriadol yn 1985, mae'r statws hwnnw wedi helpu diogelu fflora, ffawna a daeareg y bryniau yn ogystal â nodweddion eu tirwedd er budd Cymru gyfan. O gofio bod ardaloedd newydd wedi eu dynodi'n ddiweddar yn Lloegr ar gyfer dau barc cenedlaethol newydd yn y Fforest Newydd a rhos Sussex, onid yw'n bryd i Gymru ystyried ymestyn y diogelwch a roddir i rai o'i thirweddau mwyaf gwerthfawr? O gofio poblogrwydd lleoedd megis castell Dinas Brân, rheilffordd Llangollen a Bwlch yr Oernant, oni fyddai

Horseshoe Pass, would not the Clwydian range in north-east Wales be a perfect place to start this extension of AONBs in Wales?

Carwyn Jones: I know that the Countryside Council of Wales is working with local authorities at the moment to see how the extension might be taken forward along the lines that you are suggesting.

David Lloyd: A oes strategaeth benodol i adolygu'r cynlluniau rheoli hyn, neu ai ar hap a damwain y bydd pethau'n digwydd?

Carwyn Jones: Yr ydym yn edrych ar hyn o bryd ar yr ardal o harddwch naturiol eithriadol yn ardal Karen, ac y mae Cyngor Cefn Gwlad Cymru yn edrych ar ffyrdd o estyn ffiniau'r ardaloedd hynny.

Alun Cairns: On the angle of the questions pursued by Karen Sinclair, I could not agree more, given that next year is the fiftieth anniversary of Gower being awarded the status of first designated area of outstanding natural beauty in the UK. A way of celebrating that would be to designate further areas in Wales as AONBs. I made this request to the First Minister some months ago and the response has generally been pretty bland. The Welsh Assembly Government's attitude has been pretty muted in celebrating this excellent anniversary next year. Will you agree to review this, once again, in order to issue some positive proposals to make the most of this fiftieth anniversary?

Carwyn Jones: I will consult with the CCW and report back.

Y Llywydd: Tynnwyd cwestiwn 4, OAQ0504(EPC), yn ôl.

bryniau Clwyd yn y gogledd-ddwyrain yn lle perffaith i ddechrau ymestyn ardaloedd o harddwch naturiol eithriadol yng Nghymru?

Carwyn Jones: Gwn fod Cyngor Cefn Gwlad Cymru yn gweithio gydag awdurdodau lleol ar hyn o bryd i weld sut y gellid ymestyn yr ardaloedd hyn ar hyd y llinellau a awgrymir gennych.

David Lloyd: Is there a specific strategy to review these management plans, or do things happen arbitrarily?

Carwyn Jones: We are currently looking at the AONB in Karen's area, and the CCW is looking at any ways to extend the boundaries of AONBs.

Alun Cairns: O ran y cwestiynau a godwyd gan Karen Sinclair, cytunaf yn llwyr, o gofio mai'r flwyddyn nesaf fydd hanner canmlwyddiant dynodi Penrhyn Gŵyr fel yr ardal gyntaf yn y DU i gael ei dynodi'n ardal o harddwch naturiol eithriadol. Un ffordd o ddathlu hynny fyddai dynodi ardaloedd eraill yng Nghymru yn ardaloedd o harddwch naturiol eithriadol. Gwneuthum y cais hwn i'r Prif Weinidog rai misoedd yn ôl, a digon llugoer fu'r ymateb yn gyffredinol. Nid yw Llywodraeth Cynulliad Cymru wedi dangos rhyw lawer o frwdfrydedd dros ddathlu'r hanner canmlwyddiant gwych hwn y flwyddyn nesaf. A wnewch gytuno i adolygu hyn, unwaith eto, er mwyn cyflwyno rhai cynigion cadarnhaol i fanteisio i'r eithaf ar yr hanner canmlwyddiant hwn?

Carwyn Jones: Byddaf yn ymgynghori â CCGC ac adrodd yn ôl.

The Presiding Officer: Question 4, OAQ0504(EPC), has been withdrawn.

Datblygu Gwledig Rural Development

C5 Elin Jones: Pa drafodaethau y mae'r Gweinidog wedi eu cynnal yn ddiweddar gyda Gweinidogion San Steffan parthed datblygu gwledig? OAQ0507(EPC)

Q5 Elin Jones: What recent discussions has the Minister had with UK Government Ministers regarding rural development? OAQ0507(EPC)

Carwyn Jones: Yr wyf yn cyfarfod gyda fy nghymheiriaid yn y Deyrnas Unedig yn aml, ac mae datblygu gwledig yn chwarae rhan fawr yn ein trafodaethau.

Carwyn Jones: I meet my United Kingdom ministerial counterparts frequently, and rural development is prominent in our discussions.

Elin Jones: Yn eich trafodaethau, a ydych wedi cael cyfle i ystyried a ddylai'r Comisiwn Coedwigaeth feddu ar agwedd mwy rhagweithiol o lawer at ddatblygu ffermydd gwynt ar ei dir, neu'n hytrach ar ein tir ni yn yr ucheldir, gan y gallai hynny gynnig cyfle sylweddol i gynhyrchu ynni adnewyddadwy ac i adfer cynefinoedd gwreiddiol?

Elin Jones: In your discussions, have you had an opportunity to consider whether the Forestry Commission should have a much more proactive attitude to the development of wind farms on its land, or rather on our uplands, given that that could be a substantial opportunity to produce renewable energy and to restore original habitats?

Carwyn Jones: Mae hwn yn fater i'w ystyried gan Lywodraeth y Cynulliad ac nid gan Weinidogion y Deyrnas Unedig. Mae gan y Comisiwn Coedwigaeth bolisi a chynlluniau ar y mater hwn. Gan fy mod hefyd yn Weinidog dros gynllunio, rhaid i mi gadw pellter rhyngof fi â'r mater, felly ni allaf wneud sylwadau.

Carwyn Jones: This is something for consideration by the Assembly Government, not by UK Ministers. The Forestry Commission has a policy and plans on this issue. As I am also Minister for planning, I must adopt an arm's-length attitude on this, therefore I cannot comment.

Mick Bates: You are aware that England, under the rural development plan, has developed an energy crops programme. There can be no programme that meets your sustainable development goals better than an energy crops programme. Why will you not look at the details of implementing one in the 2007 rural development plan?

Mick Bates: Fe wyddoch fod Lloegr, dan y cynllun datblygu gwledig, wedi datblygu rhaglen cnydau ynni. Nid oes gwell rhaglen na rhaglen cnydau ynni i gyrraedd eich nodau o ran datblygu cynaliadwy. Pam nad edrychwch ar fanylion gweithredu un y cynllun datblygu gwledig ar gyfer 2007?

Carwyn Jones: We are looking at whether it would be wise to include that in the 2007 RDP, but we have to bear in mind that in order to pay for it, we will either have to increase modulation or cut funding to agri-environment schemes.

Carwyn Jones: Yr ydym yn ystyried a fyddai'n ddoeth cynnwys hynny yng nghynllun datblygu gwledig 2007. Ond rhaid inni gofio y bydd yn rhaid inni naill ai gael mwy o fodiwleiddio neu gwtogi cynlluniau amaeth-amgylcheddol i dalu amdani?

Ieuan Wyn Jones: Ymddiheuraf i chi, Lywydd, ac i'r Gweinidog nad oeddwn yn y Siambr ar gyfer ddechrau'r cwestiwn.

Ieuan Wyn Jones: I apologise to you, Presiding Officer, and to the Minister for not having been in the Chamber for the beginning of the question.

Y Llywydd: Yr oeddwn wedi sylwi.

The Presiding Officer: It was noted.

Ieuan Wyn Jones: Ymddiheuraf o waelod calon am hynny. Nid diffyg cwrteisi oedd yn gyfrifol.

Ieuan Wyn Jones: I apologise unreservedly for that. My absence was not due to lack of courtesy.

2.50 p.m.

Nid wyf am ofyn cwestiwn am y swyddi sy'n cael eu colli yng Ngheredigion ar hyn o bryd

I shall not ask a question about the job losses in the processing sector in Ceredigion at the

yn y diwydiant prosesu, ond am bwysigrwydd cael diwydiant prosesu ochr yn ochr â diwydiant cynhyrchu, yn enwedig lle mae diwydiant cynhyrchu eang, fel y diwydiant cynhyrchu llaeth yng Ngheredigion ac mewn rhannau eraill o Gymru. A gredwch ei bod yn bwysig sicrhau cydlyniant rhwng y ddau fel bod hyder gan ffermwyr lleol yn eu marchnad?

Carwyn Jones: Ydw. Mae hi'n bwysig bod prosesu yn digwydd mor agos â phosibl i'r cynhyrchu. Yr wyf yn sylweddoli pa mor bwysig yw'r ffatri yn Felin-fach i'r economi leol, a gobeithiaf fynd yno yfory er mwyn siarad â'r rheolwyr a'r gweithwyr.

Ieuan Wyn Jones: Yr ydych yn ymwybodol mai'r prif bryder sydd gan nifer o amaethwyr yn y sector llaeth yw bod y diwydiant prosesu yn mynd yn bellach oddi wrthynt. Wrth i hynny ddigwydd, maent yn teimlo bod eu marchnad hefyd yn mynd yn bellach oddi wrthynt. Yr wyf yn ymwybodol eich bod wedi rhoi'r ymrwymiad hwnnw, a chaiff hynny ei groesawu'n fawr. Bydd cyflwyno'r neges honno cyn lawned â phosibl yn rhoi mwy o hyder i ffermwyr llaeth.

Carwyn Jones: Mae sicrhau bod prosesu yn digwydd yn agos at gynhyrchu yn gwneud synnwyr mawr. Mae llwyddiannau drwy Gymru gyfan, ac mae Rachel's Organic yn un enghraifft. Mae rhai cwmnïau wedi dangos diddordeb mewn sefydlu rhagor o ffatrïoedd prosesu, ac yr ydym yn ystyried hynny ar hyn o bryd.

Nick Bourne: Minister, have you made a recent reassessment of the value of rural rate relief in our communities? Given that many businesses are going out of business, perhaps it would make a difference. Will you look at this afresh to see whether shops and small businesses might be afforded rural rate relief because of problems in communities up and down Wales, particularly in rural Wales?

Carwyn Jones: This is not something that sits directly in my portfolio, but I am aware of the issue. You will be aware of the assistance that was put in place after the outbreak of foot and mouth disease. This is

present time, but about the importance of having a processing industry side by side with and a production industry, particularly where there is an extensive production industry, such as the dairy industry in Ceredigion and in other parts of Wales. Do you believe it is important to ensure collaboration between the two so that local farmers can have confidence in their market?

Carwyn Jones: Yes, I do. It is important that processing takes place as near as possible to the point of production. I recognise the importance of the factory at Felin-fach to the local economy, and I hope to go there tomorrow to speak to the management and the workers.

Ieuan Wyn Jones: You will be aware that the main concern for a number of dairy farmers is that the processing industry is moving further away from them. As that happens, they feel their market is also moving further away. I am aware that you have made that commitment, which is warmly welcomed. Conveying that message as fully as possible will give dairy farmers more confidence.

Carwyn Jones: It makes great sense to ensure that processing happens near the point of production. There are success stories across Wales, and Rachel's Organic is one such example. Some companies have expressed an interest in establishing more processing plants, and we are considering that at the moment.

Nick Bourne: Weinidog, a ydych yn ddiweddar wedi ailasesu gwerth rhyddhad ardrethi gwledig yn ein cymunedau? O gofio bod nifer o fusnesau'n mynd i'r wal, efallai y byddai'n gwneud gwahaniaeth. A wnewch edrych ar hyn o'r newydd i weld a ellid rhoi rhyddhad ardrethi gwledig i siopau a busnesau bach oherwydd problemau mewn cymunedau ar hyd a lled Cymru, yn enwedig yng nghefn gwlad Cymru?

Carwyn Jones: Nid yw hyn yn rhan uniongyrchol o'm portffolio, ond yr wyf yn ymwybodol o'r mater. Fe wyddoch am y cymorth a roddwyd ar waith ar ôl argyfwng clwy'r traed a'r genau. Mae hwn yn fater y

something that my colleague, Sue Essex, is primarily involved in, and I believe that it is being examined at the moment.

mae fy nghyd-Weinidog, Sue Essex, yn ymwneud ag ef yn bennaf, a chredaf ei fod yn cael ei ystyried ar hyn o bryd.

Microwave Dishes Soseri Meicrodon

C6 Owen John Thomas: A wnaiff y Gweinidog ddatganiad am y canllawiau cynllunio ar gyfer soseri meicrodon? OAQ0477(EPC)

Q6 Owen John Thomas: Will the Minister make a statement on the planning guidelines of microwave dishes? OAQ0477(EPC)

Carwyn Jones: Mae'r arweiniad ar gael ym mhennod 12 o 'Bolisi Cynllunio Cymru' ac yn nodyn cyngor technol 19.

Carwyn Jones: The guidance is available in chapter 12 of 'Planning Policy Wales' and in technical advice note 19.

Owen John Thomas: A recent report by the National Radiological Protection Board concluded that while there is no hard evidence that mobile phone masts pose a health threat, particular attention should be given to minimise the exposure of potentially vulnerable groups, such as children, who may be particularly sensitive to radio waves. Do you agree that proposals by the South Wales Fire Service to erect two microwave dishes at its training centre in Pontyclun, next door to Y Pant Comprehensive School, contradicts the NRPB's recommendations and should therefore be called in by the National Assembly for determination?

Owen John Thomas: Yr oedd adroddiad gan Fwrdd Cenedlaethol Diogelu Radiolegol yn ddiweddar yn dod yn i'r casgliad, er nad oes tystiolaeth bendant fod mastiau ffonau symudol yn berygl i iechyd, y dylid rhoi sylw arbennig i sicrhau bod grwpiau a allai fod yn agored i niwed, megis plant, a all fod yn sensitif iawn i donnau radio, yn llai agored. A gytnwch fod cynigion gan Wasanaeth Tân De Cymru i godi dwy ddysgl ficro-don yn ei ganolfan hyfforddi ym Mhont-y-Clun, y drws nesaf i Ysgol Gyfun y Pant, yn mynd yn groes i argymhellion NRPB ac y dylai felly gael ei alw i mewn gan y Cynulliad Cenedlaethol i'w benderfynu.

Carwyn Jones: You know full well that I cannot comment on individual planning applications, so I will comment on the first part of the question. You are right about the review; it was published in January of this year, and we are looking at the results of that review to see what might be done in order to examine the guidance once again.

Carwyn Jones: Fe wyddoch yn iawn na allaf wneud sylwadau am geisiadau cynllunio unigol, felly, rhif sylwadau ar ran gyntaf eich cwestiwn. Yr ydych yn iawn ynglŷn â'r adolygiad; fe'i cyhoeddwyd ym mis Ionawr eleni, ac yr ydym yn edrych ar ganlyniadau'r adolygiad hwnnw i weld beth y gellid ei wneud i archwilio'r canllawiau unwaith eto.

David Melding: Minister, do you agree that we must always be open to scientific evidence and review public policy in the light of that, that we should be candid with the public regarding that evidence, and that we need to take the public with us? However, if people are demanding ever more modern forms of technology, there is, inevitably, a subsequent demand for more and more gadgets to relay messages.

David Melding: Weinidog, a ydych yn cytuno ei bod yn rhaid inni bob amser fod â meddwl agored i dystiolaeth wyddonol ac adolygu polisi cyhoeddus yng ngoleuni hynny, y dylem fod yn onest â'r cyhoedd am y dystiolaeth honno, a bod angen inni gael cefnogaeth y cyhoedd? Fodd bynnag, os oes galw am fathau newydd o dechnoleg o hyd, mae'n anochel y bydd galw cynyddol am fwy a mwy o declynnau i gyfleu negeseuon.

Carwyn Jones: It is a fundamental principle of planning and the politics surrounding planning that people want benefits without

Carwyn Jones: Un o egwyddorion sylfaenol cynllunio a gwleidyddiaeth cynllunio yw bod pobl am gael y manteision heb yr

the disbenefits that go hand in hand with those. Nimbyism is a strong force not only in Wales, but in many other countries. Looking at it from a sensible point of view, we have adopted a precautionary approach—that is, what the planning guidance does in Wales—by implementing the findings of the Stewart report, and we believe, given the present state of knowledge and technology, that the balance is right. As science evolves, and as more information comes to light, it is important that guidance is reviewed.

anfanteision sy'n mynd law yn llaw â hwy. Mae'r awydd i amddiffyn eich milltir sgwâr eich hun yn gryf, nid yn unig yng Nghymru, ond mewn llawer gwlad arall. O edrych ar y mater yn synhwyrol, yr ydym wedi mabwysiadu ymagwedd ragofalus—hynny yw, yr hyn y mae'r canllawiau cynllunio yn ei wneud yng Nghymru---drwy weithredu'r hyn a ddarganfu adroddiad Stewart, a chredwn, o gofio'r wybodaeth a'r dechnoleg gyfredol, fod y cydbwysedd yn iawn. Wrth i wyddoniaeth ddatblygu, ac wrth i fwy o wybodaeth ddod i'r golwg, mae'n bwysig adolygu canllawiau.

Cadwraeth Natur a Chynllunio Nature Conservation and Planning

Q7 Janet Davies: Will the Minister make a statement on 'Technical Advice Note (Wales) 5: Nature Conservation and Planning'? OAQ0492(EPC)

C7 Janet Davies: A wnaiff y Gweinidog ddatganiad am 'Nodyn Cyngor Technegol (Cymru) 5: Cadwraeth Natur a Chynllunio'? OAQ0492(EPC)

Carwyn Jones: The TAN is being finalised for public consultation and should be available in draft form by the end of the year.

Carwyn Jones: Mae'r Nodyn yn cael ei baratoi'n derfynol ar gyfer ymgynghori â'r cyhoedd, a dylai fod ar gael ar ffurf ddrafft erbyn diwedd y flwyddyn.

Janet Davies: Given the importance of protecting habitats that come under TAN 5, what progress has been made recently on the local biodiversity action plans? Are you aware of the number of councils that now employ full-time officers?

Janet Davies: O gofio pwysigrwydd diogelu cynefinoedd sy'n dod dan TAN 5, pa gynnydd a wnaed yn ddiweddar gyda'r cynlluniau lleol ar gyfer gweithredu bioamrywiaeth? A wyddoch faint o gynghorau sy'n cyflogi swyddogion llawn amser erbyn hyn?

Carwyn Jones: I do not know exactly how many councils employ full-time officers. I am aware that my own local authority does. Local biodiversity action plans are rolling out across Wales. I have seen good examples in many parts of Wales in terms of how they operate to the benefit of biodiversity in those areas.

Carwyn Jones: Ni wn yn union faint o gynghorau sy'n cyflogi swyddogion llawn amser. Gwn fod swyddog gan fy awdurdod lleol fy hun. Mae cynlluniau lleol ar gyfer gweithredu bioamrywiaeth yn cael eu cyflwyno ledled Cymru. Yr wyf wedi gweld enghreifftiau da mewn llawer rhan o Gymru o'r ffordd y maent yn gweithredu er budd bioamrywiaeth yn yr ardaloedd hynny.

Lisa Francis: In terms of sites of special scientific interest, as set out in TAN 5, notified by the Countryside Council for Wales and enforced by local authorities, do you know what a farmer or landowner should do in respect of removing blackthorn from his or her land if the site has been designated as a site of special scientific interest and he or she is restricted in digging and ploughing activities? To which advice body should he

Lisa Francis: O ran safleoedd o ddiddordeb gwyddonol arbennig, fel y nodwyd yn TAN 5, ac sy'n cael eu hysbysu gan Gyngor Cefn Gwlad Cymru a'u gorfodi gan awdurdodau lleol, a wyddoch beth ddylai ffermwr neu berchennog tir yn ei wneud o ran cael gwared â'r ddraenen ddu ar ei dir ef neu hi os yw'r safle wedi'i ddynodi'n safle o ddiddordeb gwyddonol arbennig a chyfyngiadau ar balu ac aredig y tir? At ba gorff y dylai droi am

or she refer on such an issue?

gyngor ar fater felly?

Carwyn Jones: The Countryside Council for Wales.

Carwyn Jones: At Gyngor Cefn Gwlad Cymru.

Mesur Morol Marine Bill

C8 David Lloyd: Pa drafodaethau mae'r Gweinidog wedi eu cynnal gyda Gweinidogion Llywodraeth y DU ynglŷn â'r Mesur morol? OAQ0491(EPC)

Q8 David Lloyd: What discussions has the Minister had with UK Government Ministers regarding the progress of the marine Bill? OAQ0491(EPC)

Carwyn Jones: Yr wyf wedi cyfarfod ag Elliot Morley i drafod hyn, ac mae swyddogion mewn cysylltiad â swyddogion DEFRA bob wythnos bron.

Carwyn Jones: I have met Elliot Morley to discuss this, and officials are in contact with DEFRA officials almost on a weekly basis.

David Lloyd: Sut fyddwch yn sicrhau y bydd mesurau yn y Mesur morol yn cydredeg â chynllun gofodol Cymru?

David Lloyd: How will you ensure that measures in the marine Bill will run in parallel with the Wales spatial plan?

Carwyn Jones: Gwneir hynny drwy sicrhau bod y Mesur yn un sy'n rhoi fframwaith i'r Cynulliad i sicrhau bod y cynllun gofodol yn rhan allweddol o ba gamau bynnag y bydd y Cynulliad yn penderfynu eu cymryd ar ôl i'r Mesur ddod yn Ddeddf.

Carwyn Jones: That will be done by ensuring that the Bill gives the Assembly a framework to ensure that the spatial plan is a crucial part of whatever measures the Assembly decides to take after the Bill becomes law.

William Graham: Can you indicate how the latest maritime fishing initiative, called 'Charting a New Course', will complement the previous 'Net Benefits' initiative to provide a better future for the fishing industry in Wales?

William Graham: A allwch ddweud wrthym sut y bydd y fenter ddiweddaraf ar gyfer pysgota môr, o'r enw 'Charting a New Course', yn ategu'r fenter 'Net Benefits' i roi gwell dyfodol i'r diwydiant pysgota yng Nghymru?

Carwyn Jones: It is important that where new thinking is developed, it is taken forward. I am aware of the items to which you refer and I am aware of the fact that we have a Welsh fisheries strategy, which seeks to look at fisheries, particularly in-land fisheries. It was only today that I helped to launch the Environment Agency's new marine strategy, which will complement the two measures that you mentioned.

Carwyn Jones: Mae'n bwysig gweithredu ar unrhyw syniadau newydd sy'n cael eu datblygu. Yr wyf yn ymwybodol o'r eitemau yr ydych yn cyfeirio atynt ac yr wyf yn ymwybodol o'r ffaith fod gennym strategaeth pysgodfeydd i Gymru, gyda'r nod o edrych ar bysgodfeydd, yn enwedig pysgodfeydd ar y tir. Heddiw cymerais ran yn achlysur lansio'r strategaeth forol newydd gan Asiantaeth yr Amgylchedd, a fydd yn ategu'r ddau fesur a grybwyllwyd gennych.

Cynnyrch o Gymru Welsh Produce

Q9 Jeff Cuthbert: What progress has the Minister made on encouraging schools and hospitals to purchase more Welsh produce? OAQ0463(EPC)

C9 Jeff Cuthbert: Pa gynnydd y mae'r Gweinidog wedi'i wneud o ran annog ysgolion ac ysbytai i brynu mwy o gynnyrch o Gymru? OAQ0463(EPC)

Carwyn Jones: Much progress has been made via procurement conferences and initiatives. For example, Welsh beef is now on the menu of almost every NHS trust.

Carwyn Jones: Mae llawer o gynnydd wedi ei wneud drwy gynadledau a mentrau caffael. Er enghraifft, mae cig eidion o Gymru ar fwydlen bron bob ymddiriedolaeth GIG erbyn hyn.

Jeff Cuthbert: Earlier today, I attended the Wales launch of the British Heart Foundation's Food4Thought campaign in Bedwas Comprehensive School in my constituency. The campaign is helping to raise young people's knowledge of food through a fun and informative interactive educational information pack. The British Heart Foundation has sent these packs to all secondary schools in Wales. Will you join me in welcoming this move by the British Heart Foundation as a valuable contribution to raising nutritional standards in our schools and especially through the use of local produce?

Jeff Cuthbert: Yn gynharach heddiw, bûm yn lansiad yr ymgyrch Food4Thought gan Sefydliad Prydeinig y Galon yn Ysgol Gyfun Bedwas yn fy etholaeth. Mae'r ymgyrch yn helpu pobl ifanc i wybod mwy am fwyd drwy gyfrwng pecyn gwybodaeth addysgol rhyngweithiol sy'n llawn gwybodaeth a phethau difyr. Mae Sefydliad Prydeinig y Galon wedi anfon y pecynnau hyn i bob ysgol uwchradd yng Nghymru. A ymunwch â mi i groesawu'r ymgyrch hon gan Sefydliad Prydeinig y Galon fel cyfraniad gwerthfawr i godi safonau maeth yn ein hysgolion, ac yn arbennig drwy ddefnyddio cynnyrch lleol?

Carwyn Jones: There are two points to be made. First, it is important that, where possible, we have a local supply into schools. Secondly, it is important that children are educated as to what is healthy to eat and how important it is to prepare food healthily.

Carwyn Jones: Hoffwn wneud dau bwynt. Yn gyntaf, mae'n bwysig, lle mae'n bosibl, i gael cyflenwad lleol mewn ysgolion. Yn ail, mae'n bwysig i blant gael eu dysgu beth sy'n iachus i'w fwyta a phwysigrwydd paratoi bwyd mewn ffordd iach.

Iechyd Anifeiliaid Animal Health

Q10 Helen Mary Jones: Will the Minister make a statement on devolved powers involving animal health? OAQ0488(EPC)

C10 Helen Mary Jones: A wnaiff y Gweinidog ddatganiad am bwerau datganoledig ym maes iechyd anifeiliaid? OAQ0488(EPC)

Carwyn Jones: Animal health powers were devolved in their entirety on 31 December 2004.

Carwyn Jones: Datganolwyd pwerau ym maes iechyd anifeiliaid yn eu cyfanrwydd ar 31 Rhagfyr 2004.

Helen Mary Jones: In that context, you will be aware of the recent recommendation made by the Public Accounts Committee at Westminster that all or part of the costs of any future disease outbreaks similar to the foot and mouth disease outbreak should be

Helen Mary Jones: Yn y cyd-destun hwnnw, byddwch yn ymwybodol o'r argymhelliad a wnaed yn ddiweddar gan y Pwyllgor Cyfrifon Cyhoeddus yn San Steffan y dylai'r holl gostau neu ran o'r costau sy'n gysylltiedig ag unrhyw achosion o glefydau

transferred from the taxpayer to the farmer. Will you comment on that in a Welsh context?

yn y dyfodol, tebyg i argyfwng clwy'r traed a'r genau, gael eu trosglwyddo o'r trethdalwr i'r ffermwr. A wnewch sylwadau ar hynny yng nghyd-destun Cymru?

Carwyn Jones: We do not pay for the compensation when it comes to foot and mouth disease. We now have controls over the way in which such a disease is dealt with, but compensation measures are DEFRA's responsibility. We are not keen to get them devolved, for obvious reasons.

Carwyn Jones: Nid ydym yn talu'r iawndal o ran clwy'r traed a'r genau. Mae gennym reolaethau bellach ar gyfer y ffordd yr ymdrinnir â chlefyd o'r fath, ond cyfrifoldeb DEFRA yw mesurau iawndal. Nid ydym yn awyddus i'w datganoli, am resymau amlwg.

3.00 p.m.

Ansawdd Dyfroedd Ymdrochi The Quality of Bathing Water

Q11 John Griffiths: Will the Minister make a statement on the quality of bathing water at popular pleasure beaches in Wales? OAQ0496(EPC)

C11 John Griffiths: A wnaiff y Gweinidog ddatganiad am ansawdd dyfroedd ymdrochi ar draethau poblogaidd yng Nghymru? OAQ0496(EPC)

Carwyn Jones: This year, all 80 designated bathing waters monitored by the Environment Agency met mandatory European standards, and a record 91 per cent met the far more stringent guideline standards. We now also have a record 38 blue flag beaches.

Carwyn Jones: Eleni, yr oedd pob un o'r 80 o ddyfroedd ymdrochi dynodedig a fonitrywyd gan Asiantaeth yr Amgylchedd yn bodloni safonau gorfodol Ewropeaidd, ac yr oedd 91 y cant yn bodloni'r safonau canllaw sy'n fwy llym o lawer, sef y nifer mwyaf erioed. Erbyn hyn mae gennym 38 o draethau baner las, sef y nifer mwyaf erioed.

John Griffiths: I know that you were involved in the Environment Agency Wales's launch of its marine strategy today. That spelt out the sort of improvements that you have just mentioned. That is encouraging, and the Green Sea partnership has done much valuable work recently. However, I also note that, in Environment Agency Wales's report, 'Cleaner Coasts, Healthier Seas', of this November, it accepts that there is still an amount of work to be done to further improve the quality of our bathing waters. Will you ensure that that further improvement takes place as quickly as possible?

John Griffiths: Gwn ichi gymryd rhan yn achlysur lansio strategaeth fôr Asiantaeth yr Amgylchedd Cymru heddiw. Yr oedd hynny'n dangos y math o welliannau yr ydych newydd sôn amdanynt. Mae hynny'n galonogol, ac mae llawer o waith gwerthfawr wedi ei wneud gan y bartneriaeth Môr Glas yn ddiweddar. Fodd bynnag, nodaf hefyd fod adroddiad Asiantaeth yr Amgylchedd Cymru, 'Arfordiroedd Glanach, Moroedd Iachach', am fis Tachwedd yn derbyn bod tipyn o waith i'w wneud eto i wella ansawdd ein dyfroedd ymdrochi ymhellach. A wnewch chi sicrhau y bydd gwelliannau pellach cyn gynted â phosibl?

Carwyn Jones: Yes. It is important for many reasons—environmentally, and in terms of health and tourism. We have come a long way from where we were 20 years ago, when many of our beaches were appalling, as was much of the bathing water. We need to ensure that the good work continues.

Carwyn Jones: Gwnaf. Mae'n bwysig am nifer o resymau—yn amgylcheddol, ac o ran iechyd a thwristiaeth. Yr ydym wedi gwneud cynnydd o'i gymharu ag 20 mlynedd yn ôl, pan oedd nifer o'n traethau mewn cyflwr gwarthus, fel yr oedd llawer o'n dŵr ymdrochi. Mae angen inni sicrhau bod y

gwaith da yn parhau.

Y Llywydd: Trosglwyddwyd cwestiwn 12, OAQ0483(EPC), i'w ateb yn ysgrifenedig.

The Presiding Officer: Question 12, OAQ0483(EPC), has been transferred for written answer.

Lledaeniad TB mewn Gwartheg The Spread of Bovine Tuberculosis

C13 Rhodri Glyn Thomas: A wnaiff y Gweinidog ddatganiad am y mesurau i atal lledaeniad TB ymysg gwartheg? OAQ0513(EPC)

Q13 Rhodri Glyn Thomas: Will the Minister make a statement on the measures to prevent the spread of bovine TB? OAQ0513(EPC)

Carwyn Jones: Caiff datganiad ei wneud ar hyn ddechrau mis nesaf.

Carwyn Jones: A statement will be made on this at the beginning of next month.

Rhodri Glyn Thomas: Ceisiaf dynnu ateb ohonoch—yr ydych wedi bod yn arbennig o lwyddiannus yn osgoi rhoi atebion drwy'r prynhawn.

Rhodri Glyn Thomas: I will attempt to draw a response out of you—you have been particularly successful in evading replying all afternoon.

Y Llywydd: Trefn. Yr wyf wedi clywed y Gweinidog yn rhoi sawl ateb drwy'r prynhawn.

The Presiding Officer: Order. I have heard the Minister give several replies all afternoon.

Rhodri Glyn Thomas: Derbyniaf eich dyfarniad, Lywydd, gan wahaniaethu ar y dehongliad o ateb.

Rhodri Glyn Thomas: I will accept your ruling, Presiding Officer, making a distinction on the interpretation of a reply.

Gobeithiaf y derbyniwch, Weinidog, fod lledaeniad TB yn fater o bwys enfawr yng nghefn gwlad. Yn fy etholaeth i yn arbennig, mae nifer o ardaloedd â phroblem TB yn datblygu, sy'n effeithio nid yn unig ar ffermydd a ffermwyr unigol ond ar y diwydiant yn gyfan gwbl; mae potensial i effeithio'n andwyol ar y maes llaeth. A allwch ein sicrhau eich bod yn cymryd pob mesur posibl i geisio atal lledaeniad TB yn fy etholaeth i, a thrwy Gymru?

I hope you accept, Minister, that the spread of TB is an exceptionally grave issue in the countryside. In my constituency particularly, many TB hotspots are developing, which not only affect individual farms and farmers, but the industry generally; this has the potential of a detrimental effect on the dairy sector. Can you assure us that you will take every possible step to try to prevent the spread of TB in my constituency, and throughout Wales?

Carwyn Jones: Gallaf.

Carwyn Jones: Yes, I can.

Polisiau Ailgylchu Recycling Policies

Q14 Eleanor Burnham: Will the Minister make a statement on the Welsh Assembly Government's recycling policies? OAQ0458(EPC)

C14 Eleanor Burnham: A wnaiff y Gweinidog ddatganiad am bolisiau ailgylchu Llywodraeth Cynulliad Cymru? OAQ0458(EPC)

Carwyn Jones: The Wales waste strategy emphasises recycling and composting as the preferred way of managing municipal waste.

Carwyn Jones: Mae strategaeth wastraff Cymru yn rhoi pwyslais ar ailgylchu a chompostio fel y ffordd orau i reoli gwastraff

Since 2001-02, we have given approaching £90 million in grants to local authorities.

Eleanor Burnham: Why then did you not accept the committee's recommendations to make regulations for regional waste plans statutory?

Carwyn Jones: We do not believe that there is a need for it at this moment in time. Progress is being made in terms of reaching recycling targets, and we hope that even more favourable targets will be published on 16 December.

trefol. Ers 2001-02, yr ydym wedi rhoi'n agos i £90 miliwn o arian grant i awdurdodau lleol.

Eleanor Burnham: Pam, felly, nad oeddech yn derbyn argymhellion y pwyllgor i wneud rheoliadau ar gyfer cynlluniau gwastraff rhanbarthol yn statudol?

Carwyn Jones: Ni chredwn fod angen gwneud hynny ar hyn o bryd. Mae yna gynnydd o ran cyflawni targedau ailgylchu, a gobeithiwn y caiff targedau mwy ffafriol fyth eu cyhoeddi ar 16 Rhagfyr.

Mastiau Ffonau Symudol Mobile Phone Masts

C15 Elin Jones: A wnaiff y Gweinidog ddatganiad am bolisi cynllunio parthed mastiau ffonau symudol? OAQ0509(EPC)

Carwyn Jones: Unwaith eto, mae'r arweiniad hwn ar gael ym mhennod 12 o 'Polisi Cynllunio Cymru' a nodyn cyngor technegol 19.

Elin Jones: Gwrandewais ar eich ateb i gwestiwn cynharach Owen John Thomas, ac ar eich bwriad i gadw at yr egwyddor ragofalus lle mae mastiau teleffon yn y cwestiwn. Fodd bynnag, a gytunwch ei bod yn amser yn awr i roi ardaloedd dan waharddiad o gwmpas ysgolion ac ysbytai lle mae mastiau teleffon yn y cwestiwn?

Carwyn Jones: Mae arweiniad ar gael i awdurdodau lleol sy'n gofyn iddynt ystyried parthau o'r fath. Fodd bynnag, mae'n bwysig hefyd ein bod yn ystyried adroddiad y Bwrdd Cenedlaethol Diogelu Radiolegol i weld a oes eisiau cryfhau unrhyw fath o barthau o amgylch ysgolion, er enghraifft. Fodd bynnag, mae arweiniad ar gael sy'n delio â hyn.

Q15 Elin Jones: Will the Minister make a statement on planning policy regarding mobile phone masts? OAQ0509(EPC)

Carwyn Jones: Once again, this guidance is available in chapter 12 of 'Planning Policy Wales' and technical advice note 19.

Elin Jones: I listened to your answer to Owen John Thomas's question earlier, and of your intention to keep to the precautionary principle as far as telephone masts are concerned. However, do you agree it is now time to place exclusion zones around schools and hospitals where telephone masts are concerned?

Carwyn Jones: Guidance is available to local authorities which requires them to consider such zones. However, it is also important that we consider the National Radiological Protection Board report to see whether we need to strengthen any types of zones around schools, for example. However, guidance is currently available dealing with this.

Pwynt o Drefn Point of Order

Nick Bourne: I raise a point of order, of which I have given you prior notice, Presiding Officer. It relates to Standing Order No. 5, 'Assembly Business', and Standing Order No. 2, 'First Minister and Assembly Cabinet'. Have you had a request for an oral

Nick Bourne: Codaf bwynt o drefn yr wyf eisoes wedi'ch rhybuddio amdano, Lywydd. Mae a wnelo â Rheol Sefydlog Rhif 5, 'Busnes y Cynulliad', a Rheol Sefydlog Rhif 2, 'Y Prif Weinidog a Chabinet y Cynulliad'. A ydych wedi cael cais am wneud datganiad

statement to be made in the Chamber, Presiding Officer, about the new economic strategy, 'Wales: A Vibrant Economy', which I understand was launched at lunchtime without a written or oral statement? Is it not appropriate for items of this nature to be announced in the Chamber, so that we have an opportunity to question the Minister on the new direction and on the strategy?

The Presiding Officer: I have had no request for a statement. Clearly, if I had, it would take place. There has been a series of occasions when my attention has been drawn to this issue under points of order, and it is covered by the Ministerial Code, as you pointed out.

'3.1 When the Assembly is in session, Ministers will want to bear in mind the desire of the Assembly that the most important announcements of the Assembly's policy should be made, in the first instance, in the Assembly.'

Whether or not there was a well-attended event in Committee Room 5 at lunchtime is not a matter for me; what I do know is that such an event is not a statement to the Assembly.

**Cymeradwyo Rheoliadau Symud Ymaith a Gwaredu Cerbydau (Diwygio)
(Cymru) 2005
Approval of the Removal and Disposal of Vehicles (Amendment) (Wales)
Regulations 2005**

Y Llywydd: Yr wyf wedi dethol gwelliant 1 yn enw David Melding.

The Minister for Environment, Planning and Countryside (Carwyn Jones): I propose that

the National Assembly for Wales

considers the principle of the Removal and Disposal of Vehicles (Amendment) (Wales) Regulations 2005 a copy of which was laid in the Table Office on 1 November 2005. (NDM2688)

I propose that

llafar yn y Siambr, Lywydd, am y strategaeth economaidd newydd, 'Cymru: Economi yn Ffynnu', a lanswyd, fel y deallaf, amser cinio heb ddatganiad ysgrifenedig na datganiad llafar? Onid yw'n briodol cyhoeddi eitemau o'r natur yma yn y Siambr, er mwyn inni gael cyfle i holi'r Gweinidog am y cyfeiriad newydd ac am y strategaeth?

Y Llywydd: Nid wyf wedi cael unrhyw gais am wneud datganiad. Yn amlwg, pe bawn wedi cael cais, byddai hynny wedi digwydd. Bu cyfres o achlysuron pan dynnwyd fy sylw at y mater hwn o dan bwyntiau o drefn, ac chaiff ei gynnwys yn y Cod i' Weinidogion, fel y nodwyd gennyh.

'3.1 Pan fydd y Cynulliad yn eistedd, bydd y Gweinidogion am gadw mewn cof awydd y Cynulliad i'r cyhoeddiadau pwysicaf ar bolisi'r Cynulliad gael eu gwneud, yn y lle cyntaf, yn y Cynulliad.'

Nid mater i mi yw a fu digwyddiad lle yr oedd nifer mawr o bobl yn bresennol yn Ystafell Bwyllgora 5 amser cinio neu beidio; yr hyn a wn yw nad yw digwyddiad felly yn ddatganiad i'r Cynulliad.

The Presiding Officer: I have selected amendment 1 in the name of David Melding.

Y Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad (Carwyn Jones): Cynigiaf fod

Cynulliad Cenedlaethol Cymru

yn ystyried egwyddor Rheoliadau Symud a Gwaredu Cerbydau (Diwygio) (Cymru) 2005 y gosodwyd copi ohonynt yn y Swyddfa Gyflwyno ar 1 Tachwedd 2005. (NDM2688)

Cynigiaf fod

the National Assembly for Wales:

Cynulliad Cenedlaethol Cymru

1. considers the report of the Legislation Committee laid in the Table Office on 15 November 2005 in relation to the draft the Removal and Disposal of Vehicles (Amendment) (Wales) Regulations 2005; and

1. yn ystyried adroddiad y Pwyllgor Deddfau a osodwyd yn y Swyddfa Gyflwyno ar 15 Tachwedd 2005 ynglŷn â drafft y Rheoliadau Symud a Gwaredu Cerbydau (Diwygio) (Cymru) 2005; ac

2. approves that the Removal and Disposal of Vehicles (Amendment) (Wales) Regulations 2005 are made in accordance with:

2. yn cymeradwyo bod Rheoliadau Symud a Gwaredu Cerbydau (Diwygio) (Cymru) 2005 yn cael eu gwneud yn unol ag:

a) the draft laid in the Table Office on 1 November 2005

a) y drafft a osodwyd yn y Swyddfa Gyflwyno ar 1 Tachwedd 2005

b) the regulatory appraisal laid in the Table Office on 8 November 2005; and

b) yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 8 Tachwedd 2005; ac

c) the memorandum of corrections laid in the Table Office on 15 November 2005. (NDM2689)

c) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 15 Tachwedd 2005. (NDM2689)

These regulations are brought forward today for approval by the Assembly. They have been discussed extensively in the Environment, Planning and Countryside Committee and in the Business Committee, and I have certainly answered many questions from Assembly Members on the issue. Subject to approval today, these regulations will come into force on 25 November. They will reduce the notice periods for local authorities and the police to remove vehicles that are in such a condition that they should be destroyed from seven days to 24 hours, and for the disposal of other abandoned vehicles from 21 days to seven days. There are obvious benefits in introducing these regulations.

Caiff y rheoliadau hyn eu cyflwyno heddiw i'w cymeradwyo gan y Cynulliad. Fe'u trafodwyd yn helaeth ym Mhwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad ac yn y Pwyllgor Busnes, ac yr wyf yn sicr wedi ateb nifer o gwestiynau gan Aelodau'r Cynulliad ar y mater. Yn amodol ar eu cymeradwyo heddiw, daw'r rheoliadau hyn i rym ar 25 Tachwedd. Byddant yn lleihau'r cyfnodau rhybudd i awdurdodau lleol a'r heddlu symud cerbydau, sydd mewn cyflwr mor wael fel y dylid eu dinistrio, o saith diwrnod i 24 awr, ac i waredu cerbydau eraill sy'n cael eu gadael o 21 diwrnod i saith diwrnod. Mae manteision amlwg i gyflwyno'r rheoliadau hyn.

In terms of the amendment, I note that it is made to the principle and not to the regulations. I have sympathy with the amendment; it is important that the last registered keeper of a vehicle has a level of responsibility, but this is not the correct vehicle—if you will forgive the pun—for taking forward this principle as regards taking this forward as an Order. The Traffic Management Act 2004 may provide the right vehicle for doing that, and it is for the Assembly to commence that Act in Wales. Safeguards will be needed to ensure that there is not an unreasonable burden on the

O ran y gwelliant, nodaf ei fod yn ymwneud â'r egwyddor ac nid â'r rheoliadau. Yr wyf yn cytuno â'r gwelliant; mae'n bwysig fod gan geidwad cofrestredig diwethaf cerbyd rywfaint o gyfrifoldeb, ond nid dyma'r cyfrwng cywir i weithredu'r egwyddor hon o ran symud hyn ymlaen fel Gorchymyn. Gall Deddf Rheoli Traffig 2004 ddarparu'r cyfrwng cywir ar gyfer gwneud hynny, a chyfrifoldeb y Cynulliad yw cychwyn y Ddeddf honno yng Nghymru. Bydd angen dulliau diogelu er mwyn sicrhau nad oes baich afresymol ar y ceidwaid cofrestredig diwethaf, ac mae hynny'n rhywbeth y bydd

last registered keepers, and that is something that will need to be worked through. The Government is content therefore to support the amendment in principle, bearing in mind that the means of implementing it may lie elsewhere.

Glyn Davies: I propose amendment 1 to NDM2688 in the name of David Melding. Amendment 1. Add a new point at the end of the motion:

believes that the regulations should have allowed for the cost of the removal and disposal of vehicles to be borne by the last registered keeper.

We support and welcome the regulations, and I welcome the First Minister's response to our amendment. I draw the Assembly's attention to one other point, which is the memorandum of corrections referred to under this item, namely the first occasion on which it was drawn to the attention of the Assembly that the regulations submitted were gender specific. You will know that we do not want our regulations to be gender specific in this institution. The Assembly has decided that, where that happens, it should be drawn to the attention of Plenary. This is the first time that that has happened, and it is important to note that. When people draft our regulations, we want them to do it in a way that satisfies the desires of Assembly Members.

Ann Jones: I am pleased that we have finally come to the point where we can approve these regulations, and I thank the Minister for taking the barrage of questions that I have asked him over the years. Today's regulations will be most welcomed across Wales, certainly for people on estates in my constituency, who now know that, when they phone to report an abandoned vehicle, they will see it removed within 24 hours and not have to wait more than seven days. During those seven days, those vehicles blight the community and become a hazard, but, more importantly, they become targets for arson attacks. That causes us great concern. Abandoned vehicles also make our neighbourhoods seem threatening and run down when they are not, so, by ridding our streets of abandoned cars, we will reduce the fear of crime, remove opportunities for crime

angen gweithio arno. Felly, mae'r Llywodraeth yn barod i gefnogi egwyddor y gwelliant, gan gofio y gall fod yna ffordd arall i'w weithredu.

Glyn Davies: Cynigiau welliant 1 i NDM2688 yn enw David Melding. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn credu y dylai'r rheoliadau fod wedi datgan mai'r ceidwad cofrestredig diwethaf fyddai'n gyfrifol am gost symud a gwaredu cerbydau.

Yr ydym yn cefnogi ac yn croesawu'r rheoliadau, a chroesawaf ymateb y Prif Weinidog i'n gwelliant. Tynnaf sylw'r Cynulliad at un pwynt arall, sef y memorandwm cywiriadau y cyfeirir ato dan yr eitem hon, sef y tro cyntaf y tynnwyd i sylw'r Cynulliad fod y rheoliadau a gyflwynwyd yn cyfeirio'n benodol at ryw. Gwyddoch nad ydym am i'n rheoliadau gyfeirio'n benodol at ryw yn y sefydliad hwn. Penderfynodd y Cynulliad, lle bydd hynny'n digwydd, y dylid tynnu sylw ato yn y Cyfarfod Llawn. Dyma'r tro cyntaf i hynny ddigwydd, ac mae'n bwysig nodi hynny. Pan fydd pobl yn drafftio ein rheoliadau, yr ydym am iddynt wneud hynny mewn ffordd sy'n bodloni dymuniadau Aelodau'r Cynulliad.

Ann Jones: Yr wyf yn falch y gallwn o'r diwedd gymeradwyo'r rheoliadau hyn, a diolchaf i'r Gweinidog am ateb y llw cwestiynau yr wyf wedi eu gofyn iddo dros y blynyddoedd. Bydd croeso mawr i'r rheoliadau heddiw ledled Cymru, yn enwedig i bobl ar ystadau yn fy etholaeth i sy'n gwybod, pan fyddant yn ffonio i ddweud wrth yr awdurdodau fod cerbyd wedi ei adael, y caiff ei symud cyn pen 24 awr heb orfod aros dros saith diwrnod. Yn ystod y saith diwrnod hwnnw, mae'r cerbydau hynny'n amharu ar y gymuned, ac yn mynd yn beryglus. Ond yn bwysicach byth, maent yn dargedau ar gyfer tanau bwriadol. Mae hynny'n ofid mawr inni. Mae cerbydau sy'n cael eu gadael hefyd yn gwneud i'n cymdogaethau ymddangos yn fygythiol ac mewn cyflwr gwael pan nad ydynt. Felly, drwy symud ceir sy'n cael eu gadael o'n

and restore people's pride in their communities.

3.10 p.m.

I welcome the principle of the amendment in the name of David Melding. The crucial issue is whether the proposals can be cost-effectively enforced. There are, by some estimates, up to 12 million older vehicles on the road without proper registration papers, which will cause problems. Many of those cars have changed hands several times—legally or otherwise—and many are sitting on private land. There is potential for serious legal difficulties in prosecuting the last official recorded keeper of such a vehicle, who may be entirely innocent. To be accused or to be charged with non-payment of road tax, or even to be charged with the removal costs, is an insult to those who have completed the paperwork and sold on their vehicles. If the Driver and Vehicle Licensing Agency could assure us that there was a way in which that could be monitored so that innocent people could be protected, I believe that that would be the way forward.

For the amendment to have its effect, we also have to distinguish between stolen and abandoned vehicles, because, had you had your car stolen, abandoned, removed and crushed, it would add insult to injury to find that, on top of all that upset, joy-riders had had their fun for a couple of hours, and that you were now picking up that bill. We have to be very careful on that. That said, I support the idea behind the Conservative amendment today.

I do not want to see any further delays in bringing these regulations into force. On 27 November, I want to see all the cars that have been abandoned removed from our streets. I hope, Minister, that you will give me an assurance today that that will go ahead, and that our communities will become cleaner, fairer, stronger and safer.

Helen Mary Jones: Plaid Cymru—The Party of Wales will support these entirely sensible regulations, though we will, at this time, abstain from supporting the amendment because of some of the concerns that Ann Jones has raised about it being too much of a

strydoedd, byddwn yn lleihau ofn troseddu, yn dileu cyfleoedd i droseddu ac yn adfer parch pobl yn eu cymunedau.

Croesawaf egwyddor y gwelliant yn enw David Melding. Y mater hanfodol yw a ellir gorfodi'r cynigion mewn ffordd gost effeithiol. Yn ôl rhai amcangyfrifon, mae hyd at 12 miliwn o gerbydau hŷn ar y ffordd heb bapurau cofrestru priodol, a fydd yn achosi problemau. Mae nifer o'r ceir hynny wedi cyfnewid dwylo droeon—yn gyfreithiol neu fel arall—ac mae nifer ohonynt yn segur ar dir preifat. Mae potensial anawsterau cyfreithiol wrth erlyn ceidwad cofnodedig swyddogol diwethaf cerbyd felly, a allai fod yn gwbl ddiniwed. Mae cael eich cyhuddo neu eich cosbi o beidio â thalu treth ffordd, neu hyd yn oed godi costau symud arnoch, yn sarhad i'r rheini sydd wedi cwblhau'r gwaith papur ac wedi gwerthu eu cerbydau. Pe gallai'r Asiantaeth Trwyddedu Gyrwyr a Cherbydau ein sicrhau bod yna ffordd y gellid monitro hynny er mwyn i bobl ddiniwed gael eu diogelu, credaf mai dyna a fyddai'r ffordd ymlaen.

Er mwyn i'r gwelliant gael yr effaith hon, rhaid inni hefyd wahaniaethu rhwng cerbydau wedi'u dwyn a cherbydau wedi eu gadael, oherwydd pe bai eich car yn cael ei ddwyn, ei adael, ei symud a'i falu, byddai gorfod talu am y difrod ar ôl i wefr-yrwyr gael hwyl am rai oriau yn rhoi halen ar y briw. Rhaid inni fod yn ofalus iawn am hynny. Wedi dweud hynny, yr wyf yn cefnogi'r syniad y tu ôl i welliant y Ceidwadwyr heddiw.

Nid wyf am weld unrhyw oedi pellach wrth ddod â'r rheoliadau hyn i rym. Ar 27 Tachwedd yr wyf am weld yr holl geir sydd wedi eu gadael yn cael eu symud o'n strydoedd. Gobeithio, Weinidog, y gallwch fy sicrhau heddiw y bydd hyn yn mynd rhagddo, ac y bydd ein cymunedau yn lanach, yn decach, yn gryfach ac yn fwy diogel.

Helen Mary Jones: Bydd Plaid Cymru—The Party of Wales yn cefnogi'r rheoliadau hollol synhwyrol hyn, er y byddwn, y tro hwn, yn ymatal rhag cefnogi'r gwelliant oherwydd rhai o'r pryderon a godwyd gan Ann Jones ei fod yn rhy gyffredinol. Gall fod

blanket. There may be many owners who find their vehicles in this position through no fault of their own. However, we will look closely at the process that the Minister has suggested to see whether the sensible principle behind the amendment can be put into operation.

I wish to make a few remarks about the process by which these regulations have eventually come before the Assembly. Ann Jones was right, in her contribution to this debate, to mention delays. I understand that it has taken about two and a half years for the necessary Orders in Council to go through the full processes at Whitehall and Westminster before these regulations could be brought to the Chamber. These, of course, are minor and uncontroversial regulations, which we all welcome. Presumably, central Government had no problem with passing these powers down to the Assembly and to the Assembly Government. This process is an example that leaves me with grave concerns about how Westminster might handle Orders in Council in future, under the White Paper proposals, especially if those Orders in Council deal with more wide-ranging and controversial matters.

I ask the Minister to give briefly a bit more detail in his response to this debate, or to come back to me at another time, if he is unable to do so today, on the systems that the Government of which he is a part will put in place at Whitehall and Westminster to ensure that similar delays do not happen in future over more serious and major Orders in Council. Could he assure us today that those processes will be robust enough to survive a situation in which we have different parties in Government here and at Westminster?

I have grave concern about the sustainability of the system proposed in the White Paper, and this is a practical example of what can go wrong. Ann Jones is right in everything that she has said about the problems that abandoned vehicles can cause in communities, and that we have waited two and a half years here to deal with them. I hope that the Minister can give me some assurance on the practicalities of these matters, but I am not sanguine that he will be able to reassure me.

nifer o berchnogion sy'n cael bod eu cerbydau yn y sefyllfa hon heb iddynt fod ar fai. Fodd bynnag, byddwn yn edrych yn agos ar y broses a awgrymwyd gan y Gweinidog i weld a ellir gweithredu'r egwyddor synhwyrol sydd y tu ôl i'r gwelliant.

Hoffwn wneud ambell sylw am y broses a ddaeth â'r rheoliadau hyn gerbron y Cynulliad yn y pen draw. Yr oedd Ann Jones yn gywir, yn ei chyfraniad i'r ddaedl hon, i sôn am oedi. Deallaf iddi gymryd tua dwy flynedd a hanner i'r Gorchmynion yn y Cyfrin Gyngor fynd drwy'r prosesau llawn yn Whitehall a San Steffan cyn y gellid dod â'r rheoliadau hyn gerbron y Siambr. Mân reoliadau a rhai annadleuol yw'r rhain, wrth gwrs, ac yr ydym oll yn eu croesawu. Mae'n debyg na chafodd y Llywodraeth ganolog broblem wrth drosglwyddo'r pwerau hyn i'r Cynulliad ac i Lywodraeth y Cynulliad. Mae'r broses hon yn esiampl sy'n peri pryder mawr imi am y ffordd y gall San Steffan ymdrin â Gorchmynion yn y Cyfrin Gyngor yn y dyfodol, o dan gynigion y Papur Gwyn, yn enwedig os bydd y Cynigion hynny yn y Cyfrin Gyngor yn ymdrin â materion mwy eang a dadleuol.

Gofynnaf i'r Gweinidog yn fyr ymateb ychydig yn fanylach i'r ddaedl hon, neu i ddod yn ôl ataf rywbryd eto os na all wneud hynny heddiw, am y systemau y bydd y Llywodraeth y mae'n rhan ohoni yn eu rhoi ar waith yn Whitehall a San Steffan i sicrhau na fydd oedi tebyg yn y dyfodol gyda Gorchmynion y Cyfrin Gyngor sy'n fwy difrifol ac o bwys. A allai ein sicrhau ni heddiw y bydd y prosesau hynny'n ddigon cadarn i lwyddo mewn sefyllfa lle mae gennym bleidiau gwahanol mewn grym yma ac yn San Steffan?

Yr wyf yn pryderu a yw'r system a gynigir yn y Papur Gwyn yn gynaliadwy, ac mae hon yn enghraifft ymarferol o'r hyn a all fynd o'i le. Mae Ann Jones yn gywir ym mhob peth a ddywedodd am y problemau y gall cerbydau sy'n cael eu gadael eu hachosi mewn cymunedau, a'n bod wedi aros dwy flynedd a hanner i ymdrin â hwy. Gobeithio y gall y Gweinidog roi rhyw sicrwydd imi am ymarferoldebau'r materion hyn. Ond nid wyf yn hyderus y gall dawelu fy meddwl.

Mick Bates: The Welsh Liberal Democrats welcome the regulations, though we share with the previous speaker grave concerns over the long delay in transferring these regulations into law in Wales. The Minister must explain today why there was such a delay, as it does not bode well for the process embodied in the White Paper.

The second issue is the growing problem of abandoned vehicles in Wales, which I will illustrate using a couple of statistics. There are 138 abandoned vehicles for every 10,000 people in Merthyr Tydfil. In Caerphilly, there are 116 for every 10,000, whereas, in Flintshire only seven vehicles are abandoned for every 10,000 people. It seems to me that this is associated with certain social problems. Will the Minister tell us what work he has undertaken in Valleys communities to try to stop vehicles being abandoned?

On the regulations, we welcome the change in period, but will the Minister explain what would happen if one returned from a fortnight's holiday only to find that the car that one had left parked at the side of the road had been disposed of?

The Minister for Environment, Planning and Countryside (Carwyn Jones): Dealing with Mick Bates's points first, there is an arson reduction initiative that the fire services in Wales have been involved in. Of course, I am sure that the introduction of these new powers will be widely welcomed by the police and all enforcement authorities.

It is correct to say that it has taken a little time for this legislation to come before the Assembly. We have the White Paper now and the proposed Government of Wales Bill, which will streamline and formalise transfers of functions for the future. I am confident that this situation will not be repeated. I can assure Ann Jones, my colleague, that the legislation was brought in as quickly as possible. She made some excellent points on the practicalities of the amendment.

The purpose of the amendment is clear; it is to ensure that irresponsible keepers, not

Mick Bates: Mae Democratiaid Rhyddfrydol Cymru yn croesawu'r rheoliadau er ein bod ni hefyd, fel y siaradwr blaenorol, yn pryderu am yr oedi hir cyn gwneud y rheoliadau hyn yng Nghymru. Rhaid i'r Gweinidog esbonio heddiw pam y bu cymaint o oedi, gan nad yw'n argoeli'n dda ar gyfer y broses sydd wedi ei hymgorffori yn y Papur Gwyn.

Yr ail fater yw problem gynyddol cerbydau sy'n cael eu gadael yng Nghymru, a dangosaf hynny drwy ddefnyddio rhai ystadegau. Mae tua 138 o gerbydau wedi eu gadael am bob 10,000 o bobl ym Merthyr Tudful. Yng Nghaerffili, mae 116 am bob 10,000, ond yn sir y Fflint, dim ond saith cerbyd sydd wedi ei adael am bob 10,000 o bobl. Ymddengys imi fod hyn yn gysylltiedig â phroblemau cymdeithasol penodol. A all y Gweinidog ddweud wrthym pa waith a wnaed ganddo yng nghymunedau'r Cymoedd i geisio atal cerbydau rhag cael eu gadael?

O ran y rheoliadau, croesawn y newid yn y cyfnod, ond a wnaiff y Gweinidog egluro beth fyddai'n digwydd pe byddai rhywun yn dychwelyd ar ôl pythefnos o wyliau a gweld bod rhywun wedi cael gwared ar y car yr oedd wedi ei adael wrth ymyl y ffordd?

Y Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad (Carwyn Jones): I ddelio â phwynt Mick Bates yn gyntaf, mae'r gwasanaethau tân yng Nghymru wedi bod yn cymryd rhan mewn menter i leihau tanau bwriadol. Wrth gwrs, yr wyf yn siŵr y bydd yr heddlu a'r holl awdurdodau gorfodi yn croesawu'r ffaith fod y pwerau newydd hyn yn cael eu cyflwyno.

Mae'n iawn dweud iddi gymryd ychydig amser i'r ddeddfwriaeth ddod gerbron y Cynulliad. Mae'r Papur Gwyn gennym yn awr a Mesur Llywodraeth Cymru arfaethedig, a fydd yn symleiddio ac yn ffurfioli'r broses o drosglwyddo swyddogaethau yn y dyfodol. Yr wyf yn hyderus na fydd y sefyllfa hon yn ailddigwydd. Gallaf sicrhau Ann Jones, fy nghyd-Aelod, inni gyflwyno'r ddeddfwriaeth cyn gynted â phosibl. Gwnaeth rai pwyntiau ardderchog am ymarferoldeb y gwelliant.

Mae diben y gwelliant yn amlwg; sef sicrhau na fydd ceidwaid anghyfrifol, nid

owners, of cars do not dump them, claiming in some cock-and-bull story that someone has taken their car, or that they have sold it on, and then it has been put there. That said, there must be safeguards for people who have their cars stolen. It is quite right to say that if you have your car pinched and you are then charged to have it taken away, that adds insult to injury. That matter must be dealt with if any regulations come before the Assembly.

It is also important to ensure that there are safeguards to protect people who pass on their details when they pass on their cars. We know that, quite recently, the DVLA changed the registration system for cars and tightened up how cars change hands. We need to ensure that when a last-registered keeper has made sure that they have gone through all the processes, as best as they can, they are protected from any financial charges that may be levied in the future. These are the practical difficulties that have to be examined, which is why, at the moment, the principle is a sound one, but there are practical difficulties that need to be overcome.

Finally, I think that it is right to address the point on the gender specificity of the legislation. That should not have happened and I would certainly apologise on behalf of my department, if that is the case. I will seek to ensure that that does not happen again.

perchenogion anghyfrifol, yn eu dympio gan honni mewn rhyw stori celwydd golau fod rhywun wedi dwyn eu car, neu eu bod wedi ei werthu, a'r car wedyn wedi ei osod yno. Wedi dweud hynny, rhaid sicrhau bod camau diogelu ar waith ar gyfer pobl y caiff eu ceir eu dwyn. Mae'n iawn dweud, os caiff eich car ei ddwyn ac os codir tâl arnoch wedi hynny i'w symud, fod hynny'n ychwanegu halen ar y briw. Rhaid ymdrin â'r mater hwnnw os daw unrhyw reoliadau ger bron y Cynulliad.

Mae hefyd yn bwysig sicrhau bod camau diogelu ar waith i warchod pobl sy'n trosglwyddo'u manylion wrth drosglwyddo'u ceir. Gwyddom, yn gymharol ddiweddar, fod DVLA wedi newid y system gofrestru ar gyfer ceir gan dynhau'r broses ar gyfer trosglwyddo ceir. Mae angen inni sicrhau, pan fydd y ceidwad cofrestredig diwethaf wedi sicrhau ei fod wedi cwblhau'r holl brosesau, hyd eithaf ei allu, ei fod yn cael ei ddiogelu rhag unrhyw daliadau ariannol y gellir eu codi yn y dyfodol. Dyna'r anawsterau ymarferol y mae'n rhaid eu harchwilio, a dyna pam, ar hyn o bryd, mae'r egwyddor yn gadarn ond bod yna anawsterau ymarferol y mae angen eu goresgyn.

I gloi, credaf ei bod yn briodol delio â'r pwynt fod y ddeddfwriaeth yn cyfeirio at un rhyw yn benodol. Ni ddylai hynny fod wedi digwydd, ac yn sicr byddwn yn ymddiheuro ar ran fy adran os dyna'r achos. Ceisiaf sicrhau na fydd hynny'n digwydd eto.

*Gwelliant 1: O blaid 41, Ymatal 9, Yn erbyn 1.
Amendment 1: For 41, Abstain 9, Against 1.*

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

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, Glyn
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
Gibbons, Brian
Graham, William

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

German, Michael

Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 Isherwood, Mark
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Jones, Laura Anne
 Lewis, Huw
 Lloyd, Val
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Williams, Brynle
 Williams, Kirsty

Ymataliodd yr Aelodau canlynol:
 The following Members abstained:

Davies, Janet
 Davies, Jocelyn
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lloyd, David
 Thomas, Owen John
 Thomas, Rhodri Glyn

*Derbyniwyd y gwelliant.
 Amendment carried.*

Motion NDM2688 as amended:

the National Assembly for Wales:

considers the principle of the Removal and Disposal of Vehicles (Amendment) (Wales) Regulations 2005 a copy of which was laid in the Table Office on 1 November 2005.

believes that the regulations should have allowed for the cost of the removal and disposal of vehicles to be borne by the last registered keeper.

Cynnig NDM2688 fel y'i diwygiwyd:

Cynulliad Cenedlaethol Cymru:

yn ystyried egwyddor Rheoliadau Symud a Gwaredu Cerbydau (Diwygio) (Cymru) 2005 y gosodwyd copi ohonynt yn y Swyddfa Gyflwyno ar 1 Tachwedd 2005.

yn credu y dylai'r rheoliadau fod wedi datgan mai'r ceidwad cofrestredig diwethaf fyddai'n gyfrifol am gost symud a gwaredu cerbydau.

*Cynnig fel y'i diwygiwyd: O blaid 51, Ymatal 0, Yn erbyn 0.
 Amended motion: For 51, Abstain 0, Against 0.*

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

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lewis, Huw
Lloyd, David
Lloyd, Val
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty

*Derbyniwyd y cynnig fel y'i diwygiwyd.
Amended motion carried.*

*Cynnig (NDM2689): O blaid 49, Ymatal 0, Yn erbyn 0.
Motion (NDM2689): For 49, Abstain 0, Against 0.*

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

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor

Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lewis, Huw
Lloyd, David
Lloyd, Val
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty

*Derbyniwyd y cynnig.
Motion carried.*

3.20 p.m.

**Cymeradwyo'r Rheoliadau Rheolau Bwyd a Phorthiant Swyddogol (Cymru)
2005**

Approval of the Official Feed and Food Controls (Wales) Regulations 2005

The Minister for Health and Social Services (Brian Gibbons): I propose that
Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Brian Gibbons): Cynigiau fod

The National Assembly for Wales considers the principle of the Official Feed and Food Controls (Wales) Regulations 2005, a copy of which was laid in the Table Office on 8 November 2005. (NDM2690)

I propose that

the National Assembly for Wales

1. considers the report of the Legislation Committee laid in the Table Office on 15 November 2005 in relation to the draft the Official Feed and Food Controls (Wales) Regulations 2005 and

2. approves that the Official Feed and Food Controls (Wales) Regulations 2005 are made in accordance with:

a) the draft laid in the Table Office on 8 November 2005;

b) the regulatory appraisal laid in the Table Office on 8 November 2005; and

c) the memorandum of corrections laid in the Table Office on 15 November 2005. (NDM2691)

The Official Feed and Food Controls (Wales) Regulations 2005 are required to give effect to the feed and food elements of Regulation (EC) No 882/2004 on official controls for feed and food law, animal health and animal welfare rules. The EC regulation was adopted in April 2004 and will apply directly across the EU from 1 January 2006. The EC regulation sets out the approach that competent authorities of member states must adopt in monitoring and enforcing compliance by business with feed and food law. The regulation sets out how the commission, through its food and veterinary office, will check the national control systems of member states to see that they comply with the requirements of the regulations.

Most of the provisions apply from January 2006, except those on financing, which will apply from January 2007, and which are outside the scope of the draft regulations that

Cynulliad Cenedlaethol Cymru yn ystyried egwyddor Rheoliadau Rheolau Bwyd a Phorthiant Swyddogol (Cymru) 2005 y gosodwyd copi ohonynt yn y Swyddfa Gyflwyno ar 8 Tachwedd 2005. (NDM2690)

Cynigiau fod

Cynulliad Cenedlaethol Cymru

1. yn ystyried adroddiad y Pwyllgor Deddfau a osodwyd yn y Swyddfa Gyflwyno ar 15 Hydref 2005 ynglŷn â rheoliadau drafft, Rheoliadau Rheolau Bwyd a Phorthiant Swyddogol (Cymru) 2005 ac

2. yn cymeradwyo bod Rheoliadau Rheolau Bwyd a Phorthiant Swyddogol (Cymru) 2005 yn cael eu gwneud yn unol ag:

a) y drafft a osodwyd yn y Swyddfa Gyflwyno ar 8 Tachwedd 2005;

b) yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 8 Tachwedd 2005; ac

c) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 15 Tachwedd 2005. (NDM2691)

Mae Rheoliadau Rheolau Bwyd a Phorthiant Swyddogol (Cymru) 2005 yn ofynnol er mwyn gweithredu'r elfennau bwyd a phorthiant yn Rheoliad (CE) Rhif 882/2004 ar reolau swyddogol ar gyfer cyfraith bwyd a phorthiant, iechyd anifeiliaid a rheolau lles anifeiliaid. Mabwysiadwyd rheoliad y CE ym mis Ebrill 2004 a bydd yn gymwys yn uniongyrchol ledled yr UE o 1 Ionawr 2006. Mae rheoliad y CE yn gosod allan yr ymagwedd y mae'n rhaid i awdurdodau cymwys yr aelod-wladwriaethau ei mabwysiadu wrth fonitro a gorfodi cydymffurfio â chyfraith bwyd a phorthiant gan fusnesau. Mae'r rheoliad yn gosod allan sut y bydd y comisiwn, drwy ei swyddfa bwyd a milfeddygaeth, yn gwirio systemau rheolau cenedlaethol yr aelod-wladwriaethau er mwyn sicrhau eu bod yn cydymffurfio â gofynion y rheoliadau.

Bydd y rhan fwyaf o'r darpariaethau'n gymwys o fis Ionawr 2006, ac eithrio'r rheini ar gyllido, a fydd yn gymwys o fis Ionawr 2007, ac sydd y tu allan i gwmpas y

we are considering today. The EC regulation was introduced to address the finding of the European Commission that there is wide variation in the manner in which European community legislation is currently implemented and enforced in member states. It will also consolidate and extend the existing requirements for official controls in existing European legislation. The objective of the regulation is to create a more comprehensive, integrated and risk-based EU-wide, farm-to-table approach in official controls. The aim is to improve the consistency and effectiveness of the controls across the community, and consequently to raise standards of food safety and consumer protection. The regulation also aims to provide a greater degree of transparency for consumers with regard to the enforcement arrangements.

The regulation sets down the general principles and approach that a competent authority must adopt. It takes a farm-to-table approach and covers controls at all stages of production, processing and distribution. It relates to products produced in the EU and those exported to or imported from third countries. An important aspect of the regulation is the introduction of an EU level of harmonised rules for official checks of feed and food of non-animal origin imported from outside the European community.

The specific requirements for how competent authorities will carry out official regulations are contained in the directly applicable EU regulation. The purpose of the Official Feed and Food Controls (Wales) Regulations 2005 is to provide for the administration and enforcement of the requirements to enable EU regulations to be properly applied. These measures will include designating the competent authorities that are responsible for organising and undertaking the official feed and food controls in Wales; providing the legal powers needed for those authorities to enable them to meet the obligations set out for them in the regulations, particularly in respect of the monitoring, auditing and reporting of enforcement activity; and

rheoliadau drafft yr ydym yn eu hystyried heddiw. Cyflwynwyd rheoliad y CE i ddelio â darganfyddiad y Comisiwn Ewropeaidd fod amrywiadau mawr yn y ffordd y caiff deddfwriaeth y gymuned Ewropeaidd ei gweithredu a'i gorfodi ar hyn o bryd mewn aelod-wladwriaethau. Bydd hefyd yn atgyfnerthu ac yn ehangu'r gofynion presennol ar gyfer rheolau swyddogol yn neddfwriaeth bresennol Ewrop. Amcan y rheoliad yw creu ymagwedd fwy cynhwysfawr, integredig yn seiliedig ar risg drwy'r UE yn gyfan ar gyfer cael cynnyrch o'r fferm i'r bwrdd mewn rheolau swyddogol. Y nod yw gwella cysondeb ac effeithiolrwydd y rheolau ar draws y gymuned, ac o ganlyniad i godi safonau diogelwch bwyd a gwarchod defnyddwyr. Mae'r rheoliad hefyd yn anelu at ddarparu mwy o eglurder i ddefnyddwyr am y trefniadau gorfodi.

Mae'r rheoliad yn gosod allan yr egwyddorion a'r ymagwedd gyffredinol y mae'n rhaid i awdurdod cymwys eu mabwysiadu. Mae'n seiliedig ar ymagwedd o'r fferm i'r bwrdd ac mae'n cwmpasu rheolau bob cam yn y broses gynhyrchu, prosesu a dosbarthu. Mae'n berthnasol i gynnyrch a gynhyrchir yn yr UE a chynnyrch sy'n cael ei allforio neu ei fewnforio o drydydd gwledydd. Un agwedd bwysig ar y rheoliad yw cyflwyno rheolau cytûn ar lefel yr UE ar gyfer gwneud gwiriadau swyddogol o fwyd a phorthiant nad ydynt yn dod o anifeiliaid sy'n cael eu mewnforio o'r tu allan i'r gymuned Ewropeaidd.

Cynhwysir y gofynion penodol sut y bydd awdurdodau cymwys yn cyflawni rheoliadau swyddogol yn rheoliad yr UE sy'n uniongyrchol gymwys. Diben Rheoliadau Rheolau Bwyd a Phorthiant Swyddogol (Cymru) 2005 yw darparu ar gyfer gweinyddu a gorfodi'r gofynion i alluogi cymhwyso rheoliadau'r UE yn briodol. Bydd y mesurau hyn yn cynnwys dynodi'r awdurdodau cymwys sy'n gyfrifol am drefnu a chynnal rheolau bwyd a phorthiant swyddogol yng Nghymru; darparu'r pwerau cyfreithiol y mae eu hangen ar yr awdurdodau hynny i'w galluogi i fodloni'r rhwymedigaethau sydd wedi eu gosod allan iddynt yn y rheoliadau, yn arbennig o ran monitro, archwilio a chofnodi gweithgarwch

providing for the enforcement of new rules and checks of feed and food of non-animal origin imported from outside the European community, and for effective penalties for businesses failing to comply with these regulations.

The Official Feed and Food Controls (Wales) Regulations 2005 and the EU official feed and food control regulation are aimed primarily at competent authorities and will have no direct effect on the majority of food businesses. Although the Welsh regulations include new provisions relating to imports of feed and food of non-animal origin, the approach is very similar to that which currently operates in Great Britain under existing national legislation. Indeed, the new official feed and food control legislation may benefit businesses by ensuring consistency of enforcement across the EU.

For consumers, the anticipated improvements in the effectiveness of enforcement throughout the EU and its borders should contribute to improved standards in public health and consumer protection. The new requirements on transparency and publication of information should ensure that consumers have access to information about enforcement activity and its effectiveness in the UK and across the EU community.

The Presiding Officer: Thank you, Minister. I believe that you have convinced the Assembly. As there are no further speakers, we will move to a vote.

gorfodi; a darparu ar gyfer gorfodi rheolau a'r gwiriadau newydd ar fwyd a phorthiant nad ydynt yn dod o anifeiliaid a gaiff eu mewnfurio o'r tu allan i'r gymuned Ewropeaidd, ac ar gosbau effeithiol i fusnesau sy'n methu cydymffurfio â'r rheoliadau hyn.

Mae Rheoliadau Rheolau Bwyd a Phorthiant Swyddogol (Cymru) 2005 a rheoliad rheolau bwyd a phorthiant swyddogol yr UE yn anelu'n bennaf at awdurdodau cymwys ac ni chânt unrhyw effaith uniongyrchol ar y rhan fwyaf o fusnesau bwyd. Er bod rheoliadau Cymru yn cynnwys darpariaethau newydd o ran mewnfurio bwyd a phorthiant nad ydynt yn dod o anifeiliaid, mae'r ymagwedd yn debyg iawn i'r ymagwedd sydd ar waith ar hyn o bryd ym Mhrydain Fawr dan ddeddfwriaeth genedlaethol bresennol. Yn wir, mae'n bosibl y bydd y ddeddfwriaeth newydd ar reolau bwyd a phorthiant swyddogol o fudd i fusnesau drwy sicrhau cysondeb prosesau gorfodi ledled yr UE.

I ddefnyddwyr, dylai'r gwelliannau a ragwelir yn effeithiolrwydd prosesau gorfodi ledled yr UE a'i ffiniau gyfrannu at well safonau yn iechyd y cyhoedd a diogelu defnyddwyr. Dylai'r gofynion newydd ar dryloywder a chyhoeddi gwybodaeth sicrhau bod defnyddwyr yn gallu cael gwybodaeth am weithgarwch gorfodi a'i effeithiolrwydd yn y DU ac ar draws cymuned yr UE.

Y Llywydd: Diolch, Weinidog. Credaf eich bod wedi darbwyllo'r Cynulliad. Gan nad oes unrhyw siaradwyr eraill, symudwn i bleidlais.

Cynnig (NDM2690): O blaid 51, Ymatal 0, Yn erbyn 0.

Motion (NDM2690): For 51, Abstain 0, Against 0.

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

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew

Davies, Glyn
Davies, Janet
Davies, Jocelyn
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lewis, Huw
Lloyd, David
Lloyd, Val
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty

Derbyniwyd y cynnig.

Motion carried.

Cynnig (NDM2691): O blaid 50, Ymatal 0, Yn erbyn 0.

Motion (NDM2691): For 50, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:

The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Dunwoody, Tamsin
Essex, Sue

Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lewis, Huw
Lloyd, David
Lloyd, Val
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty

*Derbyniwyd y cynnig.
Motion carried.*

*Daeth y Dirprwy Lywydd i'r Gadair am 3.25 p.m.
The Deputy Presiding Officer took the Chair at 3.25 p.m.*

Dadl o dan Rheol Sefydlog Rhif 31: Diogelu Plant Debate under Standing Order No. 31: Child Protection

Gwenda Thomas: Cynigiaf fod

Gwenda Thomas: I propose that

Cynulliad Cenedlaethol Cymru, gan weithredu'n unol â Rheol Sefydlog Rhif 31.2:

the National Assembly for Wales, acting under Standing Order No. 31.2:

1. yn cefnogi mewn egwyddor ddeddfwriaeth i gychwyn adran 175 Deddf Addysg 2002 (dyletswyddau AALLau a chyrff llywodraethu mewn perthynas â lles plant) yng Nghymru; ac

1. supports in principle legislation to commence section 175 of the Education Act 2002 (duties of LEAs and governing bodies in relation to the welfare of children) in Wales; and

2. yn cytuno y dylai unrhyw arweiniad a gyhoeddir dan adran 175(4) gynnwys materion megis enwebu llywodraethwr dynodedig i fod yn gyfrifol am faterion amddiffyn plant a sefydlu cronfa ddata AALl o lywodraethwyr dynodedig. (NDM2641)

2. agrees that any guidance issued under section 175(4) should include matters such as the nomination of a named governor responsible for child protection matters and the setting up of an LEA database of nominated governors. (NDM2641)

Heddiw, caf ail gyfle i wneud cynnig dan Reol Sefydlog Rhif 31 yn ystod y Cynulliad hwn. Fel y gwneuthum y tro cyntaf, cyflwynaf gynnig sydd â photensial i wella ansawdd bywyd ein plant mwyaf bregus. Yr wyf yn gobeithio, ac yn dra hyderus, y bydd y cynnig hwn yn ennill cefnogaeth drawsbleidiol. Cydnabyddaf yn ddiolchgar help a chymorth, wrth baratoi'r cynnig, Chris Walby, cadeiryddes Plant yng Nghymru—a hefyd yn ymgynghorydd i'r grŵp arolygu yr wyf yn ei chadeirio ar ddiogelu plant bregus—Swyddfa Comisiynydd Plant Cymru, Llywodraethwyr Cymru, ac, nid lleiaf, fy staff cynorthwyol. Cydnabyddaf hefyd yr help a gefais gan swyddogion y Cynulliad.

Today, I have a second opportunity to propose a motion under Standing Order No. 31 during this Assembly. As I did on the first occasion, I present a motion that has the potential to improve the lives of our most vulnerable children. I am hopeful, and quite confident, that the motion will have cross-party support. I gratefully acknowledge the help and support, in drafting this motion, of Chris Walby, the chairwoman of Children in Wales—and also a consultant to the review group that I chair on protecting vulnerable children—the Office of the Children's Commissioner for Wales, Governors Wales, and, not least, my support staff. I also acknowledge the help which I received from Assembly officials.

This proposal has the advantage of being able to be implemented under existing legislation and achieved within existing resources. At the same time, it could produce significant benefits. It will help to achieve more consistency across local education authorities, and lead to significant improvements in the welfare and safeguarding arrangements in the education system. The spin-offs from doing these things effectively will, as research has shown, lead to the improved educational attainment and future life prospects that result from paying attention to the 'whole child'. A child who is given stability, continuity, good healthcare and protection from harm is much more able to benefit from educational opportunities.

Yn ffodus, gall y cynnig hwn gael ei weithredu o dan ddeddfwriaeth bresennol a'i gyflawni o fewn adnoddau presennol. Ar yr un pryd, gallai arwain at fuddiannau sylweddol. Bydd yn helpu sicrhau mwy o gysondeb ar draws awdurdodau addysg lleol, ac yn arwain at welliannau sylweddol yn y trefniadau lles a diogelu yn y system addysg. Bydd gweithredu hyn i gyd yn effeithiol, fel y profwyd gan waith ymchwil, yn arwain at y gwell cyrhaeddiad addysgol a gwell rhagolygon bywyd yn y dyfodol sy'n deillio o roi sylw i'r 'plentyn cyfan'. Mae plentyn sy'n cael sefydlogrwydd, parhad a gofal iechyd da ac sy'n cael ei ddiogelu rhag niwed mewn sefyllfa well o lawer i elwa o gyfleoedd addysgol.

As we know, with regard to educational achievement, children in need are, on average, only half as likely as other children to attain their expected grades at GCSE, yet we also know that some areas show results that diametrically oppose this trend. This success appears to correlate with the careful targeting of Children First funding towards support for vulnerable children. At present, section 175 of the Education Act 2002 is not commenced in Wales, although it was commenced in England in June 2004. However, the legal powers contained in section 175(4) of the 2002 Act confer the power on the National Assembly to issue specific guidance to local authorities and governing bodies in relation to the welfare of children in Wales.

While I appreciate the heavy demands of developing guidance and regulations across a range of legislation affecting children and young people, I would argue that it is high time that a high priority was given to the important issues covered by section 175, which directly affect the general wellbeing of children and their educational attainment. LEAs, governing bodies and, for that matter, proprietors in the independent sector, need to implement this important section of the Act urgently, and need guidance about how this should be done. Their performance in these matters should be monitored rigorously by Estyn and other relevant inspectorates. None of this will happen until section 175 is commenced.

There are several issues that I believe should be covered under section 175, some of which were raised by the children's commissioner in the context of the Clywch report, and several others that will be covered in the report of the safeguarding vulnerable children review, which I chair, and which will be presented to the National Assembly early in the new year. A particular issue that I raise now is that of the role of school governors in the protection of children. I am aware that some LEAs have arranged for the appointment of a designated child protection governor, but this is not mandatory and not properly embedded within any coherent system.

Fel y gwyddom, o ran cyflawniad addysgol, mae plant mewn angen, ar gyfartaledd, dim ond hanner more debygol â phlant eraill o gael eu graddau disgwylidig mewn arholiadau TGAU. Ond gwyddom hefyd fod rhai ardaloedd yn dangos canlyniadau sy'n mynd yn gwbl groes i'r duedd hon. Ymddengys fod y llwyddiant hwn yn cyfateb i dargedu cyllid Rhoi Plant yn Gyntaf yn ofalus tuag at roi cymorth i blant bregus. Ar hyn o bryd, nid yw adran 175 Deddf Addysg 2002 wedi cychwyn yng Nghymru, er iddi gychwyn yn Lloegr ym mis Mehefin 2004. Fodd bynnag, mae'r pwerau cyfreithiol yn adran 175(4) Deddf 2002 yn rhoi'r pŵer i'r Cynulliad Cenedlaethol roi canllawiau penodol i awdurdodau lleol a chyrrff llywodraethu o ran lles plant yng Nghymru.

Er fy mod yn gwerthfawrogi'r gofynion sylweddol o ddatblygu canllawiau a rheoliadau ar draws ystod o ddeddfwriaeth sy'n effeithio ar blant a phobl ifanc, byddwn yn dadlau ei bod yn hen bryd rhoi blaenoriaeth uchel i'r materion pwysig sy'n cael eu cynnwys gan adran 175, ac sy'n effeithio'n uniongyrchol ar les cyffredinol plant a'u cyrhaeddiad addysgol. Mae angen i AALLau, cyrrff llywodraethu ac, yn wir, perchennogion yn y sector annibynnol weithredu'r adran bwysig hon yn y Ddeddf fel mater o frys, ac mae angen canllawiau arnynt sut y dylid gwneud hyn. Dylai Estyn ac arolygiaethau perthnasol eraill fonitro eu perfformiad yn y materion hyn yn llym. Ni fydd unrhyw ran o hyn yn digwydd nes i adran 175 gychwyn.

Mae ym lawer mater y dylid, yn fy marn i, eu cwmpasu dan adran 175, a chodwyd rhai ohonynt gan y comisiynydd plant yng nghydestun adroddiad Clywch. Bydd llawer un arall yn cael ei gwmpasu yn adroddiad yr adolygiad o ddiogelu plant sy'n agored i niwed, a gadeirir gennyf, ac a gyflwynir i'r Cynulliad Cenedlaethol ddechrau'r flwyddyn newydd. Un mater penodol a godaf yn awr yw rôl llywodraethwyr ysgol wrth ddiogelu plant. Gwn fod rhai AALLau wedi trefnu penodi llywodraethwr penodedig ar gyfer amddiffyn plant. Ond nid yw hyn yn orfodol nac wedi ei ymgorffori'n briodol mewn unrhyw system gydlynol.

3.30 p.m.

The anecdotal evidence would appear to be that, where governing bodies designate such governors, the outcome is that the role is not clear. Where there has been an attempt to specify the role, it is unrealistic. For example, I have seen a job description and person specification for such a designated person which seemed unrealistic and much more appropriate to a specialist professional officer. The designation may well be allocated to a governor with a genuine interest and concern, but with very little knowledge and experience. There may be general governor child protection training, but no real attempt to help a designated governor to address the role in practice.

Child protection does not appear as a standard item on governing body agendas. There is no established linkage between the designated governor and a source of proactive advice and informed support from the LEA. There is an enormous danger that having made the notional designation, the governing body breathes a collective sigh of relief and does not embrace a collective responsibility for child protection.

However, at this point, it is relevant to provide a quotation from an advice paper that I received from Governors Wales.

'Governors Wales believes, therefore, that there is an urgent need for section 175 of the Education Act 2002 to be brought into force in Wales. This is not to say that we are suggesting that governors of schools in Wales do not currently place at the forefront of their concerns the welfare of children and their prime duty of care as regards the pupils in their school. Nevertheless, we believe that it is imperative that governors of schools are fully aware of their statutory duties and that the statutes from which such duties are derived are appropriately updated'.

Another source of concern to me is that the term 'child protection' is generally interpreted as referring to the formal child protection system. This immediately points to a fairly narrow focus, whereas the clear intention of section 175 of the Education Act

Mae tystiolaeth ar lafar yn awgrymu mai'r canlyniad, pan fydd cyrff llywodraethu'n penodi llywodraethwyr felly, yw nad yw'r rôl yn eglur. Lle bu ymgais i'w gwneud yn rôl benodol, mae'n afrealistig. Er enghraifft, yr wyf wedi gweld disgrifiad a manyleb swydd ar gyfer person penodedig felly a oedd yn ymddangos yn afrealistig ac yn fwy priodol o lawer i swyddog proffesiynol arbenigol. Gellid yn hawdd benodi llywodraethwr sydd â diddordeb a phryder diffuant yn y maes, ond sydd heb fawr o wybodaeth na phrofiad. Gall hyfforddiant cyffredinol mewn amddiffyn plant fod ar gael i lywodraethwyr, ond dim ymgais wirioneddol i helpu llywodraethwr penodedig i fynd i'r afael â'i rôl yn ymarferol.

Nid yw amddiffyn plant i'w weld fel eitem safonol ar agendâu cyrff llywodraethu. Nid oes cysylltiad sefydledig rhwng y llywodraethwr penodedig a ffynhonnell cyngor rhagweithiol a chefnogaeth hyddysg gan yr AALl. Mae perygl mawr y bydd y corff llywodraethu, ar ôl penodi'n ddamcaniaethol, yn rhoi ochenaidd o ryddhad ar y cyd ac yn peidio â chymryd cyfrifoldeb ar y cyd dros amddiffyn plant.

Fodd bynnag, mae'n berthnasol yma imi ddyfynnu o bapur cynghori a gefais gan Lywodraethwyr Cymru.

Cred Llywodraethwyr Cymru, felly, fod angen ar frys i adran 175 Deddf Addysg 2002 gael ei rhoi ar waith yng Nghymru. Ni olyga hyn ein bod yn awgrymu nad yw llywodraethwyr ysgolion yng Nghymru ar hyn o bryd yn rhoi blaenoriaeth i les plant a'u prif ddyletswydd gofal o ran y disgyblion yn eu hysgol. Er hynny, credwn ei bod yn hanfodol i lywodraethwyr ysgolion fod yn hollol ymwybodol o'u cyfrifoldebau statudol a bod y statudau y mae'r dyletswyddau hynny'n deillio ohonynt yn cael eu diweddarau'n briodol.

Testun pryder arall imi yw bod 'amddiffyn plant' yn cael ei ddehongli'n gyffredinol fel pe bae'n cyfeirio at y system ffurfiol o amddiffyn plant. Mae hyn ar unwaith yn awgrymu ffocws cul iawn, ond bwriad clir adran 175 Deddf Addysg 2002 yw hybu'r

2002 is to promote the much wider and, in my view, correct concept of safeguarding and promoting the welfare of children. Safeguarding and promoting, as a significant weight of evidence to my review has clearly demonstrated, must be seen as part of a coherent continuum in which the formal child protection systems are a highly important, but numerically small, part.

Therefore, I strongly urge that section 175 should be commenced in Wales as quickly as possible, and that the guidance should make mandatory a system of designated governors with a remit for safeguarding and promoting the welfare of children. It should also ensure that the concept of safeguarding and promoting the welfare of children is embedded in a coherent and consistent framework of LEA and school systems.

These should include relationships with local safeguarding boards for children, support arrangements for looked-after children and children in need, relationships with relevant partner agencies, such as social services, school psychological services and child and adolescent mental health services, and the development of more consistent approaches to issues such as school exclusion and data collection. It should also ensure that proper account is taken of the findings of the safeguarding vulnerable children review, and make mandatory the setting up of an LEA database of nominated governors.

The Children's Commissioner for Wales voices concern that recent draft child protection guidance contained no reference to section 175 of the Education Act 2002. He fears that it was also a missed opportunity to refer to the responsibilities and duties laid upon local authorities and governing bodies in relation to the safeguarding and welfare of children and young people under section 175 of the Act.

Support for the motion will further the already pledged commitment of the Welsh Assembly Government to promoting and safeguarding the welfare of our children. I commend the motion to the Assembly.

The Minister for Education and Lifelong Learning (Jane Davidson): I am pleased to

cysyniad llawer ehangach, a'r cysyniad cywir yn fy marn i, o amddiffyn plant a hybu eu lles. Rhaid edrych ar amddiffyn a hybu, fel yr oedd llawer iawn o dystiolaeth a gyflwynwyd ar gyfer fy adolygiad yn ei ddangos yn eglur, fel rhan o gontinwwm cydgysylltiedig lle mae'r systemau ffurfiol i amddiffyn plant yn bwysig iawn, ond yn rhan fach o ran nifer.

Felly, ymbiliaf yn daer am gychwyn adran 175 yng Nghymru cyn gynted ag y bo modd, ac y dylai'r canllawiau wneud system o lywodraethwyr penodedig, gyda chylch gorchwyl i ddiogelu a hybu lles plant, yn orfodol. Dylai hefyd sicrhau bod y cysyniad o amddiffyn a hybu lles plant yn cael ei ymgorffori mewn fframwaith cydlynol a chyson o systemau AAL ac ysgolion.

Dylai'r rhain gynnwys cysylltiadau â byrddau lleol diogelu plant, trefniadau cynnal ar gyfer plant sy'n cael gofal a phlant mewn angen, cysylltiadau ag asiantaethau partner perthnasol, megis gwasanaethau cymdeithasol, gwasanaethau seicolegol ysgolion a gwasanaethau iechyd meddwl plant a'r glasoed, a datblygu ymagwedd fwy cyson tuag at faterion fel gwahardd o'r ysgol a chasglu data. Dylai hefyd sicrhau rhoi ystyriaeth briodol i ddarganfyddiadau'r adolygiad o ddiogelu plant sy'n agored i niwed, a'i gwneud yn orfodol sefydlu cronfa ddata AAL o lywodraethwyr enwebedig.

Mae Comisiynydd Plant Cymru yn mynegi pryder nad oedd y drafft o ganllaw yn ddiweddar ar amddiffyn plant yn cyfeirio o gwbl at adran 175 Deddf Addysg 2002. Mae'n pryderu bod cyfle wedi'i gollu i gyfeirio at y cyfrifoldebau a'r dyletswyddau sydd ar awdurdodau lleol a chyrrff llywodraethu o ran diogelu plant a phobl ifanc a'u lles dan adran 175 o'r Ddeddf.

Bydd cefnogi'r cynnig yn ychwanegu at yr ymrwymiad y mae Llywodraeth Cynulliad Cymru eisoes wedi'i wneud i hybu a diogelu lles ein plant. Cymeradwyaf y cynnig i'r Cynulliad.

Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson): Mae'n bleser gennyf

respond on behalf of the Assembly Government and to outline the steps that we are taking to improve the framework for safeguarding the welfare of children and young people. I acknowledge the work that Gwenda Thomas is undertaking in leading the Assembly Government's review of safeguarding vulnerable children. Anybody who has heard her speak today will know of her absolute commitment to ensuring that the Assembly Government deals with these issues effectively, in the interests of safeguarding the welfare of children across Wales. Her work will undoubtedly inform the guidance and support that will come forward in this respect. In particular, it will provide important pointers to the guidance that will underpin the statutory duties, which flow from section 175 of the Education Act 2002.

As Gwenda says, the powers contained in section 175 introduce a statutory duty on local education authorities, governing bodies of schools and further education institutions to make arrangements to ensure that their functions are exercised with a view to safeguarding and protecting the welfare of children. However, that should not be perceived as an additional burden. Since the introduction of the Children Act 1989, local authorities have been under a duty to safeguard and promote the welfare of children in their area. By the same token, governors, in exercising their statutory responsibilities for the conduct of the school, are already exercising, at the very least, a pastoral duty of care for the children and young people, as are the staff within the school. Our guidance will therefore build on the solid foundations already laid by schools in not only protecting children from abuse but also addressing wider support structures for tackling issues such as bullying, substance misuse, domestic abuse and racism.

In considering the timing of our guidance, we have been conscious of the need to ensure that it is comprehensive and that it reflects the specific issues that have arisen in Wales. The children's commissioner's Clywch report addressed several recommendations to the Assembly, as all Members are aware. We have been working with local education authorities, unions representing teachers and

ymateb ar ran Llywodraeth y Cynulliad ac amlinellu'r camau yr ydym yn eu cymryd i wella'r fframwaith ar gyfer diogelu lles plant a phobl ifanc. Cydnabyddaf y gwaith y mae Gwenda Thomas yn ei wneud wrth arwain adolygiad Llywodraeth y Cynulliad o ddiogelu plant sy'n agored i niwed. Bydd unrhyw un a'i clywodd yn siarad heddiw yn gwybod am ei hymrwymiad llwyr i sicrhau bod Llywodraeth y Cynulliad yn ymdrin â'r materion hyn yn effeithiol, er mwyn diogelu lles plant ledled Cymru. Heb os, bydd ei gwaith yn llywio'r canllawiau a'r cymorth a ddaw yn eu sgîl yn y cyswllt hwn. Yn benodol, bydd yn darparu awgrymiadau pwysig ar gyfer y canllaw a fydd yn ategu'r dyletswyddau statudol, sy'n deillio o adran 175 Deddf Addysg 2002.

Fel y dywed Gwenda, mae'r pwerau a gynhwysir yn adran 175 yn gosod dyletswydd statudol ar awdurdodau addysg lleol, cyrff llywodraethu ysgolion a sefydliadau addysg bellach i drefnu sicrhau bod eu swyddogaethau'n cael eu gweithredu gyda'r nod o ddiogelu ac amddiffyn lles plant. Fodd bynnag, ni ddylid edrych ar hynny fel baich ychwanegol. Ers cyflwyno Deddf Plant 1989, mae wedi bod yn ddyletswydd ar awdurdodau lleol i ddiogelu a hybu lles plant yn eu hardal. Yn yr un modd, mae llywodraethwyr, drwy arfer eu cyfrifoldebau statudol dros y modd y gweithredir yr ysgol, eisoes yn arfer o leiaf ddyletswydd gofal bugeiliol dros y plant a'r bobl ifanc, fel y mae'r staff yn yr ysgol. Bydd ein canllawiau, felly, yn adeiladu ar y sylfeini cadarn sydd eisoes wedi'u gosod gan ysgolion nid yn unig i amddiffyn plant rhag cael eu cam-drin, ond hefyd i edrych ar strwythurau cynnal ehangach ar gyfer mynd i'r afael â materion fel bwlio, camddefnyddio sylweddau, trais yn y cartref a hiliaeth.

Wrth ystyried amseriad ein canllawiau, yr ydym wedi bod yn ymwybodol o'r angen am sicrhau eu bod yn gynhwysfawr ac yn adlewyrchu'r materion penodol sydd wedi codi yng Nghymru. Cyfeiriai adroddiad Clywch gan y comisiynydd plant at nifer o argymhellion i'r Cynulliad, fel y gŵyr yr Aelodau i gyd. Yr ydym wedi bod yn gweithio ag awdurdodau addysg lleol,

other school staff, and Governors Wales in developing and consulting on suitable responses to those recommendations. The most recent consultation, which was on staffing regulations in our schools, only ended at the end of October, and in it we proposed that a governing body staff disciplinary committee should appoint an independent person to carry out investigations in the case of allegations relating to child protection against a member of staff. It is proposed that that service will be funded by the Assembly Government.

We also put provision in the draft regulations that governing body staff disciplinary and disciplinary appeal committees should appoint an independent, non-governor member, with voting rights and expertise in child protection matters, to sit on both committees to give an independent expert voice in decisions. That proposal is to address the children's commissioner's concerns that, in some cases, the closeness of school governors to school staff can make it difficult for them to arrive at an objective, unbiased judgment, even with advice from external parties, such as the local education authority. These areas of consultation are not happening in other parts of the United Kingdom; they are specific to Welsh circumstances and they are also fundamental to the safeguarding functions that will fall within the ambit of section 175. It is right that those outcomes are considered before we move to developing and consulting on the specific guidance under section 175.

The Clywch report also addressed recommendations to local education authorities and others. Gwenda's motion draws on recommendation 21.22, which proposes that local education authorities establish a database of designated teachers within their area, but extends the children's commissioner's proposal to include nominated governors. I agree with Gwenda that there is added value in extending that database to include nominated governors and we shall include that proposal as part of our consultation.

I am pleased to confirm our timescale for that

undebau sy'n cynrychioli undebau a staff eraill mewn ysgolion, a Llywodraethwyr Cymru i ddatblygu ac ymgynghori am ymatebion addas i'r argymhellion hynny. Dim ond ddiwedd mis Hydref y daeth yr ymgynghoriad diweddaraf, a oedd yn ymwneud â rheoliadau staffio yn ein hysgolion, i ben ac ynddo yr oeddem yn argymhell y dylai pwyllgor disgyblu staff ar gorff llywodraethu benodi rhywun annibynnol i wneud ymchwiliadau lle mae honiadau'n ymwneud ag amddiffyn plant yn erbyn aelod o'r staff. Llywodraeth Cynulliad Cymru fydd yn ariannu'r gwasanaeth hwnnw.

Rhoesom ddarpariaeth yn y rheoliadau drafft hefyd y dylai pwyllgorau disgyblu staff a phwyllgorau apeliadau disgyblu cyrff llywodraethu benodi aelod annibynnol nad yw'n llywodraethwr, gyda hawliau pleidleisio ac arbenigedd mewn materion amddiffyn plant, i eistedd ar y ddau bwyllgor i fod yn llais arbenigol annibynnol mewn penderfyniadau. Nod y cynnig hwnnw yw mynd i'r afael â phryderon y comisiynydd plant y gall agosrwydd llywodraethwyr ysgol at staff ysgol, mewn rhai achosion, ei gwneud yn anodd iddynt ffurfio barn wrthrychol a diduedd, hyd yn oed gyda chyngor gan bobl allanol, megis yr awdurdod addysg lleol. Nid yw'r meysydd ymgynghori hyn yn digwydd mewn rhannau eraill o'r Deyrnas Unedig; maent yn benodol i amgylchiadau Cymru ac maent hefyd yn sylfaenol i'r swyddogaethau diogelu a fydd yn dod o fewn cwmpas adran 175. Mae'n iawn i'r canlyniadau hyn gael eu hystyried cyn inni symud at ddatblygu ac ymgynghori am y canllawiau penodol dan adran 175.

Yr oedd adroddiad Clywch hefyd yn delio ag argymhellion i awdurdodau addysg lleol ac eraill. Mae cynnig Gwenda yn tynnu ar argymhelliad 21.22, sy'n cynnig y dylai awdurdodau addysg lleol sefydlu cronfa ddata o athrawon penodedig yn eu hardal, ond mae'n ymestyn cynnig y comisiynydd plant i gynnwys llywodraethwyr enwebedig. Cytunaf â Gwenda fod gwerth ychwanegol i ymestyn y gronfa ddata honno i gynnwys llywodraethwyr enwebedig, a byddwn yn gynnwys y cynnig hwnnw fel rhan o'n hymgynghoriad.

Mae'n bleser gennyf gadarnhau ein

work. We have already made provision to bring section 175 into force as part of a commencement Order that is scheduled to come before Plenary on 31 January 2006. That will enable us to issue the associated guidance for consultation during the spring term and the final version during the summer term, enabling schools and governors to read and absorb the guidance prior to the introduction of section 175 on 1 September 2006.

Our guidance will reinforce the need for schools to have effective and accessible policies and procedures in place for designating a member of staff and governor with lead responsibility for child protection, for referring concerns about a child's welfare and whether he or she is at risk or in need, for co-operating across the support agencies to address concerns about broader child welfare, for effective and safe recruitment practices, for handling allegations against staff, for exercising disciplinary and dismissal functions, and for training and raising awareness.

The nominated governor's role will be to ensure that the school has effective policies in place for each of those key areas and that procedures are accessible to those who ask for them, and to be the designated person for referring allegations against the headteacher to the statutory authorities.

In closing, I will highlight the recent agreement reached with the Home Office, the Association of Chief Police Officers, the Crown Prosecution Service and teachers' unions on revised guidelines for handling allegations against teachers and other staff in the school setting. These will form an integral part of the consultation on our section 175 guidance. The changes include reinforcing the fact that the police will not normally provide any information to the news media that might help identify an individual subject to investigation, targeting timescales for each stage of the process, close liaison between the police and the CPS, better and quicker information sharing, and better case management and decision making based on close inter-agency co-operation.

hamserlen ar gyfer y gwaith hwnnw. Yr ydym eisoes wedi gwneud darpariaeth i ddod ag adran 175 i rym fel rhan o Orchymyn cychwyn a fydd yn dod gerbron y Cyfarfod Llawn ar 31 Ionawr 2006. Bydd hynny'n ein galluogi i gyhoeddi'r canllawiau cysylltiedig ar gyfer ymgynghori yn ystod tymor y gwanwyn a'r fersiwn terfynol yn ystod tymor yr haf, a fydd yn galluogi ysgolion a llywodraethwyr i ddarllen a deall y canllawiau cyn cyflwyno adran 175 ar 1 Medi 2006.

Bydd ein canllawiau'n atgyfnerthu'r angen i ysgolion gael polisiau a gweithdrefnau effeithiol a hygyrch ar waith ar gyfer penodi aelod o staff a llywodraethwr i fod yn bennaf gyfrifol am amddiffyn plant, i gyfeirio pryderon ynghylch lles plentyn ac a yw mewn perygl neu mewn angen, ar gyfer gweithredu ar y cyd ar draws yr asiantaethau cymorth, er mwyn mynd i'r afael â phryderon ynghylch lles plant yn fwy cyffredinol, ar gyfer arferion recriwtio effeithiol a diogel, ar gyfer trin honiadau yn erbyn staff, ar gyfer arfer swyddogaethau disgyblu a diswyddo, ac ar gyfer hyfforddi a chynyddu ymwybyddiaeth.

Rôl y llywodraethwyr enwebedig fydd sicrhau bod gan yr ysgol bolisiau effeithiol ar waith ar gyfer pob un o'r meysydd allweddol hynny, a bod gweithdrefnau'n gyfleus i'r rheini sy'n gofyn amdanynt. A'r llywodraethwr enwebedig fydd yr unigolyn penodedig ar gyfer cyfeirio honiadau yn erbyn y pennaeth i'r awdurdodau statudol.

I gloi, tynnaf sylw at y cytundeb yn ddiweddar gyda'r Swyddfa Gartref, Cymdeithas y Prif Swyddogion Heddlu, Gwasanaeth Erlyn y Goron ac undebau athrawon ar ganllawiau diwygiedig i ymdrin â honiadau yn erbyn athrawon a staff eraill mewn ysgolion. Bydd y rhain yn rhan annatod o'r ymgynghori am ein canllawiau adran 175. Mae'r newidiadau'n cynnwys atgyfnerthu'r ffaith na fydd yr heddlu fel arfer yn rhoi unrhyw wybodaeth i'r cyfryngau newyddion a allai helpu adnabod unigolyn sy'n destun ymchwiliad, targedu amserlenni ar gyfer pob cam yn y broses, cyswllt agos rhwng yr heddlu a Gwasanaeth Erlyn y Goron, rhannu gwybodaeth yn well ac yn gyflymach, a rheoli achosion a gwneud penderfyniadau'n well yn seiliedig ar

gydweithredu agos rhwng asiantaethau.

I trust that the timescale and content that I have outlined provides reassurance to Gwenda that our work on safeguarding children in schools continues at an appropriate pace, in consultation with all relevant practitioners and in parallel with the implementation of the provisions within the Children Act 2004. I welcome the opportunity that Gwenda has taken to demonstrate how important this is in terms of safeguarding children in Wales.

Jocelyn Davies: I welcome the opportunity to contribute to this debate on behalf of the Plaid Cymru group, and I congratulate Gwenda on setting out an excellent case for the commencement of section 175. We will be supporting the principle of this proposal and of having a designated governor for child protection issues. However, we have one or two reservations, which I hope Gwenda will be able to clear up.

As we know, school governors are volunteers who already carry a considerable burden of responsibility. I feel strongly that they must address child protection issues, but, although governing bodies should collectively take responsibility for these issues, I am concerned about how that responsibility will be discharged by a named individual and what liability will fall on that individual for any failures.

I am sure that we have all read the Clywch report, which has already been mentioned today, and its recommendations. Child protection issues lie at the heart of that inquiry. It was evident that the governors of the school concerned were completely out of their depth when faced with a serial abuser. The children's commissioner recommended that all governing bodies must have a whistleblowing policy in place and that all staff are informed about its operation, and that that should be reinforced regularly. This is a collective responsibility for all governors and it ensures the mainstreaming of that policy. I am concerned that if child protection issues fall to a named individual, it may not therefore be mainstreamed. I would appreciate more information on how Gwenda's proposal will dovetail into other

Hyderaf fod yr amserlen a'r cynnwys yr wyf wedi eu hamlinellu yn rhoi sicrwydd i Gwenda fod ein gwaith ar ddiogelu plant mewn ysgolion yn mynd rhagddo ar gyflymder priodol, drwy ymgynghori â'r holl ymarferwyr perthnasol ac ochr yn ochr â gweithredu darpariaethau Deddf Plant 2004. Croesawaf y cyfle y mae Gwenda wedi ei gymryd i ddangos mor bwysig yw hyn o ran diogelu plant yng Nghymru.

Jocelyn Davies: Croesawaf y cyfle i gyfrannu at y ddadl hon ar ran grŵp Plaid Cymru, a llongyfarchaf Gwenda am gyflwyno achos ardderchog dros gychwyn adran 175. Byddwn yn cefnogi egwyddor y cynnig hwn ac egwyddor cael llywodraethwr penodedig ar gyfer materion amddiffyn plant. Fodd bynnag, mae gennym un neu ddau o amheuon, a gobeithio y gall Gwenda eu hegluro.

Fel y gwyddom, gwirfoddolwyr yw llywodraethwyr ysgol ac mae baich eu cyfrifoldeb yn drwm. Teimlaf yn gryf fod yn rhaid iddynt fynd i'r afael â materion amddiffyn plant, ond er y dylai cyrff llywodraethu gymryd cyfrifoldeb ar y cyd dros y materion hyn, yr wyf yn bryderus ynghylch y modd y cyflawnir y cyfrifoldeb hwnnw gan unigolyn wedi ei enwi, a pha atebolrwydd fydd ar yr unigolyn hwnnw am unrhyw fethiannau.

Yr wyf yn siŵr ein bod i gyd wedi darllen adroddiad Clywch, a grybwyllwyd eisoes heddiw, a'i argymhellion. Materion amddiffyn plant sydd wrth wraidd yr ymchwiliad hwnnw. Yr oedd yn amlwg fod llywodraethwyr yr ysgol dan sylw allan o'u dyfnder yn llwyr yn wyneb camdriniwr cyson. Argymhellodd y comisiynydd plant ei bod yn rhaid i bob corff llywodraethu roi polisi ar waith i chwythu'r chwiban a bod yr holl staff yn cael gwybod ei fod yn gweithredu, ac y dylid atgyfnerthu hynny'n rheolaidd. Mae hwn yn gyfrifoldeb ar y cyd i bob llywodraethwr, ac mae'n sicrhau bod y polisi hwnnw'n cael ei brif-ffrydio. Yr wyf yn bryderus, os bydd materion amddiffyn plant yn cael eu rhoi yng ngofal unigolyn wedi ei enwi, na chânt eu prif-ffrydio o'r herwydd. Byddwn yn gwerthfawrogi mwy o

child protection structures.

I also note that it is envisaged that this new duty will have no financial implications. I am therefore concerned that no training will be required for this proposal. I doubt that all governing bodies will already have the required expertise in this area. Therefore, training for this responsibility is needed. We have already heard that there is some good practice out there, and in the areas where there is good practice, local authorities are training and supporting those who already undertake this role. However, all school governors would benefit from that training.

Although we acknowledge that this proposal has great merit and we would not oppose it, we have concerns about liability on individuals, how this fits in with other child protection structures, how this will aid the mainstreaming of child protection issues in schools, and what support and training will be available to those who agree to take up this role.

Mark Isherwood: I speak as a former school governor, and I know that some Members are still acting school governors. The nomination of a named school governor responsible for child protection matters is a necessary, but not a sufficient, act. It would also be helpful to know where these people will come from at a time when the overall volunteering for school governorships is falling, and know who will be responsible for funding the necessary public indemnity insurance.

We have heard reference to the Clywch inquiry report into allegations of sexual abuse in a school setting and the number of recommendations concerning how allegations could be dealt with by school governing bodies in the future. However, as the Minister for Education and Lifelong Learning stated in her report to the Education and Lifelong Learning Committee on 21 September, the Welsh Assembly Government recognises that

wybodaeth am y modd y bydd cynnig Gwenda yn cydblethu â strwythurau eraill i amddiffyn plant.

Sylwaf hefyd y rhagwelir na fydd goblygiadau ariannol i'r ddyletswydd newydd hon. Yr wyf yn bryderus felly na fydd angen hyfforddiant ar gyfer y cynnig hwn. Mae'n amheus gennyf a fydd pob corff llywodraethu yn meddu ar yr arbenigedd gofynnol yn y maes hwn. Felly, mae angen hyfforddiant ar gyfer y cyfrifoldeb hwn. Yr ydym eisoes wedi clywed bod yna ryw faint o arfer da, ac yn yr ardaloedd hynny lle mae arfer da mae awdurdodau lleol yn hyfforddi ac yn cefnogi'r rheini sydd eisoes yn cyflawni'r rôl hon. Fodd bynnag, byddai pob llywodraethwr ysgol yn elwa o'r hyfforddiant hwnnw.

Er ein bod yn cydnabod bod rhinweddau pwysig i'r cynnig hwn ac na fyddem yn ei wrthwynebu, yr ydym yn bryderus ynghylch atebolrwydd unigolion, sut y mae hyn yn cyd-fynd â strwythurau eraill i amddiffyn plant, sut y bydd hyn yn cynorthwyo'r broses o brif-ffrydio materion amddiffyn plant mewn ysgolion, a pha gefnogaeth a hyfforddiant a fydd ar gael i'r rheini sy'n cytuno i ymgymryd â'r rôl hon.

Mark Isherwood: Siaradaf fel cyn lywodraethwr ysgol, a gwn fod rhai Aelodau yn parhau i weithredu fel llywodraethwyr ysgol. Mae enwebu llywodraethwr ysgol wedi ei enwi i fod yn gyfrifol am faterion amddiffyn plant yn angenrheidiol, ond nid yw'n ddigonol. Byddai hefyd yn ddefnyddiol gwybod o ble y daw'r bobl hyn ar adeg pan fo'r cyfraddau gwirfoddoli cyffredinol ar gyfer swyddi llywodraethwyr yn gostwng, a gwybod pwy fydd yn gyfrifol am ariannu'r yswiriant indemniad cyhoeddus angenrheidiol.

Clywsom gyfeiriad at adroddiad ymchwiliad Clywch i honiadau o gam-drin rhywiol mewn ysgol a nifer yr argymhellion ynglŷn â sut y gallai cyrff llywodraethu ysgolion ymdrin â honiadau yn y dyfodol. Fodd bynnag, fel y dywedodd y Gweinidog dros Addysg a Dysgu Gydol Oes yn ei hadroddiad i'r Pwyllgor Addysg a Dysgu Gydol Oes ar 21 Medi, mae Llywodraeth Cynulliad Cymru yn cydnabod bod yna anawsterau weithiau wrth

there have sometimes been difficulties in ensuring the proper conduct of investigations into child abuse allegations by school governing bodies under their staff disciplinary procedures, and is aware that members of the staff disciplinary and disciplinary appeals committees do not always have the necessary expertise to analyse and properly consider evidence when making judgments and decisions.

Child protection within a school environment must be based on independent, objective assurance that adds value and improves an organisation's operations. It must help schools and local education authorities to accomplish their objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes. Above all, the work of persons engaged in child protection matters must not be capable of being unduly interfered with or influenced by another person.

Responding to the Minister in committee on 21 September, I referred to independence and how we can make that happen. I referred, in a related context, to consultation in her report undertaken with children and young people on the handling of complaints, the provision of support for children and young people making complaints and the provision of counselling services in educational settings. This found that the young people consulted liked the idea of having an independent person whom they could speak to in confidence.

The proposal to agree the guidance under consideration today must, therefore, be considered in the context of the draft Staffing of Maintained Schools Regulations 2005, to which the Minister referred, which would require a governing body staff disciplinary committee to appoint an independent person to carry out an investigation in the case of allegations relating to child protection against a member of staff, and which would require the appointment of an independent non-governor member with voting rights to both staff disciplinary and disciplinary appeals committees where allegations of child protection are being considered.

gynnal ymchwiliadau priodol i honiadau o gam-drin plant gan gyrff llywodraethu ysgolion dan eu gweithdrefnau disgyblu staff. Ac mae'n ymwybodol nad oes gan aelodau o bwyllgorau disgyblu staff a phwyllgorau apeliadau disgyblu bob amser yr arbenigedd angenrheidiol i ddadansoddi tystiolaeth a'i hystyried yn briodol wrth wneud dyfarniadau a phenderfyniadau.

Rhaid i ddulliau amddiffyn plant mewn amgylchedd ysgol fod yn seiliedig ar sicrwydd annibynnol a gwrthrychol sy'n ychwanegu gwerth ac yn gwella gweithrediadau sefydliad. Rhaid iddynt helpu ysgolion ac awdurdodau addysg lleol i gyflawni eu hamcanion drwy gael ymagwedd systemataidd, ddisgybledig i werthuso a gwella effeithiolrwydd prosesau rheoli risg, rheolaeth a llywodraethu. Yn anad dim, ni ddylai fod yn bosibl i berson arall ymyrryd yn amhriodol yng ngwaith personau sy'n ymwneud â materion amddiffyn plant na dylanwadu ar y gwaith hwnnw.

Wrth ymateb i'r Gweinidog yn y pwyllgor ar 21 Medi, cyfeiriais at annibyniaeth a sut y gallwn sicrhau hynny. Cyfeiriais, mewn cyd-destun cysylltiedig, at yr ymgynghori yn ei hadroddiad a fu gyda phlant a phobl ifanc ar ymdrin â chwynion, darparu cefnogaeth i blant a phobl ifanc sy'n cwyno, a darparu gwasanaethau cwnsela mewn lleoliadau addysgol. Darganfu hynny fod y bobl ifanc yr ymgynghorwyd â hwy yn hoffi'r syniad o gael person annibynnol y gallent siarad ag ef yn gyfrinachol.

Rhaid ystyried y cynnig i gytuno'r canllawiau a gaiff ei ystyried heddiw, felly, yng nghydestun y Rheoliadau drafft ar Staffio Ysgolion a Gynhelir 2005, fel y cyfeiriodd y Gweinidog atynt. Byddai'r rhain yn ei gwneud yn ofynnol i'r pwyllgor disgyblu staff mewn corff llywodraethu benodi person annibynnol i wneud ymchwiliad mewn achos o honiadau'n ymwneud ag amddiffyn plant yn erbyn aelod o'r staff. Byddai hynny'n gofyn am benodi aelod annibynnol nad yw'n llywodraethwr, ac sydd â hawliau pleidleisio, i'r pwyllgor disgyblu staff a'r pwyllgor apeliadau disgyblu lle y caiff honiadau amddiffyn plant eu hystyried.

This must also be considered in the context of the Minister's consideration of how an Assembly-funded, independent investigative service would operate, managed on behalf of, but not by, the Welsh Assembly Government. Such independent investigators would, as a minimum, require investigation skills, including the interviewing of children, school experience and training in both child protection matters and employment law. As the Minister stated on 21 September, it will also be necessary to define what is meant by child protection and to cover the issue of the qualifications and experience the investigators should have and the independence of the investigator. The same will be required in respect of the independence and expertise required of the independent non-governor member of the staff disciplinary and disciplinary appeals committees. The nomination of a named governor responsible for child protection in isolation could create as many problems as it solves and must only be seen as one piece in a complicated jigsaw, where, without the independent safeguards detailed, child protection could remain an aspiration rather than a reality.

Peter Black: I add the support of the Liberal Democrat Group to the proposal brought forward by Gwenda Thomas. It is a very important contribution to the debate and general discussion around Clywch and the issues that arose from it.

3.50 p.m.

Essentially, the proposal that Gwenda has put before us is fairly straightforward and simple, but effective nevertheless. As a governor of a school, I know that every school has an SEN-nominated governor and, as a result, you tend to discuss SEN matters in governing body meetings. It is rare to discuss child protection matters in those meetings. It is all very well to say that this has to be mainstreamed and must be part of the governing bodies' general responsibilities but, because you do not have that designated person whose duty it is to keep raising this issue, to monitor the policy, and to drive forward measures relating to it, it does not come up that often in governing body meetings. The fact that you would have someone in that role would put it back at the

Rhaid ystyried hyn hefyd yng nghyd-destun ystyriaeth y Gweinidog o'r modd y byddai gwasanaeth ymchwiliol, annibynnol a ariennir gan y Cynulliad yn gweithredu, yn a hwnnw'n cael ei reoli ar ran Llywodraeth Cynulliad Cymru, ac nid ganddi. Byddai'n ofynnol, o leiaf, i ymchwilywyr annibynnol o'r fath feddu ar sgiliau ymchwilio, gan gynnwys cyf-weld plant, profiad ysgol a hyfforddiant mewn materion amddiffyn plant a chyfraith cyflogaeth. Fel y dywedodd y Gweinidog ar 21 Medi, bydd hefyd yn angenrheidiol diffinio'r hyn y mae amddiffyn plant yn ei olygu, a chynnwys mater y cymwysterau a'r profiad y dylai'r ymchwilywyr feddu arnynt, ac annibyniaeth yr ymchwilydd. Bydd yr un peth yn ofynnol o ran yr annibyniaeth a'r arbenigedd sy'n ofynnol gan aelod annibynnol o'r pwyllgor disgyblu staff a'r pwyllgor apeliadau disgyblu nad yw'n llywodraethwr. Gallai enwebu llywodraethwr wedi ei enwi i fod yn gyfrifol am amddiffyn plant ar ei ben ei hun greu cynifer o broblemau ag y mae'n eu datrys, a rhaid edrych arno fel un darn yn unig o jig-so cymhleth lle gallai amddiffyn plant, heb y mesurau amddiffyn annibynnol a nodwyd, ddal yn ddyhead yn hytrach nag yn realiti.

Peter Black: Ychwanegaf gefnogaeth Grŵp y Democratiaid Rhyddfrydol at y cynnig a gyflwynwyd gan Gwenda Thomas. Mae'n gyfraniad pwysig iawn i'r ddafl a'r drafodaeth gyffredinol ynglŷn â Clywch a'r materion a ddeilliodd ohono.

Yn ei hanfod, mae'r cynnig a gyflwynodd Gwenda ger ein bron yn un cymharol syml, ond effeithiol serch hynny. Fel llywodraethwr ysgol, gwn fod gan bob ysgol lywodraethwr wedi ei enwebu ar gyfer AAA, ac o ganlyniad yr ydych yn dueddol o drafod materion AAA mewn cyfarfodydd cyrff llywodraethu. Anaml y caiff materion amddiffyn plant eu trafod yn y cyfarfodydd hynny. Mae'n hawdd iawn dweud y bydd yn rhaid i hyn gael ei brif ffrydio a bod yn rhan o gyfrifoldebau cyffredinol cyrff llywodraethu. Ond oherwydd nad oes gennych berson penodedig hwnnw sy'n gyfrifol am godi'r mater hwn o hyd, am fonitro'r polisi, ac am hybu mesurau'n ymwneud ag ef, ni chaiff ei godi mor aml â

top of the agenda, or certainly on the agenda, for most governing body meetings, and would ensure that all governors are aware of the issues around that policy and that any problems, issues or changes are brought to their attention in a timely way. That in itself will make this change valuable and is a good reason to support it.

The training issue is imperative. As has been said, governors are volunteers, and many do not have experience of the child protection measures that they will be required to deal with. It is essential, therefore, that those governors who take on this role have comprehensive training and are continually kept up to date with changes in procedures, policy or other issues that they need to be aware of. That will make the national database valuable, because any changes that take place can be rolled out to them quickly using that database, thereby keeping them up to date. There will be a need for a clear definition of the role, and there will also be a need for a clear definition of responsibilities. That will certainly assist the nominated governor in dealing with that.

The only issue that I have with this—and it is not a criticism or a negative issue—has been raised already and relates to the fact that governors are volunteers and that we have problems in attracting people to take on the governing role. I do not believe that this additional responsibility will add to that problem, because once someone has taken on the role of a governor, they are obviously prepared to take on the consequences and the workload that goes with that. From the existing cohort of governors, it will be possible to find someone who is willing to take on this role. However, we have a situation whereby, in 2002-03, 6.2 per cent of governing places in primary schools were vacant, and 5.7 per cent in secondary schools

hynny yng nghyfarfodydd cyrff llywodraethu. Pe bai gennych rywun i gyflawni'r rôl honno, byddai'r mater yn cael ei roi yn ôl ar frig yr agenda, neu'n sicr yn ôl ar yr agenda, ar gyfer y rhan fwyaf o gyfarfodydd cyrff llywodraethu, a byddai'n sicrhau bod pob llywodraethwr yn ymwybodol o'r materion sy'n ymwneud â'r polisi hwnnw ac y byddai unrhyw broblemau, materion neu newidiadau yn cael eu dwyn i'w sylw yn brydlon. Bydd hynny, ynddo'i hun, yn gwneud y newid hwn yn un gwerthfawr ac mae'n rheswm da dros ei gefnogi.

Mae hyfforddiant yn hanfodol. Fel y dywedwyd, gwirfoddolwyr yw llywodraethwyr, ac mae nifer ohonynt heb brofiad o'r mesurau amddiffyn plant y bydd yn ofynnol iddynt ddelio â hwy. Mae'n hanfodol, felly, i'r llywodraethwyr hynny sy'n ymgymryd â'r rôl hon gael hyfforddiant cynhwysfawr, a chael y wybodaeth ddiweddaraf yn rheolaidd am newidiadau mewn gweithdrefnau, polisi neu faterion eraill y mae angen iddynt fod yn ymwybodol ohonynt. Bydd hynny'n gwneud y gronfa ddata genedlaethol yn werthfawr, oherwydd gall unrhyw newidiadau sy'n digwydd gael eu cyflwyno iddynt yn gyflym drwy ddefnyddio'r gronfa ddata honno, ac felly roi'r wybodaeth ddiweddaraf iddynt yn rheolaidd. Bydd angen diffiniad clir o'r rôl, a bydd angen hefyd am ddiffiniad clir o gyfrifoldebau. Bydd hynny'n sicr yn cynorthwyo'r llywodraethwr a enwebir i ddelio â hynny.

Mae'r unig beth sy'n fy mhoeni ynglŷn â hyn—ac nid yw'n feirniadaeth nac yn fater negyddol—wedi ei godi eisoes ac mae'n ymwneud â'r ffaith mai gwirfoddolwyr yw llywodraethwyr a'n bod yn ei cael problemau wrth ddenu pobl i ymgymryd â'r rôl llywodraethu. Ni chredaf y bydd y cyfrifoldeb ychwanegol hwn yn ychwanegu at y broblem honno, oherwydd ar ôl i rywun ymgymryd â'r rôl llywodraethwr, bydd yn amlwg yn barod i wynebu'r canlyniadau a'r llwyth gwaith sydd ynghlwm â hynny. O'r garfan bresennol o lywodraethwyr, bydd yn bosibl cael rhywun sy'n barod i ymgymryd â'r rôl hon. Fodd bynnag, mae gennym sefyllfa lle yr oedd oedd 6.2 y cant o leoedd llywodraethu mewn ysgolion cynradd yn wag yn 2002-03, a 5.7 y

were vacant, whereas, in 2003-04, the primary school figures had risen to 6.8 per cent and 5.4 per cent respectively. It is interesting that that trend is reversed in special schools. There is a trend of people not wanting to take on this role, and we may want to address that at the same time in order to try to encourage people to take on the role and to find ways of attracting them to do this very important job.

I support this proposal. I think that it will add significantly to the protection in place for children, and it will certainly help to focus the school and the governing body on the issues that arise around that. Therefore, I hope that the Minister is able to take forward this proposal. I look forward to looking at the details of the proposal in the Education and Lifelong Learning Committee and discussing how it can be implemented.

Gwenda Thomas: Jocelyn, Peter and, I believe, Mark, spoke about the issue of governors being volunteers, and, even though I agree, I would point out that most LEAs are doing this on a voluntary basis already. Formalising the issue of a nominated governor will strengthen that position and not weaken it. I believe that we need this support for vulnerable children in the school setting.

I agree with the points made on training; this is crucial. I understand that this can go ahead within existing resources, and that is spelled out in the motion.

Mark talked about public indemnity insurance. I take the point, but I cannot see that this is any different from a designated governor for special needs, for example. I believe that the overarching insurance principle will be dealt with.

Thank you, Peter, for your comments, which expressed more or less unconditional support. Again, there was a reference to training and the general availability of governors. From speaking to governors, I gather that they welcome this motion, and it is supported unequivocally by the children's commissioner and by Governors Wales.

cant yn wag mewn ysgolion uwchradd. Ond yn 2003-04 yr oedd y ffigurau mewn ysgolion cynradd wedi codi i 6.8 y cant a 5.4 y cant yn y drefn honno. Mae'n ddi-ddorol fod y duedd honno wedi'i gwrthdroi mewn ysgolion arbennig. Mae yna duedd nad yw pobl am ymgymryd â'r rôl hon, ac efallai y byddwn am fynd i'r afael â hynny ar yr un pryd er mwyn ceisio annog pobl i ymgymryd â'r rôl ac i ddod o hyd i ffyrdd i'w denu i ymgymryd â'r swydd bwysig iawn hon.

Cefnogaf y cynnig hwn. Credaf y bydd yn ychwanegu'n sylweddol at y mesurau amddiffyn sydd ar waith ar gyfer plant, a bydd yn bendant yn helpu sicrhau bod yr ysgol a'r corff llywodraethu yn canolbwyntio ar y materion sy'n codi mewn perthynas â hynny. Felly, gobeithio y gall y Gweinidog weithredu ar y cynnig hwn. Edrychaf ymlaen at weld manylion y cynnig yn y Pwyllgor Addysg a Dysgu Gydol Oes ac at drafod sut y gellir ei weithredu.

Gwenda Thomas: Mae Jocelyn, Peter a Mark, mi gredaf, wedi siarad am y mater mai gwirfoddolwyr yw llywodraethwyr, ac er fy mod yn cytuno, byddwn yn egluro bod y rhan fwyaf o AALl eisoes yn gwneud hyn yn wirfoddol. Bydd ffurfioli rôl llywodraethwr wedi ei enwebu yn atgyfnerthu'r rôl honno yn hytrach na'i gwanhau. Credaf fod arnom angen y gefnogaeth hon i blant diamddiffyn mewn ysgolion.

Cytunaf â'r pwyntiau a wnaed am hyfforddiant; mae hyn yn hanfodol. Deallaf y gellir gweithredu ar hyn o fewn adnoddau presennol, ac esbonnir hynny yn y cynnig.

Soniai Mark am yswiriant indemnïad cyhoeddus. Derbyniaf y pwynt, ond ni allaf weld bod hyn yn wahanol o gwbl i gael llywodraethwr penodedig ar gyfer anghenion arbennig, er enghraifft. Credaf yr eir i'r afael ag egwyddor gyffredinol yswiriant.

Diolch, Peter, am eich sylwadau, a oedd yn mynegi cefnogaeth ddiamod fwy neu lai. Eto, cyfeiriwyd at hyfforddiant a gallu cael llywodraethwyr yn gyffredinol. O siarad â llywodraethwyr, dof i'r casgliad eu bod yn croesawu'r cynnig hwn, ac fe'i cefnogir yn ddiamwys gan y comisiynydd plant a chan Lywodraethwyr Cymru.

I agree with Peter that the database will be extremely valuable in providing the ability to target up-to-date information towards these governors when they are nominated.

Cytunaf â Peter y bydd y gronfa ddata yn eithriadol o werthfawr wrth ddarparu'r gallu i sicrhau bod y llywodraethwyr hyn yn cael y wybodaeth ddiweddaraf pan gânt eu henwebu.

I am delighted that the Minister supports this proposal, and I was pleased to hear what she said about timescales. I am reassured that these are appropriate and I am happy for us to work together, especially since the legislation is already in hand to bring forward these important measures so that they will come into effect in September 2006.

Yr wyf yn falch fod y Gweinidog yn cefnogi'r cynnig hwn, ac yr oeddwn yn falch clywed yr hyn a ddywedodd am amserlenni. Cefais sicrwydd fod y rhain yn briodol ac yr wyf yn fodlon inni gydweithio, yn enwedig gan fod y ddeddfwriaeth eisoes wrthi'n cael ei llunio i gyflwyno'r mesurau pwysig er mwyn iddynt ddod i rym ym mis Medi 2006.

*Cynnig (NDM2641): O blaid 46, Ymatal 0, Yn erbyn 0.
Motion (NDM2641): For 46, Abstain 0, Against 0.*

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

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, Janet
Davies, Jocelyn
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Lewis, Huw
Lloyd, David
Lloyd, Val
Melding, David
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sargeant, Carl

Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Williams, Kirsty

*Derbyniwyd y cynnig.
 Motion carried.*

Trefn Cymorth Gwladwriaethol State Aid Regime

The Deputy Presiding Officer: I have selected amendments 1 and 2 in the name of Kirsty Williams, amendments 3 and 4 in the name of Jocelyn Davies, and amendment 5 in the name of David Melding.

Y Dirprwy Lywydd: Yr wyf wedi dethol gwelliannau 1 a 2 yn enw Kirsty Williams, gwelliannau 3 a 4 yn enw Jocelyn Davies, a gwelliant 5 yn enw David Melding.

The Minister for Economic Development and Transport (Andrew Davies): I propose that

Y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth (Andrew Davies): Cynigiau fod

the National Assembly for Wales:

Cynulliad Cenedlaethol Cymru:

notes the actions of the Welsh Assembly Government in contributing to the development of the revised regional aid guidelines and the consultation on the EU state aid action plan. (NDM2692)

yn nodi camau Llywodraeth Cynulliad Cymru wrth gyfrannu at ddatblygu'r canllawiau cymorth rhanbarthol diwygiedig a'r ymgynghoriad ar gynllun gweithredu cymorth gwladol yr UE. (NDM2692)

The Assembly Government's economic policies are clearly working. Employment is at record levels. There are 100,000 more people in employment now than in 1999. Unemployment in recent years has been at levels that we have not seen for a generation. The effectiveness of the Assembly Government's economic policies is evident throughout Wales. Employment growth has been strongest in west Wales and the Valleys, in the Objective 1 area, accounting for three quarters of the increase in employment since 2001.

Mae polisiau economaidd Llywodraeth y Cynulliad yn amlwg yn gweithio. Mae cyfraddau cyflogaeth ar eu uchaf erioed. Mae 100,000 yn fwy o bobl mewn cyflogaeth yn awr nag yn 1999. Mae diweithdra yn ystod y blynyddoedd diwethaf wedi bod ar lefelau na welsom ers cenhedlaeth. Mae effeithiolrwydd polisiau economaidd Llywodraeth y Cynulliad yn amlwg ledled Cymru. Gwelwyd y twf mewn cyflogaeth ar ei gryfaf yn y gorllewin a'r Cymoedd, yn ardal Amcan 1, sy'n cyfrif am dri chwarter y cynnydd mewn cyflogaeth er 2001.

This morning, I published for consultation 'Wales: A Vibrant Economy', which is the successor to 'A Winning Wales'. The economic environment is ever changing in an intensely competitive global market. There are new challenges and opportunities presenting themselves. Above all else, the enormous economic growth of India and China is putting huge pressures on economies everywhere. 'Wales: A Vibrant Economy' sets out our strategic approach for the future,

Y bore yma, cyhoeddais y ddogfen 'Cymru: Economi yn Ffynnu' i ymgynghori arni, sef olynydd 'Cymru'n Ennill'. Mae'r amgylchedd economaidd yn newid o hyd mewn marchnad fyd-eang sy'n gystadleuol iawn. Mae heriau a chyfleoedd newydd yn codi o hyd. Yn anad dim, mae twf economaidd anferth India a Tsieina yn rhoi pwysau enfawr ar economïau ym mhobman. Mae 'Cymru: Economi yn Ffynnu' yn gosod allan ein hymagwedd strategol at y dyfodol,

providing an agenda for the new Economic Development and Transport Department and the Assembly Government overall, and the framework within which we will use the next round of European structural funds.

The main strategic priorities are to further increase employment and to continue to close the gap on employment rates within the UK. The growth of over 120,000 jobs has raised our employment rate to 72.6 per cent, closing the gap with the UK by over 50 per cent.

The second priority is to raise the quality of jobs within Wales so that earnings increase and narrow the gap with the UK. Again, we are building on success with Welsh wages keeping pace with, or rising faster than, the UK average in each of the last four years.

Alun Cairns: Your speech on 'Wales: A Vibrant Economy' seems to be quite interesting, but I have prepared a speech on regional aid. Are you using this debate as an opportunity to launch 'WAVE'?

Andrew Davies: Not at all. I am pointing out that the operation of the state aid regime, and particularly the new regional aid guidelines and the new assisted area map, will give us an additional tool with which to build on the success of our economic development policies, and will inform 'Wales: A Vibrant Economy'.

As I have said, 'WAVE' sets out, at a strategic level, how we will continue to build on the successes that I have outlined.

The state aids framework provides essential background to our policies, both in providing a competitive economic environment, essential in developing a competitive Welsh industry, and in setting the rules within which our own financial assistance must operate.

As Members are aware, the European

gan ddarparu agenda ar gyfer yr Adran Datblygu Economaidd a Thrafnidiaeth newydd a Llywodraeth y Cynulliad yn gyffredinol, a'r fframwaith ar gyfer defnyddio'r cylch nesaf o arian strwythurol Ewropeaidd.

Y prif flaenoriaethau strategol yw cynyddu cyflogaeth ymhellach a pharhau i gau'r bwlch mewn cyfraddau cyflogaeth o fewn y DU. Mae'r twf o dros 120,000 o swyddi wedi codi ein cyfradd cyflogaeth i 72.6 y cant, gan gau dros 50 y cant o'r bwlch rhyngom ni a'r DU.

Yr ail flaenoriaeth yw gwella ansawdd swyddi yng Nghymru er mwyn codi enillion a lleihau'r bwlch rhyngom ni a'r DU. Eto, yr ydym yn adeiladu ar lwyddiant cyflogau Cymru sydd wedi parhau ar yr un lefel â chyfartaledd y DU, neu wedi codi'n gyflymach na hi, ym mhob un o'r pedair blynedd diwethaf.

Alun Cairns: Mae eich araith ar 'Cymru: Economi yn Ffynnu' i'w gweld yn ddigon diddorol, ond yr wyf wedi paratoi araith ar gymorth rhanbarthol. A ydych yn defnyddio'r ddadl hon fel cyfle i lansio 'Cymru: Economi yn Ffynnu'?

Andrew Davies: Ddim o gwbl. Yr wyf yn esbonio y bydd gweithredu'r gyfundrefn cymorth gwladol, ac yn arbennig y canllawiau cymorth rhanbarthol newydd a'r map newydd ar ardaloedd cymorth, yn rhoi offeryn ychwanegol inni adeiladu ar lwyddiant ein polisiau datblygu economaidd, a bydd yn llywio 'Cymru: Economi yn Ffynnu'.

Fel y dywedais, mae 'Cymru: Economi yn Ffynnu' yn gosod allan, ar lefel strategol, sut y byddwn yn parhau i adeiladu ar y llwyddiannau a amlinellais.

Mae'r fframwaith cymorth gwladol yn darparu cefndir hanfodol ar gyfer ein polisiau, wrth ddarparu amgylchedd economaidd cystadleuol, sy'n hanfodol wrth ddatblygu diwydiant Cymreig cystadleuol, ac wrth bennu'r rheolau y mae'n rhaid i'n cymorth ariannol ein hunain weithredu o'u mewn.

Fel y gŵyr Aelodau, mae'r Comisiwn

Commission has recently launched a comprehensive and coherent reform of state aid policy as a direct contribution to the renewed Lisbon agenda, with the objective of delivering better, targeted state aid. This reform incorporates the ongoing review of the regional aid guidelines. These guidelines provide the legal basis upon which member states are able to provide investment aid and financial assistance to companies in deprived regions, which, as members of the Economic Development and Transport Committee will know, are currently being reviewed. The new guidelines cover the period from 2007 to 2013, and form part of the overall state aid legislative regime, which determines the ability of member states to assist enterprises.

Ewropeaidd eisoes wedi lansio diwygiad cynhwysfawr a chydlynol o'r polisi cymorth gwladol yn ddiweddar, fel cyfraniad uniongyrchol i agenda newydd Lisbon, gyda'r nod o ddarparu cymorth gwladol gwell, wedi'i dargedu. Mae'r diwygiad hwn yn ymgorffori'r adolygiad parhaus o'r canllawiau cymorth rhanbarthol. Mae'r canllawiau hyn yn darparu'r sail gyfreithiol sy'n galluogi gwladwriaethau sy'n aelodau i ddarparu cymorth buddsoddi a chymorth ariannol i gwmnïau mewn ardaloedd lle mae amddifadedd ac sydd, fel y gŵyr aelodau o'r Pwyllgor Datblygu Economaidd a Thrafnidiaeth, yn cael eu hadolygu ar hyn o bryd. Mae'r canllawiau newydd yn cwmpasu'r cyfnod o 2007 i 2013, ac maent yn rhan o'r drefn ddeddfwriaethol gyffredinol ar gyfer cymorth gwladol sy'n pennu gallu gwladwriaethau sy'n aelodau i gynorthwyo mentrau.

4.00 p.m.

It is important to recognise that, while the review of the regional aid guidelines will determine where in Wales investment aid may be provided to companies, no actual allocation of budgets is associated with the process. That is a matter entirely for member states and for us as a Government. It is also important to note that the European Commission has complete competence in this review. The commission has however conducted consultations on the review at member-state level, and members of the Economic Development and Transport Committee have contributed to that debate. Together with the First Minister, officials and I have been closely involved in this process, with the Economic Development and Transport Committee as well as the Committee on European and External Affairs.

Mae'n bwysig cydnabod, er y bydd yr adolygiad o'r canllawiau cymorth rhanbarthol yn pennu ble yng Nghymru y gellir darparu cymorth buddsoddi i gwmnïau, nid yw'r dasg wirioneddol o ddyrannu cyllidebau yn gysylltiedig â'r broses. Aelod wladwriaethau a ni fel Llywodraeth sy'n gwbl gyfrifol am hynny. Mae hefyd yn bwysig nodi bod gan y Comisiwn Ewropeaidd gymhwysedd llwyr yn yr adolygiad hwn. Fodd bynnag, mae'r comisiwn wedi cynnal ymgyngoriadau ar yr adolygiad mewn aelod wladwriaethau, ac mae aelodau o'r Pwyllgor Datblygu Economaidd a Thrafnidiaeth wedi cyfrannu at y drafodaeth honno. Ynghyd â'r Prif Weinidog, mae swyddogion a minnau wedi cymryd rhan flaenllaw yn y broses hon, gyda'r Pwyllgor Datblygu Economaidd a Thrafnidiaeth yn ogystal â'r Pwyllgor Materion Ewropeaidd ac Allanol.

As a Government, we have been liaising with the Department of Trade and Industry, which has lead member state responsibility for the UK, with officials from each of the devolved administrations working closely with DTI counterparts in developing, implementing, and influencing strategy.

Fel Llywodraeth, yr ydym wedi bod yn cysylltu â'r Adran Masnach a Diwydiant, sydd â'r prif gyfrifoldeb ar gyfer y DU dros wladwriaethau sy'n aelodau, gyda swyddogion o bob un o'r gweinyddiaethau sydd wedi datganoli gan weithio'n agos gyda swyddogion cyfatebol yn yr Adran Masnach a Diwydiant wrth ddatblygu strategaeth, ei gweithredu a dylanwadu arni.

In the latest draft guidelines, issued on 15 July, and reported to committee, the commission indicated that it is prepared to allow flexibility for member states to designate assisted areas under article 87(3)(c), and, through that, to widen the geographical coverage of the assisted areas map. Originally, coverage under article 87(3)(a) only was proposed. As a result, we have moved from a position in which only west Wales and the Valleys would have been eligible for consideration as an assisted area to one in which the whole of Wales is potentially eligible for coverage. East Wales is now technically eligible for designation as an article 87(3)(c) area, subject to consideration as part of a UK-wide process, which will look at relative deprivation across the United Kingdom.

Throughout this process, the First Minister and I will continue to press for the best deal possible for Wales. However, it is important to note that, as a result of the success of our economic strategies, much of east Wales now enjoys a level of affluence close to the UK average, and therefore it will be necessary to fight hard to maximise the coverage of the assisted areas map.

Mark Isherwood: You refer to the success of your economic strategies. Could you explain why, last year, the increase in VAT registrations in Wales, with European structural funding, was the same as that in the English regions, where they did not have that additional European support? Why is the number of VAT registrations down 2.5 per cent in Wales this year on the 2003 figure?

Andrew Davies: If you look over the longer period, from 1999 onwards, you will see that the *Global Entrepreneurship Monitor*, the nearest that we have to an international benchmarking study of a range of entrepreneurial activities—and this research is conducted by Professors Dylan Jones Evans and David Brooksbank in Wales—shows that Wales has increased the level of entrepreneurial activity probably faster than most other parts of the United Kingdom.

Yn y canllawiau drafft diweddaraf, a gyhoeddwyd ar 15 Gorffennaf, ac a gyflwynwyd i'r pwyllgor, dywedodd y comisiwn ei fod yn barod i ganiatáu hyblygrwydd i aelod wladwriaethau ddynodi ardaloedd cymorth dan erthygl 87(3)(c), a thrwy hynny ehangu cwmpas daearyddol y map ardaloedd cymorth. Yn wreiddiol, cwmpasu ardaloedd o dan erthygl 87(3)(a) yn unig a fwriedid. O ganlyniad, yr ydym wedi symud o sefyllfa lle byddai'r gorllewin a'r Cymoedd yn unig yn gymwys i'w hystyried yn ardaloedd cymorth i sefyllfa lle mae Cymru gyfan, o bosibl, yn gymwys i gael ei chynnwys. Mae'r dwyrain bellach yn gymwys yn dechnegol i gael ei ddynodi dan erthygl 87(3)(c), yn amodol ar ei ystyried fel rhan o broses yn y DU gyfan, a fydd yn edrych ar amddifadedd cymaharol ar draws y Deyrnas Unedig.

Drwy gydol y broses, bydd y Prif Weinidog a mi yn parhau i bwysu am y fargen orau sy'n bosibl i Gymru. Fodd bynnag, mae'n bwysig sylwi, o ganlyniad i lwyddiant ein strategaethau economaidd, fod cyfoeth llawer o'r dwyrain bellach yn agos at gyfartaledd y DU, ac felly bydd angen ymladd yn galed i sicrhau'r cwmpas mwyaf posibl i'r map ardaloedd cymorth.

Mark Isherwood: Yr ydych yn cyfeirio at lwyddiant eich strategaethau economaidd. A allech esbonio pam yr oedd y cynnydd yn y cofrestriadau TAW yng Nghymru y llynedd, gydag arian o gronfeydd strwythurol Ewropeaidd, yr un fath â'r cynnydd yn y rhanbarthau yn Lloegr, lle na chawsant y cymorth Ewropeaidd ychwanegol hwnnw? Pam mae nifer y cofrestriadau TAW wedi gostwng 2.5 y cant yng Nghymru eleni o'u cymharu â ffigur 2003?

Andrew Davies: Os edrychwch ar y cyfnod hwy, o 1999 ymlaen, fe welwch fod y *Monitor Entrepreneuriaeth Byd-eang*, sef y peth agosaf sydd gennym at astudiaeth feincnodi ryngwladol o amrywiaeth o weithgareddau entrepreneuriaidd—a gwneir y gwaith ymchwil hwn gan yr Athro Dylan Jones Evans a'r Athro David Brooksbank yng Nghymru—yn dangos bod Cymru wedi cynyddu lefel y gweithgarwch entrepreneuriaidd yn gyflymach, mae'n debyg, na'r rhan fwyaf o ardaloedd eraill y

Deyrnas Unedig.

To come back to the case in point, there is a relationship between the article 87(3)(a) areas and structural fund areas.

I ddychwelyd at y mater dan sylw, mae cydberthynas rhwng yr ardaloedd erthygl 87(3)(a) ac ardaloedd cronfeydd strwythurol.

Alun Cairns: Will you take an intervention?

Alun Cairns: A dderbyniwch ymyriad?

Andrew Davies: No.

Andrew Davies: Na wnaif.

The commission has indicated that it intends to use the same GVA data set to determine eligibility for both these areas to determine and to ensure coterminousity. Given that the data set for 2000-02 positions west Wales and the Valleys as a full article 87(3)(a) area, and that the revised data set, which will become available in mid January 2006, is likely to reflect the improved economic position in Wales, it is in the interests of Wales's article 87(3)(a) areas that the commission's review process is concluded as swiftly as possible.

Mae'r comisiwn wedi dweud ei fod yn bwriadu defnyddio'r un set o ddata gwerth ychwanegol crynswth i benderfynu cymhwyster ar gyfer y ddwy ardal hyn er mwyn pennu a sicrhau eu bod yn cydffinio. O gofio bod y set ddata ar gyfer 2002-02 yn pennu bod y gorllewin a'r Cymoedd yn ardal lawn dan erthygl 87(3)(a), a bod y set ddata ddiwygiedig, a fydd ar gael ganol mis Ionawr 2006, yn debygol o adlewyrchu'r sefyllfa economaidd well yng Nghymru, mae o fudd i ardaloedd erthygl 87(3)(a) yng Nghymru fod proses adolygu'r comisiwn yn cael ei chwblhau cyn gynted â phosibl.

However, there is one caveat: we cannot look at this issue in isolation. It is important to get the right agreement on the EU budget, rather than agreement at any cost. Should the British rebate be surrendered, everyone, including Wales, would be worse off, regardless of structural fund receipts. We are, however, encouraged that the UK Government is working hard to secure a deal on the budget next month. The review of state aids policy also offers us an opportunity to maximise the flexibilities available to support enterprises under horizontal frameworks in support of key priorities identified by the commission.

Fodd bynnag, mae yna un cafeat: ni allwn ystyried y mater hwn ar ei ben ei hun. Mae'n bwysig cael y cytundeb cywir ar gyllideb yr UE, yn hytrach na chytundeb am unrhyw bris. Pe bae ad-daliad Prydain yn cael ei ildio, byddai pawb, gan gynnwys Cymru, yn waeth eu byd, gydag arian cronfeydd strwythurol neu beidio. Fodd bynnag, mae'r ffaith fod Llywodraeth y DU yn gweithio'n galed i sicrhau bargaen ar y gyllideb fis nesaf yn galonogol. Mae'r adolygiad o'r polisi ar gymorth gwladol hefyd yn gyfle inni sicrhau'r hyblygrwydd mwyaf posibl i gynorthwyo mentrau dan fframweithiau llorweddol i gefnogi'r blaenoriaethau allweddol a nodwyd gan y comisiwn.

There is still work to do, on regional aid guidelines on the one hand, and the wider state aid action plan on the other. We have made significant progress to date, and we will continue to work to ensure that the outcomes of the reviews will benefit Wales.

Mae gwaith i'w wneud o hyd ar ganllawiau cymorth rhanbarthol ar y naill law, ac ar y cynllun gweithredu cymorth gwladol ehangach ar y llaw arall. Yr ydym wedi gwneud cynnydd sylweddol hyd yma, a byddwn yn parhau i weithio i sicrhau y bydd canlyniadau'r adolygiadau yn fuddiol i Gymru.

Turning to the amendments, I believe that they should all be rejected. The UK Government is leading on discussions with the European Union, and, in this context, we are pressing the case for a deal that is good

I droi at y gwelliannau, credaf y dylid eu gwrthod bob un. Mae Llywodraeth y DU yn arwain mewn trafodaethau gyda'r Undeb Ewropeaidd, ac yn y cyd-destun hwn yr ydym yn pwysu'r achos am fargen sydd o

for Wales and good for Britain. However, I must question the rationale of Plaid Cymru's amendment 3, which reads

'if the EU budget is reduced to a maximum of 1 per cent of GDP, Wales would be highly unlikely to qualify for Objective 1 funding and, as a direct consequence, would not qualify as an article 87(3)(a) area'.

The amendment is nonsensical and wrong, and clearly shows that Plaid Cymru does not understand this issue. It relates to the EU budget, which has no direct relationship to the regional aid guidelines, or indeed the state aid action plan. That shows a complete lack of understanding of the important issues that lie behind this debate.

Michael German: I propose amendment 1 in the name of Kirsty Williams. Add as a new point at the end of the motion:

believes that a quick decision on the European Union budget would serve Wales's interests.

I propose amendment 2. Add as a new point at the end of the motion:

calls on the Assembly Government to ensure that the state aid settlement maximises the economic gain to Wales over forthcoming years.

I hope to demonstrate to the Minister, who clearly does not understand, that there is a very important connection between the negotiations on the European Union budget and his own 'WAVE' strategy—hello, wave, wave. The EU budget will also have a profound effect upon structural funds for Wales and the state aid regime, as I hope to demonstrate in a moment, and as a cursory glance at the documents provided by the European Commission would reveal. It is interesting that the Minister spent two and a half minutes of a nine-minute speech telling us about 'Wales: A Vibrant Economy', when, clearly, it would have been more appropriate and acceptable to the Assembly to have a statement on it. Instead of that, we are told about it en passant, after it had been

fudd i Gymru ac i Brydain. Fodd bynnag, rhaid imi amau rhesymeg gwelliant 3 gan Blaid Cymru, sef

'os caiff cyllideb yr UE ei ostwng i uchafswm o 1 y cant o'r CMC, y byddai Cymru'n annhebygol iawn o gymhwyso ar gyfer cyllid Amcan 1 ac, o ganlyniad, ni fyddai'n cymhwyso fel ardal erthygl 87(3)(a)'.

Mae'r gwelliant yn hurt ac yn anghywir, ac mae'n dangos yn amlwg nad yw Plaid Cymru yn deall y mater hwn. Mae'n ymwneud â chyllideb yr UE, ac nid oes cysylltiad uniongyrchol rhwng hynny a'r canllawiau cymorth rhanbarthol, nac ychwaith a'r cynllun gweithredu cymorth gwladol. Mae hynny'n dangos diffyg dealltwriaeth llwyr o'r materion pwysig sy'n sail i'r ddadl hon.

Michael German: Cynigiaf welliant 1 yn enw Kirsty Williams. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn credu y byddai penderfyniad cyflym ar gyllideb yr Undeb Ewropeaidd o fudd i Gymru.

Cynigiaf welliant 2. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn galw ar Lywodraeth y Cynulliad i sicrhau bod y setliad cymorth gwladol yn mwyhau'r budd economaidd i Gymru dros y blynyddoedd nesaf.

Gobeithiaf ddangos i'r Gweinidog, nad yw'n deall hyn yn amlwg, fod cysylltiad pwysig iawn rhwng y trafodaethau ar gyllideb yr Undeb Ewropeaidd a'i strategaeth ei hun, sef 'Cymru: Economi yn Ffynnu'. Bydd cyllideb yr UE hefyd yn cael effaith fawr ar gronfeydd strwythurol ar gyfer Cymru a'r drefn cymorth gwladol. Gobeithiaf ddangos hynny yn y funud, a byddai cipolwg sydyn ar y dogfennau a ddarparwyd gan y Comisiwn Ewropeaidd yn datgelu hynny. Mae'n ddiddorol fod y Gweinidog wedi treulio dwy funud a hanner o arait hanner munud yn sôn wrthym am 'Cymru: Economi yn Ffynnu', pan fuasai'n fwy priodol a derbyniol, yn amlwg, i'r Cynulliad gael datganiad amdani. Yn lle hynny, sonnir amdani wrth fynd heibio, ar ôl ei chyhoeddi, ac yr oedd hynny'n

announced, which was extremely discourteous to the National Assembly.

Let us look at this distinct link between state aids and structural funds. The Minister mentioned it in his speech—they use the same GDP base. The discussion on structural funds and where the state aids are going will be determined by the same GDP base. Therefore, the figures that he rightly said are coming out in mid January are very important to that discussion.

We are talking, as the Minister knows, about the ability to spend public money. If you spend public money in one way, by the policies that he is now promoting, and also by the policies that the Lisbon agenda and the EU are promoting, one must fit in with the other. You cannot spend one without looking at the other. They must fit hand in glove, because it is the European Union—quite rightly in this matter—that must look at the level playing field that has been created and find the bumps in that playing field. The documents from the commission clearly state that it will not determine the rules; the rules on state aids have been deferred until there is an agreement on the budget. Surprise, surprise! There is the link between the budget and state aids.

One of the key issues for Wales, as we all know, is whether west Wales and the Valleys will get its full Objective 1 status or whether it will become a statistical effect region. A statistical effect region will depend upon those figures, and that depends, in turn, upon the budget being determined. One follows the other. If we have a statistically-effected region for our Objective 1 areas, that will affect the tapering of the support available in Objective 1 areas, and that will also affect the tapering of support for state aids in Objective 3 and east Wales areas. Effectively therefore, one is linked to the other. Urgency on the budget is paramount.

We have just a couple of months. I know that the Minister believes that the Government is doing its best for Wales, but, for months, all parties in the Assembly have pressed the

hynod anghwrtais i'r Cynulliad Cenedlaethol.

Gadewch inni edrych ar y cyswllt amlwg hwn rhwng cymorth gwladol a chronfeydd strwythurol. Soniodd y Gweinidog amdano yn ei araith—maent yn defnyddio'r un sylfaen CMC. Pennir y drafodaeth ar gronfeydd strwythurol a chyfeiriad cymorth gwladol gan yr un sylfaen CMC. Felly, mae'r ffigurau a gaiff eu cyhoeddi ganol mis Ionawr, fel y dywedodd yn gwbl gywir, yn bwysig iawn i'r drafodaeth honno.

Yr ydym yn siarad, fel y gŵyr y Gweinidog, am y gallu i wario arian cyhoeddus. Os gwariwch arian cyhoeddus mewn un ffordd, yn ôl y polisiau y mae bellach yn eu hyrwyddo, a hefyd yn ôl y polisiau y mae agenda Lisbon a'r UE yn eu hyrwyddo, rhaid i un gydblythu â'r llall. Ni allwch wario'r naill heb ystyried y llall. Rhaid iddynt gydfynd â'i gilydd, oherwydd yr Undeb Ewropeaidd—yn gwbl briodol yn yr achos hwn—sy'n gorfod edrych ar y driniaeth gyfartal sydd wedi ei chreu i bawb a dod o hyd i'r achosion o annhegwch. Dengys dogfennau'r comisiwn yn glir na fydd yn pennu'r rheolau; gohiriwyd y rheolau ar gymorth gwladol nes cytunir ar y gyllideb. Syndod a rhyfeddod! Mae cyswllt rhwng y gyllideb a chymorth gwladol.

Un o'r materion allweddol i Gymru, fel y gwyddom ni oll, yw a fydd y gorllewin a'r Cymoedd yn cael statws Amcan 1 llawn neu a fyddant yn dod yn rhanbarth effaith ystadegol. Bydd rhanbarth effaith ystadegol yn dibynnu ar y ffigurau hynny, a hynny, yn ei dro, yn dibynnu ar bennu'r gyllideb. Mae'r naill yn dilyn y llall. Os cawn ranbarth effaith ystadegol ar gyfer ein hardaloedd Amcan 1, bydd hynny'n effeithio ar y gwaith o dapro'r cymorth sydd ar gael mewn ardaloedd Amcan 1, a bydd hynny hefyd yn effeithio ar y gwaith o dapro'r gefnogaeth i gymorth gwladol mewn ardaloedd Amcan 3 ac ardaloedd yn y dwyrain. Yn y bôn, felly, mae'r naill yn gysylltiedig â'r llall. Mae'n hollbwysig pennu'r gyllideb ar fyrder.

Dim ond ychydig fisoedd sydd gennym. Gwn fod y Gweinidog o'r farn fod y Llywodraeth yn gwneud ei gorau dros Gymru, ond ers misoedd, mae pob plaid yn y Cynulliad wedi

Minister and the First Minister on this. Please tell us what you are saying to the UK Government and what your policy is on this matter. Are you seeking the future budget level that will allow all these things to happen? We have had no answers, 'WAVE' or no 'WAVE'.

4.10 p.m.

Clearly, the commission does not have complete competence, as the Minister said, on the map that is being provided. The Minister has already said that the commission is intending to devolve some of those powers, particularly in regard to east Wales. In the past, the European Commission has determined the map for the whole of Europe, and made that final decision for us. Now, there is discretion for member states for the non-Objective 1, or article 87(3)(c), status areas that we have been discussing and, as he rightly says, the whole of Wales now becomes eligible. We are caught within this cap of 23.5 per cent of the population of the United Kingdom as a whole.

A key issue that I would like the Minister to tell us about is what he is going to argue for, for east Wales. Is he going to argue for the whole of east Wales, or—as the First Minister indicated when he talked about this at the Committee on European and External Affairs—is he just going to go for the hot spots in east Wales? I would like answers on those questions. If he is going to go for the hot spots in east Wales, is he going to go for those areas that are defined by gross domestic product or gross national income, or by gross value added, whichever you want to take? Will he go for a mixture of those with unemployment and employment measures? He talked glibly today about relative deprivation, but what does he mean by 'relative deprivation'? How would he define that? Those are the questions that we need answered today, rather than anything else.

bod yn pwyso ar y Gweinidog a'r Prif Weinidog yn y mater hwn. Dywedwch wrthym ni, os gwelwch yn dda, yr hyn a ddywedwch wrth Lywodraeth y DU a beth yw eich polisi ar y mater hwn. A ydych yn ceisio cael y gyllideb yn y dyfodol a fydd yn caniatáu i'r holl bethau hyn ddigwydd? Nid ydym wedi cael unrhyw atebion, 'Cymru: Economi yn Ffynnu' neu beidio.

Yn amlwg, nid oes gan y comisiwn gymhwysedd llawn, fel y dywedodd y Gweinidog, ar y map a ddarperir. Mae'r Gweinidog eisoes wedi dweud bod y comisiwn yn bwriadu datganoli rhai o'r pwerau hynny, yn arbennig o ran y dwyrain. Yn y gorffennol, mae'r Comisiwn Ewropeaidd wedi penderfynu'r map ar gyfer Ewrop gyfan, ac wedi gwneud y penderfyniad terfynol hwnnw drosom. Bellach, mae rhyddid i wladwriaethau sy'n aelodau ar gyfer yr ardaloedd nad ydynt yn ardaloedd Amcan 1, neu'n ardaloedd erthygl 87(3)(c) y buom yn eu trafod, ac fel y dywed yn gwbl gywir, mae Cymru gyfan yn gymwys bellach. Yr ydym wedi ein dal o fewn y terfyn hwn o 23.5 y cant o boblogaeth y Deyrnas Unedig gyfan.

Mater allweddol yr hoffwn i'r Gweinidog ddweud wrthym amdano yw'r hyn y mae'n bwriadu dadlau drosto, ar gyfer y dwyrain. A yw'n mynd i ddadlau dros y dwyrain cyfan, neu—fel y dywedodd y Prif Weinidog pan soniodd am hyn yn y Pwyllgor Materion Ewropeaidd ac Allanol—ai dim ond y manau amlwg yn y dwyrain y mae'n bwriadu sôn amdanynt? Hoffwn gael atebion i'r cwestiynau hynny. Os bydd yn trafod y manau amlwg yn y dwyrain, a yw'n mynd i drafod yr ardaloedd hynny a ddiffinnir gan gynnyrch mewnwladol crynswth neu gan incwm cenedlaethol crynswth, neu gan werth ychwanegol crynswth, p'un bynnag y dymunwch ei ddefnyddio? A fydd yn dewis cyfuniad o'r rheini gyda mesurau diweithdra a chyflogaeth? Siaradai'n rhwydd heddiw am amddifadedd cymharol, ond beth yw ystyr 'amddifadedd cymharol'? Sut y byddai'n diffinio hynny? Dyna'r cwestiynau y mae angen inni gael atebion iddynt heddiw, yn hytrach nag unrhyw beth arall.

He talks about his economic development policy, his 'Wales: A Vibrant Economy', and about the state aid regime. Of course, they are closely linked, because I hope that his 'WAVE' project will deal with market failure, but we do not know as we have not been told.

The Deputy Presiding Officer: Order. You need to wind up.

Michael German: I will finish with two sentences. Regional selective assistance, section 4 grants for tourism and the Assembly investment grant all depend on this decision going the right way for Wales, and what we want now is action from our Minister with the Department of Trade and Industry, and action directly with Ministers. In response to Assembly questions last May, we were told that the Minister had had no meeting with UK Ministers on this matter, but will he tell us now whether he has had any personal meetings to drive this forward with the DTI, so that we can be certain that this Government is putting Wales first, and is not leaving us in the hands of officials wherever they may be?

The Deputy Presiding Officer: Thank you very much, but this is not to be taken as an excuse for everyone else to run for a minute over their time.

Janet Davies: I propose amendment 3 in the name of Jocelyn Davies. Add as a new point at the end of the motion:

notes that, if the EU budget is reduced to a maximum of 1 per cent of GDP, Wales would be highly unlikely to qualify for Objective 1 funding and, as a direct consequence, would not qualify as an article 87(3)(a) area.

I propose amendment 4. Add as a new point at the end of the motion:

Sonia am ei bolisi datblygu economaidd, 'Cymru: Economi yn Ffynnu' ac am y drefn cymorth gwladol. Wrth gwrs, mae cysylltiad agos rhyngddynt, oherwydd gobeithio y bydd ei brosiect 'Cymru: Economi yn Ffynnu' yn ymdrin â methiant y farchnad, ond ni wyddom hyn gan na ddywedwyd wrthym.

Y Dirprwy Lywydd: Trefn. Mae angen ichi ddirwyn i ben.

Michael German: Gorffennaf gyda dwy frawddeg. Mae cymorth rhanbarthol dewisol, grantiau adran 4 ar gyfer twristiaeth a grant buddsoddi'r Cynulliad i gyd yn dibynnu ar wneud y penderfyniad cywir hwn i Gymru, a'r hyn yr ydym am ei gael yn awr yw gweithredu gan ein Gweinidog gyda'r Adran Masnach a Diwydiant, a gweithredu'n uniongyrchol gyda Gweinidogion. Mewn ymateb i gwestiynau'r Cynulliad fis Mai diwethaf, dywedwyd wrthym nad oedd y Gweinidog wedi cyfarfod â Gweinidogion y DU ar y mater hwn o gwbl. Ond a ddywed wrthym yn awr a yw wedi cael unrhyw gyfarfodydd personol i ddatblygu hyn gyda'r Adran Masnach a Diwydiant, fel y gallwn fod yn siŵr bod y Llywodraeth hon yn rhoi Cymru yn gyntaf, ac nad yw'n ein gadael yn nwylo swyddogion, ble bynnag y mae'r rheini?

Y Dirprwy Lywydd: Diolch yn fawr iawn, ond ni ddylid ystyried hyn yn esgus i bawb arall siarad am funud ychwanegol.

Janet Davies: Cynigiau welliant 3 yn enw Jocelyn Davies. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn nodi os caiff cyllideb yr UE ei ostwng i uchafswm o 1 y cant o'r CMC, y byddai Cymru'n annhebygol iawn o gymhwyso ar gyfer cyllid Amcan 1 ac, o ganlyniad uniongyrchol, ni fyddai'n cymhwyso fel ardal erthygl 87(3)(a).

Cynigiau welliant 4. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

joins with the other regions and local government areas of the European Union in their opposition to the UK Government's efforts to reduce budget contributions to a maximum of 1 per cent of GDP.

A post-industrial economy such as Wales's, which lies outside the main trading areas of the European Union, relies on state funding to pull itself back into being thriving and competitive. While some parts of our economy are moving ahead, they are offset by a steady loss of manufacturing. To continue the improvement that has started, we need some further funding to consolidate our position. The European Commission has recognised this with its proposals for the 2007-13 budget and funding round, including, as the Minister said, a new degree of flexibility for smaller areas of deprivation. With such support and understanding how can Wales not succeed? The answer seems to be by the UK Labour Government fighting for its more prosperous areas instead of being a driving force for the reduction of inequalities in its own state.

The regional selective assistance and urban investment grants are crucial for business in Wales, and, of course, the money comes from the UK Government, though it comes through the Assembly. The rules are set, however, according to the Objective status of the area. It has already been said that the same GDP data sets are used to decide eligibility for structural funds and for regional aid guidelines. If the EU budget is decided next month at the Council of Ministers, the three years from 2000 to 2002 will be used, and we will qualify as a full Objective 1 region. If it is left to next year, and the following year's sets are used, Wales is likely to qualify as a statistical effect region only, which means that lower levels of state aids will be available, particularly after 2009.

Huw Lewis: You must be challenged on this and on the whole basis of amendment 3, as the Minister said. You are saying that, if the budget is reduced to 1 per cent of GDP, then, somehow, we are locked out of this system. Says who? Says Plaid Cymru—I get that

yn ymuno â rhanbarthau ac ardaloedd llywodraeth leol eraill yr Undeb Ewropeaidd yn eu gwrthwynebiad i ymdrechion Llywodraeth y DU i leihau cyfraniadau cyllideb i uchafswm o 1 y cant o'r CMC.

Mae economi ôl-ddiwydiannol fel economi Cymru, sydd y tu allan i brif ardaloedd masnachu'r Undeb Ewropeaidd, yn dibynnu ar arian gwladol i fod yn ffyniannus a chystadleuol eto. Er bod rhai rhannau o'n heconomi yn symud ymlaen, cânt eu gwrthbwysu gan golled raddol mewn gweithgynhyrchu. I barhau'r gwelliant sydd wedi cychwyn, mae angen arian ychwanegol arnom i atgyfnerthu ein sefyllfa. Mae'r Comisiwn Ewropeaidd wedi cydnabod hyn gyda'i gynigion ar gyfer y gyllideb a'r cylch ariannu ar gyfer 2007-13, gan gynnwys, fel y dywedodd y Gweinidog, hyblygrwydd newydd ar gyfer ardaloedd difreintiedig llai o faint. Gyda chymorth a dealltwriaeth felly, sut na all Cymru lwyddo? Mae'n ymddangos mai'r ateb yw drwy gael Llywodraeth Lafur y DU sy'n ymladd dros ei hardaloedd mwyaf ffyniannus, yn lle bod yn ffactor sbarduno i leihau anghydraddoldebau yn ei gwladwriaeth ei hun.

Mae'r cymorth rhanbarthol dewisol a'r grantiau buddsoddi trefol yn allweddol i fusnes yng Nghymru, ac wrth gwrs, daw'r arian o Lywodraeth y DU, er ei fod yn dod drwy'r Cynulliad. Fodd bynnag, pennir y rheolau yn unol â statws Amcan yr ardal. Dywedwyd eisoes fod yr un setiau data CMC yn cael eu defnyddio i benderfynu cymhwysedd ar gyfer cronfeydd strwythurol ac ar gyfer canllawiau cymorth rhanbarthol. Os pennir cyllideb yr UE fis nesaf yng Nghyngor y Gweinidogion, defnyddir y tair blynedd o 2000 i 2002, a byddwn yn gymwys fel rhanbarth Amcan 1 llawn. Os arhosir tan y flwyddyn nesaf, ac os defnyddir setiau'r flwyddyn ganlynol, dim ond fel rhanbarth effaith ystadegol y mae Cymru'n debygol o fod yn gymwys, sy'n golygu y bydd lefelau is o gymorth gwladol ar gael, yn arbennig ar ôl 2009.

Huw Lewis: Rhaid eich herio ar hyn ac ar holl sail gwelliant 3, fel y dywedodd y Gweinidog. Yr ydych yn dweud, os gostyngir y gyllideb i 1 y cant o'r CMC, yna rywsut nid ydym yn rhan o'r system hon. Yn ôl pwy? Yn ôl Plaid Cymru—deallaf hynny, ond nid

much, but that is not what the commission is saying. The commission is saying very clearly that any statistical effect region will be eligible for top-level state aid until 2009, when there will be a review, and this will probably carry on to 2013. Therefore, are you making this up to frighten people, or is it just that Plaid Cymru does not understand the situation?

Janet Davies: We certainly understand that, from 2009, Wales could be in severe trouble, and I am sure that Merthyr Tydfil will remember this in the future.

While the UK Labour Government is pressing for lower levels of budget contributions—1 per cent rather than 1.14 per cent—

Ieuan Wyn Jones: In his intervention, Huw Lewis was trying to tell the Assembly that the commission is the body responsible for the final decision. I think that Janet knows, and it is important that the Assembly knows, that the decision is made by the Council of Ministers. If the 1 per cent is established, the Council of Ministers will determine how structural funds will be distributed, not the European Commission.

Janet Davies: It is worrying that these linkages are not understood by the Members on the other side of the Chamber. I know that discussions on the level of budget contributions may seem to be a sterile argument, engaged in by sad politicians, but they do actually mean a lot to Wales.

At the same time as Wales could lose this considerable funding from the European Union, regional aid could also be reduced. That point must be made, because it would result in many people facing a reduction in their living standards. We know that many businesses have benefited from these funds during the last few years, for example, Allied Concrete in Port Talbot, in the area which I represent, which is creating 30 new jobs as a result.

Tony Blair and Gordon Brown's arguments for a reduction in budget contributions are

dyna a ddywed y comisiwn. Dywed y comisiwn yn glir iawn y bydd unrhyw ranbarth effaith ystadegol yn gymwys i gael cymorth gwladol ar y lefel uchaf tan 2009, pan fydd adolygiad, a bydd hyn yn parhau tan 2013, yn ôl pob tebyg. Felly, a ydych yn creu hyn i godi ofn ar bobl, neu oherwydd nad yw Plaid Cymru yn deall y sefyllfa?

Janet Davies: Yr ydym yn deall, yn sicr, y gallai Cymru, ar ôl 2009, fod mewn trafferthion difrifol, ac yr wyf yn siŵr y bydd Merthyr Tudful yn cofio hyn yn y dyfodol.

Er bod Llywodraeth Lafur y DU yn pwysu am lefelau is o gyfraniadau cyllideb—1 y cant yn hytrach nag 1.14 y cant—

Ieuan Wyn Jones: Yn ystod ei ymyriad, yr oedd Huw Lewis yn ceisio dweud wrth y Cynulliad mai'r comisiwn yw'r corff sy'n gyfrifol am y penderfyniad terfynol. Credaf fod Janet yn gwybod, ac mae'n bwysig i'r Cynulliad wybod, mai Cyngor y Gweinidogion sy'n gwneud y penderfyniad. Os sefydlir 1 y cant, Cyngor y Gweinidogion fydd yn penderfynu sut y caiff cronfeydd strwythurol eu dosbarthu, nid y Comisiwn Ewropeaidd.

Janet Davies: Mae'n destun pryder nad yw'r Aelodau ar ochr arall y Siambr yn deall y cysylltiadau hyn. Gwn y gall trafodaethau am lefel cyfraniadau cyllideb ymddangos yn ddadl ddiwerth y mae gwleidyddion trist yn ymhél â hi, ond mewn gwirionedd maent yn golygu llawer i Gymru.

Ar yr un adeg y gallai Cymru golli'r arian sylweddol hwn o'r Undeb Ewropeaidd, gallai cymorth rhanbarthol gael ei gwtogi hefyd. Mae'n rhaid gwneud y pwynt hwnnw, oherwydd byddai'n golygu bod nifer o bobl yn wynebu gostyngiad yn eu safonau byw. Gwyddom fod nifer o fusnesau wedi elwa o'r cronfeydd hyn yn ystod yr ychydig flynyddoedd diwethaf, er enghraifft, Allied Concrete ym Mhort Talbot, yn yr ardal yr wyf fi'n ei chynrychioli, sy'n creu 30 o swyddi newydd o ganlyniad.

Mae dadleuon Tony Blair a Gordon Brown dros leihau'r cyfraniadau cyllideb yn wych ar

great for more prosperous areas, and I have sympathy with some of the views that they have put forward, however, we represent Wales, and in Wales, Merseyside and Cornwall, those arguments have to be rejected. It is the responsibility of the Labour Assembly Government to stand up for Welsh people and carry the fight to the UK Government. Merseyside and Cornwall are fighting back, so why are the members of our Government behaving like a litter of poodle puppies?

Plaid Cymru expects the Labour Assembly Government to stand up on the side of the Welsh people, and alongside the Committee of the Regions and the European Parliament, which back the European Commission's proposals. Is this what we are seeing? No, it is not. The Labour Assembly Government is standing shoulder to shoulder with Messrs Blair and Brown, supporting them to their back teeth. This issue is of overwhelming importance to the Welsh people—I am sure that there cannot be any disagreement on that—from the southern valleys to the Ceredigion countryside, and from the port of Holyhead and the mountains of Gwynedd to the poverty of Butetown. Red water has become murky and is shrivelling away in the merciless glare of the Westminster sun.

Alun Cairns: I propose amendment 5 in the name of David Melding. Add a new point at the end of the motion:

calls upon the Welsh Assembly Government to urge the UK Government to negotiate with the European Commission to allow deprived wards, that are not adjacent to an article 87(3)(c) or a statistical effect area, to be designated as an article 87(3)(c) area.

It would be discourteous of me not to respond to some of the points that the Minister has made about 'Wales: A Vibrant Economy', bearing in mind that he used a significant part of his speech to talk about it. I should also add that I am disappointed that we have not had a statement on 'WAVE', but I think that it is fair to say that, at best, it has had a stuttering start. The people involved in the drafting to get it to this stage have expressed concern to me about the number of times that

gyfer ardaloedd mwy ffyniannus, ac mae gennyf gydymdeimlad â rhai o'r safbwyntiau a gyflwynwyd ganddynt. Fodd bynnag, yr ydym yn cynrychioli Cymru, ac yng Nghymru, Glannau Mersi a Chernyw mae'n rhaid gwrthod y dadleuon hynny. Cyfrifoldeb Llywodraeth Lafur y Cynulliad yw sefyll dros bobl Cymru a chyflwyno'u hachos gerbron Llywodraeth y DU. Mae Glannau Mersi a Chernyw yn ymladd yn ôl. Felly, pam mae aelodau ein Llywodraeth ni yn ymddwyn mor llywaeth?

Mae Plaid Cymru yn disgwyl i Lywodraeth Lafur y Cynulliad sefyll dros pobl Cymru ac ochr yn ochr â Phwyllgor y Rhanbarthau a'r Senedd Ewropeaidd sy'n cefnogi cynigion y Comisiwn Ewropeaidd. Ai dyna a welwn? Na, dim o gwbl. Mae Llywodraeth Lafur y Cynulliad yn sefyll gyda'r Meistri Blair a Brown ac yn eu cefnogi i'r pen. Mae'r mater hwn o bwysigrwydd eithriadol i bobl Cymru—yr wyf yn sicr na all neb anghytuno ar hynny—o gymoedd deheuol cefn gwlad Ceredigion, o borthladd Caergybi a mynyddoedd Gwynedd i dodi Butetown. Mae'r dŵr coch wedi troi'n ddŵr llwyd ac yn diflannu yn wyneb haul didostur San Steffan.

Alun Cairns: Cynigiau welliant 5 yn enw David Melding. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn galw ar Lywodraeth Cynulliad Cymru i annog Llywodraeth y DU i negodi gyda'r Comisiwn Ewropeaidd er mwyn galluogi wardiau difreintiedig, nad ydynt yn ymyl ardal erthygl 87(3)(c) neu ardal effaith ystadegol, i gael eu dynodi'n ardal erthygl 87(3)(c).

Byddwn yn anghwrtais pe na bawn yn ymateb i rai o'r pwyntiau a wnaed gan y Gweinidog ynghylch 'Cymru: Economi yn Ffynnu', o gofio iddo ddefnyddio rhan helaeth o'i araith i sôn amdani. Dylwn ychwanegu hefyd fy mod yn siomedig na chawsom ddatganiad am 'WAVE', ond credaf ei fod yn deg dweud mai dechrau simsan a gafodd ar y gorau. Mae'r bobl sy'n ymwneud â'r gwaith o'i drafftio er mwyn cyrraedd y cam hwn wedi mynegi pryder

they have had to rewrite it and the times it has had to be referred back to the various bodies and groups, the economic development advisory board and so on. It has been delayed. It would have been unfair to the Business Minister to spring something on this on her, because she may well have scheduled time for such a debate several times over and had to pull it because, clearly, the Minister is not in control of this document.

'WAVE' needs to recognise the widening wealth gap between Wales and the rest of the United Kingdom. We now have the widest wealth gap since records began. The Minister seems to be clutching at almost any good news. There was some good news in the recent *Global Entrepreneurship Monitor*, however, when you look at the business start-up rates and so on, the figures are different. He has obviously taken a lot of credit for the figures in the *Global Entrepreneurship Monitor* and I look forward to seeing the next data set, in view of the weight that the Minister has put on that measure.

On the substantive issues, the motion calls on us to note the actions of the Welsh Assembly Government. I am sure that all opposition parties are prepared to note the actions. On the negotiations that the UK Government is engaged in, we need to recognise that the UK Government will need to act in the interest of the United Kingdom, but, of course, we have a particular interest here in Wales. The timing of the negotiations and the settlement of these issues is extremely important to Wales. It has already been said that, at the moment, west Wales and the Valleys would qualify as an 87(3)(a) area. However, the danger is that we could become a statistical effect area. That could be the case, but, on the other hand, bearing in mind the way that the Welsh Assembly Government has performed in recent times, and given this widening wealth gap, we may qualify as an 87(3)(a) area, even when it is delayed, because of the administration's poor performance.

4.20 p.m.

wrthyf am yr holl droeon y bu'n rhaid iddynt ei hailysgrifennu a chyfeirio'n ôl at yr amrywiol gyrff a'r grwpiau, y bwrdd ymgynghorol datblygu economaidd, ac ati. Bu oedi. Byddai wedi bod yn annheg holi'r Trefnydd yn annisgwyl am y pwnc hwn, oherwydd mae'n ddigon posibl iddi fod wedi trefnu amser ar gyfer dadl felly lawer gwaith ac wedi gorfod ei thynnu yn ôl, oherwydd mae'n amlwg nad yw'r ddogfen hon o dan reolaeth y Gweinidog.

Mae angen i 'WAVE' gydnabod y bwch cyfoeth sy'n ehangu rhwng Cymru a gweddill y Deyrnas Unedig. Bellach mae gennym y bwch cyfoeth mwyaf ers dechrau cofnodion. Ymddengys fod y Gweinidog yn ymbalfalu am unrhyw newyddion da. Yr oedd rhywfaint o newyddion da yn y *Global Entrepreneurship Monitor* yn ddiweddar, ond pan edrychwch ar y cyfraddau dechrau busnes ac ati, mae'r ffigurau'n wahanol. Mae'n amlwg ei fod wedi cymryd llawer o glod am y ffigurau yn y *Global Entrepreneurship Monitor* ac edrychaf ymlaen at weld y gyfres ddata nesaf, o gofio'r pwysigrwydd y mae'r Gweinidog wedi'i briodoli i'r mesur hwnnw.

O ran y materion sylweddol, mae'r cynnig yn galw arnom i nodi camau Llywodraeth Cynulliad Cymru. Yr wyf yn siŵr bod pob gwrthblaid yn barod i nodi'r camau. O ran negodiadau Llywodraeth y DU, mae angen inni gydnabod y bydd angen i Lywodraeth y DU weithredu er budd y DU. Ond, wrth gwrs, mae buddiant penodol gennym yma yng Nghymru. Mae amseru'r negodiadau a setlo'r materion hyn yn eithriadol o bwysig i Gymru. Dywedwyd eisoes y byddai gorllewin Cymru a'r Cymoedd yn gymwys fel ardal 87(3)(a) ar hyn o bryd. Fodd bynnag, mae perygl y gallem ddod yn ardal effaith ystadegol. Gallai hynny fod yn wir, ond ar y llaw arall, o gofio'r modd y mae Llywodraeth Cynulliad Cymru wedi perfformio'n ddiweddar, ac o gofio'r bwch cyfoeth hwn sy'n ehangu, gallem fod yn gymwys fel ardal 87(3)(a), hyd yn oed gyda'r oedi, oherwydd perfformiad gwael y weinyddiaeth.

Timing is a key factor; we must press the Assembly Government on that, and it needs to press the UK Government, because a bird in the hand is worth two in the bush. If I were in the Minister's shoes, I would approach it from that perspective.

The purpose of the amendment tabled in the name of David Melding is to react and respond to a statement that the First Minister made at the time of this debate four or more years ago, in response to a question from David Melding. He raised the concern that, under the assisted areas map, Lisvane was included but Barry was excluded. At the time, the First Minister's response was that we should be praising the opportunity that Lisvane would now have to attract industry with grants, rather than focusing on the fact that Barry would not have that opportunity. This is now an opportunity to revisit that and to support those communities that will not automatically be included. We have commonly referred to it as 'pepperpotting' in the past, but it is looking after those deprived communities that are not in the area of west Wales and the Valleys.

Mark Isherwood: Do you share my concern that those deprived communities include parts of my north Wales region such as Flint Castle in Flintshire, Gwenfro, Caia Park, Queensway and Plas Madoc in Wrexham? It is not acceptable that communities which, through sheer accident of geography, happen to be in those areas, are denied the assistance that will go to so many others that are in equal, but no greater need, elsewhere.

Alun Cairns: I am grateful to Mark Isherwood for highlighting those areas. It is disappointing that the Minister has said that he will reject this amendment. There are communities in Flintshire and Wrexham, places in Cardiff, such as Ely and Caerau, places in the Vale of Glamorgan, such as Buttrills, Castleland, Court and Gibbonsdown, and places, again in Cardiff, such as Whitchurch and Tongwynlais, which are either Communities First areas or areas

Mae amseru'n ffactor allweddol; mae'n rhaid inni bwysu ar Lywodraeth y Cynulliad ar hynny, ac mae angen iddi hithau bwysu ar Lywodraeth y DU: gwell aderyn mewn llaw na dau mewn llwyn. Pe bawn i yn esgidiau'r Gweinidog, byddwn yn ymdrin â'r peth o'r safbwynt hwnnw.

Diben y gwelliant a gyflwynwyd yn enw David Melding yw ymateb i ddatganiad a wnaed gan y Prif Weinidog adeg y ddatl hon bedair blynedd neu fwy yn ôl, mewn ymateb i gwestiwn gan David Melding. Mynegodd y pryder fod Llys-faen wedi ei chynnwys dan fap yr ardaloedd cymorth, ond nad oedd y Barri wedi'i chynnwys. Ar y pryd, ymateb y Prif Weinidog oedd y dylem fod yn canmol y cyfle a fyddai gan Lys-faen bellach i ddenu diwydiant gyda grantiau, yn hytrach na chanolbwyntio ar y ffaith na fyddai'r Barri yn cael y cyfle hwnnw. Mae hyn bellach yn gyfle i ailedrych ar hynny a chynorthwyo'r cymunedau hynny na chânt eu cynnwys yn awtomatig. Yr ydym wedi cyfeirio at hyn yn arferol fel 'gwasgaru cymorth' yn y gorffennol, ond golyga edrych ar ôl y cymunedau difreintiedig hynny nad ydynt yn ardal gorllewin Cymru a'r Cymoedd.

Mark Isherwood: A ydych chi, fe finnau, yn pryderu bod y cymunedau difreintiedig hynny'n cynnwys rhannau o'm rhanbarth i yn y gogledd, fel Castell y Fflint yn sir y Fflint, Gwenfro, Parc Caea, Queensway a Phlas Madoc yn Wrecsam? Nid yw'n dderbyniol fod cymunedau, sy'n digwydd bod yn yr ardaloedd hynny oherwydd daearyddiaeth yn unig, yn cael eu hamddifadu o'r cymorth a fydd yn mynd i gynifer o ardaloedd eraill sy'n ardaloedd o amddifadedd cyffelyb ond nad ydynt yn dioddef mwy o amddifadedd na'r lleill.

Alun Cairns: Yr wyf yn ddiolchgar i Mark Isherwood am dynnu sylw at yr ardaloedd hynny. Mae'n siomedig fod y Gweinidog wedi dweud y bydd yn gwrthod y gwelliant hwn. Mae cymunedau yn sir y Fflint a Wrecsam, lleoedd yng Nghaerdydd fel Trelái a Chaerau, lleoedd ym Mro Morgannwg fel Buttrills, Castleland, Court a Gibbonsdown a lleoedd, unwaith eto yng Nghaerdydd, fel yr Eglwys Newydd a Thongwynlais, sydd naill ai'n ardaloedd Cymunedau yn Gyntaf neu'n

that have the highest level of priority in the Welsh index of multiple deprivation. For any Labour backbencher to vote against the amendment, particularly when it is seeking to provide additional support to those deprived communities that are not adjacent, is staggering. It is seeking to enhance the support to these communities precisely because of the excuses that the First Minister offered some four years ago.

The amendment is a positive amendment, and I am extremely disappointed at the arrogance the Minister has shown in rejecting the provision of additional support to these Communities First wards and wards identified in the Welsh index of multiple deprivation. Those are the people that you are supposed to help and support. We are providing a constructive amendment to assist in doing that, and you are throwing it back in our faces.

Jeff Cuthbert: The long-term prosperity of our nation lies in its independence from large financial grants from governments, be they in Westminster or Europe. The long-term future of the Welsh economy depends on continued private and public sector partnership, geared towards implementing the strategic goals of the Assembly Government. Nevertheless, we know that the worth of the second round of structural funds cannot be underestimated, provided that they are shaped around the goals of the Lisbon agenda.

I am a supporter of the relaunched Lisbon agenda goals. The emphasis on broadening our nation's skills base and increasing innovation is critical if we are to boost the number of value-added jobs and keep one step ahead of the Chinese dragon. The Wales union learning fund is one example of a successful approach to driving up employee skills. Such projects need to be encouraged in any new funding round. Welsh people reading the Lisbon agenda will be forgiven if they experience a little *déjà vu*. Many of the new priorities of the European Commission and the Directorate-General for Regional Policy are ones that the Assembly Government has been working towards for some years. The interests of the commission's Lisbon agenda are, therefore,

ardaloedd o flaenoriaeth lefel uchaf ar fynegai amddifadedd lluosog Cymru. Mae'n anghredadwy fod unrhyw aelod Llafur o'r meinciau cefn yn pleidleisio yn erbyn y gwelliant, yn enwedig pan yw'n ceisio darparu cymorth ychwanegol i'r cymunedau difreintiedig hyn nad ydynt yn cydffinio. Mae'n ceisio gwella'r cymorth i'r cymunedau hyn yn uniongyrchol oherwydd yr esgusodion a gynigiwyd gan y Prif Weinidog ryw bedair blynedd yn ôl.

Mae'r gwelliant yn welliant cadarnhaol, ac yr wyf yn hynod siomedig am drahaustra'r Gweinidog yn gwrthod darparu cefnogaeth ychwanegol i'r wardiau Cymunedau yn Gyntaf hyn, a'r wardiau a nodwyd ym mynegai amddifadedd lluosog Cymru. Dyma'r bobl y dylech fod yn eu cynorthwyo a'u cefnogi. Yr ydym yn cynnig gwelliant adeiladol i gynorthwyo hynny, ac yr ydych yn ei daflu yn ôl yn ein hwynebau.

Jeff Cuthbert: Mae ffyniant hirdymor ein cenedl yn dibynnu ar fod yn annibynnol ar grantiau ariannol mawr gan lywodraethau, boed yn San Steffan neu Ewrop. Mae dyfodol hirdymor economi Cymru yn dibynnu ar bartneriaeth barhaus rhwng y sector preifat a'r sector cyhoeddus, wedi'i hanelu at weithredu nodau strategol Llywodraeth y Cynulliad. Fodd bynnag, gwyddom na ellir tanbrizio gwerth ail gylch y cronfeydd strwythurol, cyn belled ag y byddant wedi eu llunio o gwmpas nodau agenda Lisbon.

Yr wyf yn gefnogwr i nodau agenda newydd Lisbon. Mae'r pwyslais ar ehangu sylfaen sgiliau ein cenedl a chynyddu arloesedd yn hanfodol er mwyn inni gynyddu nifer y swyddi gwerth ychwanegol a chadw un cam ar y blaen i'r ddraig Tseiniaidd. Mae cronfa ddysgu undeb Cymru yn enghraifft o ymagwedd lwyddiannus tuag at gynyddu sgiliau gweithwyr. Mae angen annog prosiectau o'r fath mewn unrhyw gylch ariannu newydd. Gellir maddau i bobl Cymru os byddant yn teimlo ychydig *déjà vu* wrth ddarllen agenda Lisbon. Mae nifer o flaenoriaethau newydd y Comisiwn Ewropeaidd a'r Gyfarwyddiaeth Gyffredinol ar gyfer Polisi Rhanbarthol yn rhai y bu Llywodraeth y Cynulliad yn gweithio tuag atynt ers rhai blynedd. Felly, mae

in many ways, coterminous with those of the Assembly Government. The consultation of 'WAVE', launched today, will provide the perfect opportunity to fine-tune our national economic strategy in line with the Lisbon goals.

As chair of the Objective 1 programme monitoring committee, I am also pleased that this new version of the regional aid guidelines has opted for a simplification and consolidation of the rather bureaucratic regime that is currently in place. I am pleased that the commission will move for the extension of the general block exemption regulation to include small and medium-sized enterprises and research and development. I also welcome the increased investment in modern transport and energy infrastructure. However, the skills agenda, which will make a key difference to people's lives and the employment opportunities that they can grasp, must get the lion's share in any successive rounds.

Alun Cairns: I accept your point about the lion's share going to those areas, so why are you seeking to exclude some additional communities to which we could offer some of this regional aid support?

Jeff Cuthbert: The Minister dealt with those points well—

Alun Cairns: He did not mention it.

Jeff Cuthbert: Yes he did, and I will not take lectures from the Tory benches, when the Tory party is responsible for the economy of Wales being reduced to such a level that it qualified for Objective 1 status in the first place.

My other point is on engaging the private sector and sector skills councils, so that they fully recognise the importance of their role in achieving these aims. I hope that small businesses especially, and their representatives, are playing a full role in engaging their members on the important reforms that are taking place. The Welsh Assembly Government and, to a lesser extent, the EU commission, has listened to their

buddiannau agenda Lisbon gan y comisiwn, mewn llawer ffordd, yn cydffinio â buddiannau Llywodraeth y Cynulliad. Bydd yr ymgynghori ar 'WAVE', sy'n cael ei lansio heddiw, yn gyfle perffaith i fireinio'n strategaeth economaidd genedlaethol yn unol â nodau Lisbon.

Fel cadeirydd pwyllgor monitro y rhaglen Amcan 1, yr wyf fi hefyd yn falch fod y fersiwn newydd hon o ganllawiau cymorth rhanbarthol wedi dewis symleiddio a chryfhau'r gyfundrefn ddigon biwrocraataidd sy'n weithredol ar hyn o bryd. Yr wyf yn falch y bydd y comisiwn yn cynnig ymestyn y rheoliad gwaharddiad bloc cyffredinol i gynnwys mentrau bach a chanolig ac ymchwil a datblygu. Yr wyf hefyd yn croesawu'r cynnydd yn y buddsoddi mewn seilwaith trafniadaeth ac ynni modern. Fodd bynnag, mae'n rhaid sicrhau'r gyfran fwyaf o gyllid unrhyw gylchoedd dilynol i'r agenda sgiliau, a fydd yn gwneud gwahaniaeth allweddol i fywydau pobl a'r cyfleoedd cyflogaeth a fydd o fewn eu gafael.

Alun Cairns: Derbyniaf eich pwynt ynghylch sicrhau'r gyfran helaethaf i'r ardaloedd hynny. Pam, felly, yr ydych yn ceisio eithrio rhai cymunedau ychwanegol y gallem gynnig rhywfaint o'r cymorth rhanbarthol hwn iddynt?

Jeff Cuthbert: Deliodd y Gweinidog ymdrin â'r pwyntiau hynny'n dda—

Alun Cairns: Ni soniodd am y pwnc.

Jeff Cuthbert: Do, ac nid wyf am dderbyn unrhyw bregeth gan y meinciau Toriaidd, gan mai'r blaid Doriaidd sy'n gyfrifol am sicrhau bod economi Cymru yn y fath gyflwr fel ei bod yn gymwys ar gyfer statws Amcan 1 yn y lle cyntaf.

Mae fy mhwynt arall yn ymwneud ag ymgysylltu â'r sector preifat a'r cynghorau sgiliau sector, er mwyn iddynt ddeall yn llwyr bwysigrwydd eu rôl wrth gyflawni'r amcanion hyn. Gobeithio bod busnesau bach yn arbennig, a'u cynrychiolwyr, yn cymryd rhan lawn wrth ymgysylltu â'u haelodau am y diwygiadau pwysig sy'n digwydd. Mae Llywodraeth Cynulliad Cymru, a chomisiwn yr UE i raddau llai, wedi gwrandao ar eu

concerns about the first wave of cohesion and structural funds, but any future wave of such funding cannot be fully capitalised upon unless the private sector gets fully on board. I challenge it to set out any concerns that it may have now with cohesion and structural funds, so that the most deprived areas of Wales can fully reap the rewards of future investment.

The move towards a more strategic and streamlined wave of structural funds is welcome, and I hope to see more assistance provided to the six county councils that make up the Valleys Objective 1 partnerships. Capitalising on the Heads of the Valleys strategy will be crucial to ensuring that the poorest areas of Wales reap the maximum economic and social benefits flowing from these funds. I also call for more assistance to those partnerships that are showing underperformance in the gross numbers of jobs that they appear to be creating, or for a relatively low number of projects commissioned. Knowing how best to fill out the copious forms that are attached to the structural funding must not be the deciding factor in whether a deprived community benefits from funding. Assistance in this regard will help to ensure an equal spatial distribution of spend in any future funding round.

Finally, the state aid road map and the Lisbon agenda point to future investment in skills and employment. Driving up vocational skills via flexible learning and parity of esteem with conventional courses will deliver real benefits. I look forward to reading the final Welsh chapter of the national strategic reference framework, which, I am confident, will take these concerns on board.

Elin Jones: Dywedwyd llawer yn ystod y misoedd diwethaf am yr angen i sicrhau penderfyniad ar gyllideb Ewrop cyn y Nadolig er mwyn sicrhau'r lefel uchaf bosibl o arian Amcan 1 i Gymru, ond yr un mor bwysig, os nad pwysicach, yw lefel y cymorth y gellir ei gynnig i fusnesau yn uniongyrchol, ac mae mapiau Amcan 1 a chymorth gwladwriaethol yn cyd-fynd ar y lefel uchaf. Un o'r arfau pwysicaf i unrhyw

pryderon am y don gyntaf o gydlyniant a chronfeydd strwythurol, ond ni ellir manteisio'n llawn ar don ariannu o'r fath yn y dyfodol oni bai bod y sector preifat wedi'i gynnwys yn llawn. Yr wyf yn ei herio i osod allan unrhyw bryderon a all fod ganddo yn awr am gydlyniant a chronfeydd strwythurol, er mwyn i ardaloedd mwyaf difreintiedig Cymru elwa'n llawn o fuddsoddi yn y dyfodol.

Mae'r symudiad tuag at don fwy strategol ac effeithlon o gronfeydd strwythurol i'w groesawu, a gobeithiaf weld rhoi mwy o gymorth i'r chwe chyngor sir sy'n ffurfio partneriaethau Amcan 1 y Cymoedd. Bydd manteisio ar strategaeth Blaenau'r Cymoedd yn hanfodol i sicrhau bod ardaloedd tlotaf Cymru yn elwa i'r eithaf o'r manteision economaidd a chymdeithasol a ddaw yn sgîl y cronfeydd hyn. Yr wyf hefyd yn galw am fwy o gymorth i'r partneriaethau hynny sy'n tanberfformio o ran niferoedd gros y swyddi yr ymddengys eu bod yn eu creu, neu o ran y nifer cymharol isel o brosiectau a gomisiynwyd. Rhaid sicrhau nad yw gwybod sut orau i lenwi'r ffurflenni dibendraw sy'n gysylltiedig ag ariannu strwythurol yn ffactor sy'n penderfynu a yw cymuned ddifreintiedig yn elwa o'r arian. Bydd cymorth yn y cyd-destun hwn yn helpu sicrhau dosbarthiad gofodol cyfartal i'r arian mewn unrhyw gylch ariannu yn y dyfodol.

Yn olaf, mae'r map ffyrdd cymorth gwladol ac agenda Lisbon yn dynodi buddsoddiad mewn sgiliau a chyflogaeth yn y dyfodol. Bydd cynyddu sgiliau galwedigaethol drwy gyfrwng dysgu hyblyg a bri cyfartal â chyrtsiau traddodiadol yn sicrhau buddiannau gwirioneddol. Edrychaf ymlaen at ddarllen pennod olaf y fframwaith cyfeirio strategol cenedlaethol i Gymru a fydd, mae'n siŵr, yn ystyried y pryderon hyn.

Elin Jones: Much has been said during recent months about the need to secure a decision on the European budget before Christmas, in order to ensure the highest possible level of Objective 1 funding. But as important, if not more so, is the level of aid that can be offered directly to businesses, and the Objective 1 and state aid maps correlate at the highest level. One of the most important tools for any country in terms of

wlad o ran datblygu ei heconomi yw'r gallu i roi grantiau yn uniongyrchol i fusnesau, ac mae cadw'r gallu i wneud hynny ar y raddfa uchaf bosibl yn bwysig iawn er mwyn sicrhau bod Cymru yn gallu cystadlu fel lleoliad i fusnes.

economic development is the ability to provide grants directly to businesses, and retaining the ability to do that at the highest level possible is vital to ensure that Wales can compete as a location for business.

4.30 p.m.

Gan fod y grantiau hyn yn gysylltiedig ag ardaloedd daearyddol penodol, mae'n fodd i dargedu cefnogaeth ariannol y Llywodraeth at fusnesau yn yr ardaloedd tlotaf, sef ardaloedd y gorllewin a'r Cymoedd.

Given that these grants are linked to specific geographic areas, it is a means to target Government financial support towards businesses in the poorest areas, namely west Wales and the Valleys.

Mae'n amlwg bellach fod sialensau economaidd gwahanol yn wynebu rhanbarthau Cymru. Nid oes fawr ddim cydnabyddiaeth o hyn yn strategaeth economaidd newydd y Llywodraeth. Nid oes unrhyw ymgais at dargedu economaidd rhanbarthol i yrru twf busnes rhanbarthol, ac nid oes unrhyw ymgais gan y Llywodraeth i dderbyn fod problemau gwahanol iawn yn wynebu busnesau sy'n ymylol i'r prif farchnadoedd, boed hynny yn y gorllewin neu'r Cymoedd.

It is now apparent that Welsh regions are facing different economic challenges. This is barely acknowledged in the Government's new economic strategy. There is no attempt at regional economic targeting to drive regional business growth, and there is no attempt by the Government to acknowledge that very different problems face businesses which are peripheral to the main markets, be they in west Wales or in the Valleys.

Mae dwy economi, o leiaf, yn rhedeg ochr yn ochr yng Nghymru, gyda bwlch sylweddol rhyngddynt. Bydd 'WAVE', sy'n bolisi unffurf cenedlaethol, yn methu unwaith eto â hybu busnesau i gynyddu cyflogaeth a swyddi, a chodi cyflogau mewn ardaloedd fel y gorllewin a'r Cymoedd, ac, yn benodol, yn fy etholaeth i yng Ngheredigion, lle ceir y lefel isaf, erbyn hyn, o gyflogau ar gyfartaledd yng Nghymru.

There are at least two economies running in parallel in Wales, with a substantial gap between them. 'WAVE', which is a uniform national policy, once again fails to help businesses to increase employment and jobs, and increase salaries in areas such as west Wales and the Valleys, and specifically in my constituency of Ceredigion, where the lowest salaries, on average, in Wales are to be found.

Mae'r Undeb Ewropeaidd o leiaf yn derbyn fod angen polisi rhanbarthol cryf sy'n targedu adnoddau i'r ardaloedd tlotaf. Trueni nad yw'r Gweinidog yn y Cynulliad yn derbyn yr un egwyddor o gael polisi rhanbarthol cryf i Gymru.

The European Union at least accepts the need for a strong regional policy to target resources at the poorest areas. It is a shame the Assembly Minister does not accept the same principle of having a strong regional policy for Wales.

Nick Bourne: I am grateful for the opportunity to contribute to this debate. I do not intend to say anything about 'WAVE'—the Minister had a brass neck in trying to introduce it without making a written or oral statement to the Assembly. This debate does not focus on 'WAVE'—it focuses on the issues of state aid and cohesion funding.

Nick Bourne: Yr wyf yn ddiolchgar am y cyfle i gyfrannu i'r ddatl hon. Ni fwriadaf ddweud unrhyw beth am 'WAVE'—roedd y Gweinidog mor hy â cheisio ei gyflwyno heb wneud datganiad ysgrifenedig na llafar i'r Cynulliad. Nid yw'r ddatl hon yn canolbwyntio ar 'WAVE'—mae'n canolbwyntio ar faterion yn ymwneud â chymorth gwladol a chyllido cydlyniant.

The budget settlement, or the unlikely budget settlement during the UK presidency, was a key factor for the Assembly in terms of obtaining continuing Objective 1 convergence funding. Jeff Cuthbert talked about the dark days which ensured that we qualified for Objective 1 funding, but the massive irony is that we still do, and that is happening after the admission of eight member states which lived with the dead hand of socialism on their economy, and are therefore far poorer than most of western Europe. So, we do not need any lectures from Jeff Cuthbert on the relativity of the fact that Wales still qualifies, as it would at the moment, for Objective 1 funding.

Jeff Cuthbert: I notice that you make no attempt to deny the fact that your party's stewardship of the economy in Wales led directly to our qualifying for Objective 1 status.

Nick Bourne: It did not lead directly to that. To keep going back over the dregs of history, when we are trying to look forward to the issue of whether we continue to get European funding, is rather a threadbare argument. That is the point that I am making. We would continue to qualify if there were to be a settlement during the UK presidency—and many of us wish that there would be, because we would receive more assistance had that been the case. I accept the Minister's comments on the Fontainebleau rebate—it is a point well-made, and it is of course crucial for the whole of the United Kingdom. However, it remains the case that, if we do not have a budget settlement during this presidency, which looks more unlikely than not, but we cannot be certain, we will not have the same level of funding on next year's figures. That is a serious issue, and there are many of us who feel that a stronger case could have been made with the UK Government. The Minister will recall that, when we were in Brussels, an ideal opportunity arose to press the case with more vigour than it was done.

I will give way to the First Minister if he wants to come in on that point.
[*Interruption.*]

Yr oedd setliad y gyllideb, neu setliad annhebygol y gyllideb yn ystod llywyddiaeth y DU, yn ffactor allweddol i'r Cynulliad o ran sicrhau parhad cronfeydd cydgyfeirio Amcan 1. Soniodd Jeff Cuthbert am y dyddiau du a sicrhodd ein bod yn gymwys i gael arian Amcan 1. Ond yr eironi mwyaf yw bod yr angen hwnnw'n parhau, ac mae hynny'n digwydd ar ôl derbyn wyth o aelod-wladwriaethau a oedd yn byw gyda dylanwad gormesol sosialaeth ar eu heconomi, ac sydd felly lawer yn dlotach na'r rhan fwyaf o orllewin Ewrop. Felly, nid oes angen i Jeff Cuthbert roi darlith inni am berthnasedd y ffaith fod Cymru yn dal yn gymwys, fel y mae ar hyn o bryd, i gael arian Amcan 1.

Jeff Cuthbert: Sylwaf nad ydych yn ceisio gwadu'r ffaith mai rheolaeth eich plaid chi dros economi Cymru a arweiniodd yn uniongyrchol at y ffaith ein bod yn gymwys i gael statws Amcan 1.

Nick Bourne: Nid arweiniodd yn uniongyrchol at hynny. Mae parhau i fynd dros yr un hen ddadleuon, a ninnau'n ceisio edrych ymlaen at y cwestiwn a fyddwn yn dal i gael arian Ewropeaidd, yn ddadl wan. Dyna'r pwynt yr wyf yn ei wneud. Byddem yn dal yn gymwys pe bai setliad yn ystod llywyddiaeth y DU—ac mae nifer ohonom yn dymuno gweld hynny, oherwydd byddem yn cael mwy o gymorth pe bai hynny wedi digwydd. Derbyniaf sylwadau'r Gweinidog ar ad-daliad Fontainebleau—mae'n bwynt da, ac mae'n hanfodol, wrth gwrs, i'r Deyrnas Unedig gyfan. Fodd bynnag, mae'n dal yn wir, os na chawn setliad cyllideb yn ystod y llywyddiaeth hon, sy'n ymddangos yn fwy annhebygol na pheidio, ond ni allwn fod yn sicr, na chawn yr un lefel o arian ar sail ffigurau'r flwyddyn nesaf. Mae hynny'n fater difrifol, ac mae nifer ohonom o'r farn y gellid bod wedi cyflwyno achos cryfach i Lywodraeth y DU. Bydd y Gweinidog yn cofio, pan oeddem ym Mrwsel, fod yna gyfle delfrydol i bwysu'r achos gyda mwy o rym nag a ddefnyddiwyd.

Ildiaf i'r Prif Weinidog os yw am gyfrannu at y pwynt hwnnw.
[*Torri ar draws.*]

The Deputy Presiding Officer: Order.

Y Dirprwy Lywydd: Trefn.

Nick Bourne: He does not want to come in.

Nick Bourne: Nid yw am gyfrannu.

The second important issue is the designation of areas, and we now have some freedom to do so under the new rules, in terms of where aid will be given. The Minister skated over this issue, but it is important, as was alluded to by Mark Isherwood and Alun Cairns, and probably, in fairness, by other speakers. For example, if north-east Wales is not designated, it could be sandwiched between two areas where assistance is given, in terms of Merseyside and west Wales and the Valleys. So, this is an issue on which we must fight for all areas of Wales, and it is no good just to say that they are relatively rich now because, if assistance is being given elsewhere and it surrounds them, they will be doughnutted by assistance and it will exacerbate the problem that those areas experience, at least in some parts of those areas of east Wales.

Yr ail fater pwysig yw dynodi ardaloedd, ac mae gennym rywffaint o ryddid i wneud hynny bellach dan y rheolau newydd, o ran ble i roi cymorth. Prin y cyffyrddodd y Gweinidog â'r mater, ond mae'n bwysig, fel yr awgrymwyd gan Mark Isherwood ac Alun Cairns, ac efallai, i fod yn deg, gan siaradwyr eraill. Er enghraifft, os na chaiff gogledd ddwyrain Cymru ei dynodi, gallai gael ei gwasgu rhwng dwy ardal lle rhoddir cymorth, sef Glannau Mersi a gorllewin Cymru a'r Cymoedd. Felly, mae hwn yn fater y mae'n rhaid i ni ymladd drosto ar gyfer pob rhan o Gymru. Nid yw'n ddigon da dweud eu bod yn gymharol gyfoethog yn awr oherwydd, os rhoddir cymorth mewn mannau eraill ac os cânt eu hamgylchynu, byddant mewn gwacter o ran cymorth, a bydd hynny'n gwaethygu'r broblem yn yr ardaloedd hynny, o leiaf mewn rhai rhannau o'r ardaloedd hynny yn y dwyrain.

I want to address two major issues in my brief contribution. The first is the issue of getting a settlement during the UK presidency, which, I regret, looks unlikely. That will have cost us millions of pounds in assistance in Wales and we should have been pushing that with more vigour than we did. The second is the issue of designating areas, as Alun Cairns mentioned, which is important to us here in Wales, so that we can provide assistance for those areas which otherwise may go to the wall and will suffer accordingly.

Hoffwn fynd i'r afael â dau brif fater yn ystod fy nghyfraniad byr. Y mater cyntaf yw cael setliad yn ystod llywyddiaeth y DU sydd, yn anffodus, yn ymddangos yn annhebygol. Byddwn ar ein colled o filiynau o bunnoedd o gymorth yng Nghymru, a dylem fod wedi bod yn pwysu am hynny gyda llawer mwy o rym nag a ddefnyddiwyd. Yr ail fater yw mater dynodi ardaloedd, fel y soniodd Alun Cairns, sy'n bwysig inni yma yng Nghymru, fel y gallwn gynnig cymorth i'r ardaloedd hynny a all, fel arall, fynd i'r wal a dioddef o'r herwydd.

Kirsty Williams: I will begin by abusing the genius of Stevie Smith,

Kirsty Williams: Dechreuaf drwy gamddefnyddio athrylith Stevie Smith,

'Nobody heard him, the dead man,
But still he lay moaning:
I was much further out than you thought
And not waving but drowning'.

'Nobody heard him, the dead man,
But still he lay moaning:
I was much further out than you thought
And not waving but drowning'.

The Minister for Economic Development and Transport is drowning in a sea of self-spin and congratulation, and is simply not aware of the situation that large parts of the Welsh economy find themselves in.

Mae'r Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth yn boddi mewn môr o hunan-ddelweddu a llongyfarch, ac yn syml, nid yw'n ymwybodol o'r sefyllfa sy'n wynebu rhannau helaeth o economi Cymru.

I repeat what I have been saying in

Ailadroddaf yr hyn yr wyf wedi bod yn ei

committee over the last couple of weeks. Each time I have raised the question of east Wales, the Minister has not been able to provide any strategic direction on, or idea of, how he will approach fighting the case for east Wales with the UK Government. The 87(3)(c) measures give us a wonderful opportunity to focus attention on this area, but if we are to make the most of that opportunity, the Minister has to be clear about what his approach will be in pushing that case with the UK Government, if it is to be included. At present, there seems to be a great deal of uncertainty, with the Minister saying one thing in the Economic Development and Transport Committee and the First Minister saying something else in the Committee on European and External Affairs. I would like some clarification from the Welsh Assembly Government of what the approach is to be.

The Minister also has to explain his reference to relative deprivation and how that might guide his thinking with regard to east Wales. Relative deprivation can mean a whole set of different things. One area might score well, for instance, on employment figures but do badly on gross value added. If one looks at employment figures in my constituency of Brecon and Radnorshire, in the NUTS III area of Powys, one would say that we are doing relatively well, but if you look at average earnings in Powys, you would see that my constituents earn on average £50 per week less than the Welsh average; in GVA terms, that is 74 per cent of the Welsh average. That is a lot less than that in Flintshire, which runs at 93 per cent, Mark. The Minister has to be clear on this and demonstrate how he intends to interpret issues around relative deprivation.

Somebody has already mentioned the importance of areas being along the border, and many parts of my constituency will find themselves sandwiched between, hopefully, an Objective 1 area in Ceredigion, the Valleys to its south and regional support along the English border. Therefore, it will be extremely difficult to attract businesses and support to particular areas of Powys. There are areas of Powys that need a huge amount of support. One thinks of the Severn valley,

ddweud yn y pwyllgor yn ystod yr wythnosau diwethaf. Bob tro wrth imi godi mater dwyrain Cymru, nid yw'r Gweinidog wedi gallu rhoi unrhyw gyfeiriad strategol, na syniad o'r ffordd y bydd yn mynd i'r afael ag ymladd dros achos dwyrain Cymru gyda Lywodraeth y DU. Mae mesurau 87(3)(c) yn gyfle gwych inni dynnu sylw at yr ardal hon, ond os ydym am fanteisio ar y cyfle hwnnw, rhaid i'r Gweinidog fod yn glir am y ffordd y bydd yn pwysu'r achos hwnn gyda Llywodraeth y DU, er mwyn iddi gael ei chynnwys. Ar hyn o bryd, ymddengys fod llawer o ansicrwydd, a'r Gweinidog yn dweud un peth yn y Pwyllgor Datblygu Economaidd a Thrafnidiaeth a'r Prif Weinidog yn dweud rhywbeth arall yn y Pwyllgor Materion Ewropeaidd ac Allanol. Hoffwn i Lywodraeth Cynulliad Cymru roi eglurhad ar yr hyn fydd yr ymagwedd.

Rhaid i'r Gweinidog egluro hefyd ei gyfeiriad at amddifadedd cymharol a'r ffordd y gallai hynny arwain ei syniadau am ddwyrain Cymru. Gall amddifadedd cymharol olygu nifer o bethau gwahanol. Gallai un ardal, er enghraifft, sgorio'n uchel o ran ffigurau cyflogaeth ond yn isel mewn gwerth ychwanegol crynswth. Wrth edrych ar ffigurau cyflogaeth yn fy etholaeth i, sef Brycheiniog a sir Faesyfed, yn ardal NUTS III ym Mhowys, dywedir ein bod yn gwneud yn gymharol dda. Ond o edrych ar gyfartaledd enillion Powys, gwelir bod fy etholwyr yn ennill ar gyfartaledd £50 yr wythnos yn llai na chyfartaledd Cymru; o ran GYC, mae hynny'n 74 y cant o gyfartaledd Cymru. Mae hynny'n is o lawer nag yn sir y Fflint, sef 93 y cant, Mark. Rhaid i'r Gweinidog fod yn glir am hyn a dangos sut mae'n bwriadu dehongli materion yn ymwneud ag amddifadedd cymharol.

Mae rhywun wedi cyfeirio eisoes at bwysigrwydd ardaloedd ar hyd y ffin, a bydd llawer ardal yn fy etholaeth i, gobeithio, yn cael eu hunain wedi eu gwasgu rhwng ardal Amcan 1 yng Ngheredigion, y Cymoedd i'r de a chymorth rhanbarthol ar y ffin â Lloegr. Felly, bydd yn anodd iawn denu busnesau a chymorth i rai ardaloedd penodol ym Mhowys. Mae angen cymorth aruthrol ar rai ardaloedd penodol ym Mhowys. Gellid nodi fel enghreifftiau ddyffryn Hafren, o

running from Llanidloes to Welshpool, the Hay on Wye to Brecon corridor, including Talgarth—which was outrageously left out of assistance last time round, when only Ystradgynlais in my constituency qualified for any extra help—and the towns of Knighton and Presteigne, which, as I said, are particularly vulnerable to issues around support across the border in the Ludlow area. The Minister has to address that.

My second point is on the need to look seriously at economic inactivity and at what we can do with structural funds to address that problem, which are the key to driving the Welsh economy forward. Those who are currently inactive are severely disengaged from the labour market. Recent Welsh research shows that 57 per cent of people who were inactive claim to have no immediate desire to work, and that feeling increased with age. Eighty-five per cent of people who were inactive had made no attempt to find work since becoming inactive, and only 6 per cent had actively approached a prospective employer. That is a huge problem for the Welsh economy. There is specific benefit in focusing attention on the 20 per cent of people who say that they want a job as soon as possible, or possibly within the next five years. It is interesting to note that most of the people who fall into that category are young women who currently have household duties. They want to get back into the workplace and they want to do what is right for their families, but they need assistance to do that by way of realistic wage levels and childcare support.

4.40 p.m.

Lisa Francis: My colleague Mark Isherwood, in his intervention to the Minister, referred to the drop in the number of VAT-registered businesses in Wales, and the Minister mentioned the importance of the *Global Entrepreneurship Monitor*, which I believe is referred to in this new 'Wales: A Vibrant Economy' document. We look forward to the publication of the next round

Llanidloes i'r Trallwng, coridor y Gelli Gandryll i Aberhonddu, gan gynnwys Talgarth—a gafodd ei heithrio, yn warthus, o'r cynlluniau cymorth y tro diwethaf, pan nad oedd ond Ystradgynlais yn fy etholaeth i yn gymwys i gael unrhyw gymorth ychwanegol—a threfi Trefyclo a Llanandras. Mae'r rhain, fel y dywedais, yn arbennig o debygol o gael problemau oherwydd y cymorth a ddarperir dros y ffin yn ardal Llwydlo. Rhaid i'r Gweinidog fynd i'r afael â hynny.

Mae fy ail bwynt yn ymwneud â'r angen am ystyried anweithgarwch economaidd o ddifrif, a'r hyn y gallwn ei wneud gyda chronfeydd strwythurol i fynd i'r afael â'r broblem honno, sy'n allweddol i lwyddiant economi Cymru. Mae pobl sy'n anweithgar ar hyn o bryd wedi ymddieithrio'n ddifrifol o'r farchnad lafur. Dengys ymchwil yn ddiweddar yng Nghymru fod 57 y cant o bobl sy'n anweithgar yn honni nad oes ganddynt awydd dybryd i weithio, ac yr oedd y teimlad hwnnw'n cynyddu wrth fynd yn hŷn. Nid oedd 85 y cant o bobl a oedd yn anweithgar wedi gwneud unrhyw ymdrech i chwilio am waith ers iddynt fod yn anweithgar, a 6 y cant yn unig a oedd wedi gwneud ymdrech benodol i gysylltu â darpar gyflogwr. Mae hynny'n broblem anferth i economi Cymru. Mae yna fantais o ganolbwyntio sylw ar yr 20 y cant o bobl sy'n dweud eu bod am gael swydd cyn gynted â phosibl, neu o bosibl o fewn y pum mlynedd nesaf. Mae'n ddiddorol sylwi mai merched ifanc sydd â dyletswyddau yn y cartref ar hyn o bryd yw'r rhan fwyaf o'r rheini yn y categori hwnnw. Maent am ddychwelyd i'r gwaith ac am wneud yr hyn sy'n iawn i'w teuluoedd, ond mae angen cymorth arnynt i wneud hynny gyda chyflogau realistig a chymorth gofal plant.

Lisa Francis: Cyfeiriodd fy nghyd-Aelod, Mark Isherwood, yn ei ymyriad i'r Gweinidog, at y gostyngiad yn nifer y busnesau yng Nghymru sydd wedi cofrestru at ddibenion TAW, a soniodd y Gweinidog am bwysigrwydd y *Monitor Entrepreneuriaeth Byd-eang*, y cyfeirir ato, mi gredaf yn y ddogfen newydd hon 'Cymru: Economi yn Ffynnu'. Edrychwn ymlaen at

of figures as we have not had any statement on 'Wales: A Vibrant Economy' prior to your press launch today, Minister. Perhaps you will address that issue.

I will address my remaining comments to our amendment 5. Within the Communities First areas that do not adjoin assisted areas are the following places, which have already been highlighted by other Members: Flint Castle in Flintshire, Gwenfro, Caia Park, Queensway and Plas Madoc in Wrexham, and Caerau and Ely in Cardiff. Similarly, if you apply this year's Welsh index of multiple deprivation, the following areas have been highlighted: Whitchurch and Tongwynlais in Cardiff, and Buttrills, Castleland, Court and Gibbonsdown in the Vale of Glamorgan. Additionally, the two super sub-areas in Powys, while not being in the most deprived category, are in the second highest category. This includes Welshpool Castle and Newtown South. Surely that is a sound evidence base from which this Government can negotiate with the European Commission to allow deprived wards, which are not adjacent to article 87(3)(c) or statistical effect areas, to be designated as 87(3)(c) areas. It would be careless and immature to ignore that sort of evidence.

The commission has also set out eligibility criteria to be followed by member states in the selection of additional article 87(3)(c) regions. Regions that could qualify for this category include those where there is an employment rate that is higher than 115 per cent of the national member state average. Research that we undertook this morning revealed that eligible regions include Flint Castle, Plas Madoc and Queensway in Wrexham, Caerau and Ely in Cardiff, and Buttrills, Castleland, Court and Gibbonsdown in the Vale of Glamorgan.

Ieuan Wyn Jones: Diolch am y cyfle i gymryd rhan yn y drafodaeth ar gronfeydd strwythurol a chymorth gwladwriaethol. Pan fo'r Gweinidog yn dechrau ymosod ar y gwrthbleidiau a'r gwelliannau, gwyddom ei fod yn colli'r dydd. Ceisiodd ddweud mai ef

weld cyhoeddi'r gyfres nesaf o ffigurau gan na chawsom unrhyw ddatganiad am 'Cymru: Economi yn Ffynnu' cyn ichi ei lansio yn y wasg heddiw, Weiniidog. Efallai yr ymdriniwch â'r mater hwnnw.

Cyfeiriaf weddill fy sylwadau at ein gwelliant 5. Mewn ardaloedd Cymunedau yn Gyntaf nad ydynt yn ffinio ag ardaloedd cymorth mae'r lleoedd canlynol, a nodwyd eisoes gan Aelodau eraill: Castell y Fflint yn sir y Fflint, Gwenfro, Parc Caea, Queensway a Phlas Madog yn Wrecsam a Chaerau a Threlái yng Nghaerdydd. Yn yr un modd, pe baech yn defnyddio mynegai amddifadedd lluosog Cymru am eleni, tynnwyd sylw at yr ardaloedd canlynol: Yr Eglwys Newydd a Thongwynlais yng Nghaerdydd, a Buttrills, Castleland, Court a Gibbonsdown ym Mro Morgannwg. Yn ogystal, er nad yw'r ddwy ardal cynnyrch ehangach haen is ym Mhowys yn y categori amddifadedd uchaf, maent yn yr uchaf ond un. Mae hyn yn cynnwys Castell y Trallwng a de y Drenewydd. Onid yw honno'n sail dystiolaeth gref y gall y Llywodraeth hon ei defnyddio i negodi gyda'r Comisiwn Ewropeaidd i ganiatáu i wardiau amddifadedd, nad ydynt yn ffinio ag ardaloedd erthygl 87(3)(c) nac ardaloedd effaith ystadegol, gael eu dynodi'n ardaloedd 87(3)(c)? Byddai anwybyddu tystiolaeth felly yn esgeulus ac anaeddfed.

Mae'r comisiwn hefyd wedi gosod allan y meini prawf cymhwysedd i'r aelod-wladwriaethau eu dilyn wrth ddethol rhanbarthau erthygl 87(3)(c) ychwanegol. Mae'r rhanbarthau hynny a allai fod yn gymwys ar gyfer y categori hwn yn cynnwys y rheini lle mae cyfradd cyflogaeth sy'n uwch na 115 y cant o gyfartaledd cenedlaethol yr aelod wladwriaethau. Dangosodd gwaith ymchwil a wnaed gennym y bore yma fod rhanbarthau cymwys yn cynnwys Castell y Fflint, Plas Madog a Queensway yn Wrecsam, Caerau a Threlái yng Nghaerdydd a Buttrills, Castleland, Court a Gibbonsdown ym Mro Morgannwg.

Ieuan Wyn Jones: Thank you for the opportunity to participate in this debate on structural funds and state aid. When the Minister starts attacking opposition parties and the amendments, we know he is losing the argument. He tried to say that only he

yn unig sy'n deall sut mae pethau'n gweithio o ran cronfeydd strwythurol a'r trafodaethau sy'n mynd rhagddynt. Wrth gwrs, yr oedd ymyriad Huw Lewis yn mynd i'r un cyfeiriad, drwy awgrymu, rhywsut neu'i gilydd, eu bod hwy'n deall popeth a bod pawb ar yr ochr hon o'r Siambr yn deall dim.

Yr wyf finnau hefyd yn ymwybodol iawn o'r trafodaethau sy'n mynd rhagddynt ar y gyllideb, a gwn beth yw safbwynt y Trysorlys a'r Adran Masnach a Diwydiant ar y tebygrwydd y caiff Cymru gyllid Amcan 1 o dan y cynlluniau newydd. Hynny yw, o ddarllen yr hyn y mae'r Trysorlys a'r DTI yn ei ddweud, gwelwch nad ydynt yn gweld unrhyw achos pam y dylai Cymru gael cyllid Amcan 1 yn y dyfodol. Os cânt eu ffordd o ran yr 1 y cant, nid ydynt ychwaith yn gweld bod cronfa arbennig yn cael ei chreu ar gyfer ardaloedd fel Cymru, a fyddai'n gymwys pe na bai gwledydd newydd yn ymuno ond sy'n methu yn awr, sef yr hyn y maent yn ei alw'n '*statistical effect region*'. Mae'r Llywodraeth yn Llundain yn gwbl glir y dylai unrhyw arian sy'n cael ei neilltuo ar gyfer gwledydd neu ardaloedd tlawd fynd i'r gwledydd newydd sy'n ymuno o ddwyrain a chanolbarth Ewrop.

The Minister seeks to lecture us for our failure, as he sees it, to understand the procedure, but I have been in this game long enough to understand that the Treasury position is that it does not want to see Wales qualify for Objective 1 in the future because it wants to see the European budget cut in a way that means that the only areas that should benefit from extra Objective 1 funding in the next round are the countries of central and eastern Europe—the new countries that are coming in.

I understand that there is a case for that, but I also believe that, in view of the fact that the Welsh economy has struggled over the last few years despite Objective 1, Wales needs an extra bit of help to ensure that we can carry through to 2013. What is important, from our point of view, is that if we qualify for Objective 1 for the next round, we would also qualify for transitional relief in the following round, which means, in a way, that Wales could benefit from some form of higher-level assistance, perhaps until 2019 or

understands how things work with structural funds and the ongoing discussions. Of course, Huw Lewis's intervention followed the same lines, by suggesting, somehow or other, that they understand everything and that everyone on this side of the Chamber understands nothing.

I am also very much aware of the ongoing discussions on the budget and I know what the Treasury and the Department of Trade and Industry standpoint is on the likelihood of Wales receiving Objective 1 funding under the new plans. That is, if you read what the Treasury and the DTI say, you will see that they see no case for Wales receiving Objective 1 funding in the future. If they have their way on the 1 per cent, they also do not foresee a special fund being created for areas such as Wales, which would have qualified had other countries not joined but will not do so now—what they call the statistical effect region. The Government in London is quite clear that any money allocated to poor countries or regions should be allocated to accession countries from eastern and central Europe.

Mae'r Gweinidog yn ceisio dweud y drefn wrthym am fethu, yn ei farn ef, â deall y weithdrefn. Ond yr wyf wedi bod mewn gwleidyddiaeth yn ddigon hir i ddeall mai safbwynt y Trysorlys yw nad yw am weld Cymru'n gymwys ar gyfer Amcan 1 yn y dyfodol. Mae am weld cyllideb Ewrop yn cael ei thorri mewn modd sy'n golygu mai'r unig ardaloedd a ddylai elwa o arian Amcan 1 ychwanegol yn y cylch nesaf yw gwledydd canol a dwyrain Ewrop—y gwledydd newydd sy'n ymuno.

Deallaf fod dadl dros hynny, ond credaf hefyd, yn wyneb anawsterau economi Cymru dros yr ychydig flynyddoedd diwethaf er gwaethaf Amcan 1, fod angen ychydig mwy o gymorth ar Gymru i sicrhau y gallwn barhau tan 2013. Yr hyn sy'n bwysig, o'n safbwynt ni, yw os byddwn yn gymwys ar gyfer Amcan 1 yn y cylch nesaf, y byddem hefyd yn gymwys ar gyfer rhyddhad trosiannol yn y cylch dilynol. Mae hyn yn golygu, ar un ystyr, y gallai Cymru gael rhyw fath o gymorth lefel-uwch, efallai tan 2019

2020. That is why we think that it is important that the UK Government's position on the 1 per cent budget is rejected, and we hope that other European countries will do the same. That is also why it is important for this Government to make it clear to Westminster that Wales should benefit from extra Objective 1 money. The best way to achieve that is to ensure that the larger budget is agreed in Europe, so that these funds can be distributed properly.

Gwn fod amser yn brin, ac mae gennyf un pwynt arall. Hoffwn weld y Llywodraeth, yn yr oriau olaf—gan ein bod yn dod at derfyn y dadleuon hyn—yn rhoi buddiannau Cymru yn gyntaf ac yn sicrhau bod Llywodraeth Llundain yn deall y gall Cymru gymhwyso dim ond os yw'r Llywodraeth honno yn gwneud yr achos o blaid hynny. Gobeithiaf y bydd y Gweinidog, wrth iddo ymateb i'r ddadl, yn rhoi'r ymrwymiad hwnnw i ni.

The Minister for Economic Development and Transport (Andrew Davies): As everyone has acknowledged, this is a very important time for Wales, as we await the outcome of the EU budget discussions and its impact on the assisted area map and the level of structural fund receipts.

We are, as a Government, at a ministerial and official level, actively and fully engaged in the ongoing process, and I have, at every stage, reported to the committee. I put our original proposals, as I am sure that the Chair would confirm, to the Economic Development and Transport Committee. At that time, our position was supported by all committee members, of all political parties. We will continue to get the best possible deal for Wales when it comes to negotiation of the regional aid guidelines or negotiations on the assisted area map.

Points have been made about the timing of the budget conclusions. Clearly, the only relationship—and I pointed this out when I criticised the Plaid Cymru amendment—between that decision on the budget and eligibility relates to the timing of the decision over the EU budget and not about the budget itself. Clearly, we believe that an early

neu 2020. Dyna pam y credwn ei bod yn bwysig gwrthod safbwynt Llywodraeth y DU ar y gyllideb 1 y cant, a gobeithiwn y bydd gwledydd eraill Ewrop yn gwneud yr un fath. Dyna pam mae'n bwysig hefyd i'r Llywodraeth hon ei gwneud yn glir i San Steffan y dylai Cymru gael arian Amcan 1 ychwanegol. Y ffordd orau i wneud hyn yw sicrhau cytuno ar gyllideb fwy yn Ewrop fel y gellir dosbarthu'r arian hwn yn briodol.

I know that time is scarce, but I have one further point. I want to see this Government, in the eleventh hour—now that we have come to the end of these discussions—put the interests of Wales first and ensuring that the Government in London understands that the only way in which Wales will qualify is if this Government makes the case for Wales to qualify. I hope the Minister, when he responds to the debate, will give us that commitment.

Y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth (Andrew Davies): Fel mae pawb wedi cydnabod, mae hwn yn amser pwysig iawn i Gymru gan ein bod yn disgwyl canlyniad trafodaethau cyllideb yr UE a'i heffaith ar y map ardaloedd cymorth a lefel y derbyniadau cronfeydd strwythurol.

Yr ydym ni, fel Llywodraeth, ar lefel gweinidogion a swyddogion, yn ymwneud yn weithgar ac yn llawn yn y broses sy'n mynd rhagddi, ac yr wyf fi, ar bob cam, wedi adrodd i'r pwyllgor. Cyflwynais ein cynigion gwreiddiol, fel yr wyf yn siŵr y byddai'r Cadeirydd yn cadarnhau, i'r Pwyllgor Datblygu Economaidd a Thrafnidiaeth. Ar y pryd, cefnogwyd ein safbwynt gan holl aelodau'r pwyllgor, o bob plaid. Byddwn yn dal i gael y fargen orau sy'n bosibl i Gymru pan ddaw'n fater o drafod y canllawiau ar gyfer cymorth rhanbarthol neu drafodaethau am y map ardaloedd cymorth.

Gwnaed pwyntiau ynglŷn ag amseriad casgliadau'r gyllideb. Yn amlwg, yr unig berthynas---a thynnais sylw at hyn wrth feirniadu gwelliant Plaid Cymru---rhwng y penderfyniad hwnnw ar y gyllideb a'r cymhwyster yw amseriad y penderfyniad ar gyllideb yr UE, ac nid y gyllideb ei hun. Yn amlwg, credwn y byddai cwblhau cyllideb yr

conclusion of the EU budget would—as has been pointed out, and given the figures that we have— probably lead to full convergence status. As the leader of the opposition has rightly pointed out, if that were the case, we would get a tapering measure in the next European funding round. However, if a decision is made later than December, a new data set on GVA will be included, which we believe will reflect the very substantial progress made in the Welsh economy—and I make no apology for mentioning our economic policies—and, in which case, we will be above the limit for determination on whether we get full convergence status or statistical effect status.

Alun Cairns: I am grateful to the Member for giving way. He sought to highlight some sort of economic progress that has been made, but the Forum for Private Business has stated, and this is literally hot off the press, that ‘WAVE’ must not be another triumph of overblown, rhetorical waffle. Clearly, that is the business community’s view. So, is that the sort of progress that you are making?

4.50 p.m.

Andrew Davies: May I get back to the debate? The issue is about determining the map, not about the size of the budget. The budget has no relationship to either the regional aid guidelines or the determination of the areas covered by article 87(3)(a).

To respond to the points made by Mike German about east Wales and the point made by Kirsty Williams, there is not a straightforward answer. In terms of the data set and the criteria that will be used—and it will be determined at Council of Ministers level—with regard to deprivation, it is likely to be a mix of both deprivation, as measured by relative GDP or GVA and an aspect such as unemployment. We will continue to press for the best possible coverage and the best outcome in terms of the impact that it will have on communities in Wales. I am delighted that the Economic Development and Transport Committee supported us on that position.

We are talking about how state aid is

UE yn gynnar—fel y nodwyd, a o gofio'r ffigurau sydd gennym---yn debygol o arwain at statws cydgyfeirio llawn. Fel y dywedodd arweinydd yr wrthblaid yn gwbl gywir, pe bai hynny'n digwydd, byddem yn cael mesur tapro yn y cylch arian Ewropeaidd nesaf. Fodd bynnag, os gwneir penderfyniad yn hwyrach na mis Rhagfyr, caiff data newydd ar GYC eu cynnwys a fydd yn adlewyrchu'r cynnydd sylweddol iawn a wnaed yn economi Cymru, fe gredwn—ac nid wyf yn ymddiheuro am sôn am ein polisiau economaidd. Bryd hynny, byddwn uwchlaw'r lefel ar gyfer penderfynu a gawn statws cydgyfeirio llawn neu statws effaith ystadegol.

Alun Cairns: Yr wyf yn ddiolchgar i'r Aelod am ildio. Yr oedd yn ceisio tynnu sylw at ryw fath o gynnydd economaidd a wnaed, ond mae'r Fforwm Busnesau Preifat wedi dweud, ac mae hyn yn llythrennol yn syth o'r wasg, fod yn rhaid i 'WAVE' beidio â bod yn gyfle am ragor o siarad gwag a rhetreg. Yn amlwg, dyna farn y gymuned fusnes. Felly, ai dyna'r math o gynnydd yr ydych yn ei wneud?

Andrew Davies: A gaf fi ddychwelyd at y ddatl? Y mater dan sylw yw penderfynu'r map, nid maint y gyllideb. Nid oes gan y gyllideb unrhyw gysylltiad â'r canllawiau ar gymorth rhanbarthol nac â phenderfynu'r ardaloedd a gynhwysir gan erthygl 87(3)(a).

I ymateb i'r pwyntiau a wnaed gan Mike German am y dwyrain a'r pwynt a wnaed gan Kirsty Williams, nid oes ateb syml. O ran y data a'r meini prawf a ddefnyddir—a chaiff hynny ei benderfynu ar lefel Cyngor y Gweinidogion—o ran amddifadedd, mae'n debygol o fod yn gyfuniad o amddifadedd, fel y caiff ei fesur gan CMC neu GYC cymharol, ac agwedd megis diweithdra. Byddwn yn parhau i bwysu am y cwmpas gorau sy'n bosibl a'r canlyniad gorau o ran yr effaith a gaiff ar gymunedau yng Nghymru. Yr wyf yn falch fod y Pwyllgor Datblygu Economaidd a Thrafnidiaeth wedi ein cefnogi yn hynny.

Yr ydym yn sôn am y ffordd y caiff cymorth

provided, and making sure that state aid is awarded in support of economic reform. Once again, I make no apologies for highlighting the success of our economic policies or our new economic development policy.

Alun Cairns: Will the Minister give way?

Andrew Davies: No.

Alun Cairns: I have another question.

The Deputy Presiding Officer: Order. The Minister is not giving way.

Andrew Davies: Looking ahead, the European Commission wants to focus on its key economic priorities by simplifying and consolidating its existing horizontal frameworks, which are in addition to the regional aid guidelines. These include targeting innovation and research and development, stimulating entrepreneurship, investing in human capital, encouraging environmental sustainability and establishing modern transport, energy and ICT infrastructures. To achieve the economic objectives that we have set, against the background of better targeted aid across Europe, we must look to maximise European regional aid and the support available for companies under these frameworks. This is vital if we are to achieve the priorities identified in our own strategies and to contribute to the wider Lisbon agenda. Significant progress has already been made in this area, and we will continue to work to ensure that the outcome of any reviews will benefit the whole of Wales.

gwladol ei ddarparu, a sicrhau rhoi cymorth gwladol er mwyn cefnogi diwygiadau economaidd. Unwaith eto, nid wyf yn ymddiheuro am dynnu sylw at lwyddiant ein polisiau economaidd nac at ein polisi datblygu economaidd newydd.

Alun Cairns: A wnaiff y Gweinidog ildio?

Andrew Davies: Na wnaif.

Alun Cairns: Mae gennyf gwestiwn arall.

Y Dirprwy Lywydd: Trefn. Nid yw'r Gweinidog yn ildio.

Andrew Davies: O edrych ymlaen, mae'r Comisiwn Ewropeaidd am ganolbwyntio ar ei flaenoriaethau economaidd allweddol drwy symleiddio a chydgrynhoi'i fframweithiau llorweddol presennol, sy'n ychwanegol at y canllawiau ar gymorth rhanbarthol. Maent yn cynnwys targedu arloesedd ac ymchwil a datblygu, adfywio entrepreneuriaeth, buddsoddi mewn cyfalaf dynol, annog cynaliadwyedd a sefydlu seilweithiau trafniadaeth, ynni a TGCh modern. Er mwyn cyflawni'r amcanion economaidd a osodwyd gennym, mewn cefndir o gymorth wedi ei dargedu'n well ar draws Ewrop, rhaid inni geisio gwneud y gorau o gymorth rhanbarthol Ewropeaidd a'r cymorth sydd ar gael i gwmnïau o dan y fframweithiau hyn. Mae hyn yn hanfodol os ydym i gyflawni'r blaenoriaethau a nodwyd yn ein strategaethau ein hunain ac i gyfrannu at agenda ehangach Lisbon. Gwnaed cynnydd sylweddol eisoes yn y maes hwn, a byddwn yn parhau i weithio i sicrhau y bydd Cymru gyfan yn elwa o ganlyniad unrhyw adolygiadau.

Gwelliant 1: O blaid 24, Ymatal 0, Yn erbyn 28.

Amendment 1: For 24, Abstain 0, Against 28.

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

Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Francis, Lisa
German, Michael

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Andrews, Leighton
Barrett, Lorraine
Butler, Rosemary
Chapman, Christine
Davidson, Jane
Davies, Andrew
Dunwoody, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice

Graham, William
 Isherwood, Mark
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Jones, Laura Anne
 Lloyd, David
 Melding, David
 Randerson, Jenny
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty

Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Lewis, Huw
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda

*Gwrthodwyd y gwelliant.
 Amendment defeated.*

*Gwelliant 2: O blaid 24, Ymatal 0, Yn erbyn 28.
 Amendment 2: For 24, Abstain 0, Against 28.*

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

Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Cairns, Alun
 Davies, Glyn
 Davies, Janet
 Davies, Jocelyn
 Francis, Lisa
 German, Michael
 Graham, William
 Isherwood, Mark
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Jones, Laura Anne
 Lloyd, David
 Melding, David
 Randerson, Jenny
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Andrews, Leighton
 Barrett, Lorraine
 Butler, Rosemary
 Chapman, Christine
 Davidson, Jane
 Davies, Andrew
 Dunwoody, Tamsin
 Essex, Sue
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Lewis, Huw
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda

*Gwrthodwyd y gwelliant.
 Amendment defeated.*

*Gwelliant 3: O blaid 15, Ymatal 9, Yn erbyn 28.
 Amendment 3: For 15, Abstain 9, Against 28.*

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

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Bates, Mick
 Black, Peter
 Burnham, Eleanor
 Davies, Janet
 Davies, Jocelyn
 German, Michael
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lloyd, David
 Randerson, Jenny
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Kirsty

Andrews, Leighton
 Barrett, Lorraine
 Butler, Rosemary
 Chapman, Christine
 Davidson, Jane
 Davies, Andrew
 Dunwoody, Tamsin
 Essex, Sue
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Lewis, Huw
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda

Ymataliodd yr Aelodau canlynol:
 The following Members abstained:

Bourne, Nick
 Cairns, Alun
 Davies, Glyn
 Francis, Lisa
 Graham, William
 Isherwood, Mark
 Jones, Laura Anne
 Melding, David
 Williams, Brynle

*Gwrthodwyd y gwelliant.
 Amendment defeated.*

*Gwelliant 4: O blaid 15, Ymatal 0, Yn erbyn 37.
 Amendment 4: For 15, Abstain 0, Against 37.*

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

Bates, Mick
 Black, Peter
 Burnham, Eleanor
 Davies, Janet
 Davies, Jocelyn
 German, Michael
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lloyd, David
 Randerson, Jenny
 Thomas, Owen John

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Andrews, Leighton
 Barrett, Lorraine
 Bourne, Nick
 Butler, Rosemary
 Cairns, Alun
 Chapman, Christine
 Davidson, Jane
 Davies, Andrew
 Davies, Glyn
 Dunwoody, Tamsin
 Essex, Sue
 Francis, Lisa
 Gibbons, Brian

Thomas, Rhodri Glyn
Williams, Kirsty

Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Ann
Jones, Carwyn
Jones, Laura Anne
Lewis, Huw
Lloyd, Val
Melding, David
Mewies, Sandy
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Williams, Brynle

*Gwrthodwyd y gwelliant.
Amendment defeated.*

*Gwelliant 5: O blaid 15, Ymatal 8, Yn erbyn 28.
Amendment 5: For 15, Abstain 8, Against 28.*

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

Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Davies, Glyn
Francis, Lisa
German, Michael
Graham, William
Isherwood, Mark
Jones, Laura Anne
Melding, David
Randerson, Jenny
Williams, Brynle
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Andrews, Leighton
Barrett, Lorraine
Butler, Rosemary
Chapman, Christine
Davidson, Jane
Davies, Andrew
Dunwoody, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene
Jones, Ann
Jones, Carwyn
Lewis, Huw
Lloyd, Val
Mewies, Sandy
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Davies, Janet
Davies, Jocelyn
Jones, Alun Ffred
Jones, Helen Mary
Jones, Ieuan Wyn
Lloyd, David
Thomas, Owen John
Thomas, Rhodri Glyn

*Gwrthodwyd y gwelliant.
Amendment defeated.*

*Cynnig (NDM2692): O blaid 37, Ymatal 9, Yn erbyn 5.
Motion (NDM2692): For 37, Abstain 9, Against 5.*

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

Andrews, Leighton
Barrett, Lorraine
Butler, Rosemary
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, Janet
Davies, Jocelyn
Dunwoody, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, David
Lloyd, Val
Mewies, Sandy
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Rhodri Glyn

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Bourne, Nick
Cairns, Alun
Davies, Glyn
Francis, Lisa
Graham, William
Isherwood, Mark

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bates, Mick
Black, Peter
Burnham, Eleanor
German, Michael
Williams, Kirsty

Jones, Laura Anne
Melding, David
Williams, Brynle

*Derbyniwyd y cynnig.
Motion carried.*

Dadl Fer Short Debate

Heroin—A yw Lemmy yn Iawn? Heroin—Is Lemmy Right?

William Graham: I have agreed to give Mick Bates a minute in which to contribute.

William Graham: Cytunais i roi munud i Mick Bates gyfrannu.

I am sure that many of you are aware of the circumstances concerning my decision to invite Lemmy to the Assembly to talk about heroin. For the record, during a TV documentary about Motörhead, Lemmy outlined a view on heroin, explaining that with the knowledge, education and access to information that young people had today, he was baffled why they used heroin, as it destroys and kills people. I still believe that this vital message, when delivered by people of experience such as Lemmy, is the best opportunity to favourably impact upon a young person's decision to experiment with heroin.

Yr wyf yn sicr fod nifer ohonoch yn gwybod am amgylchiadau fy mhenderfyniad i wahodd Lemmy i'r Cynulliad i siarad am heroin. Os caf nodi hyn, yn ystod rhaglen ddogfen am Motörhead, amlinellodd Lemmy farn am heroin, gan egluro gyda'r wybodaeth, yr addysg a'r mynediad i wybodaeth sydd gan bobl ifanc heddiw, ei fod yn methu'n deg â deall pam yr oeddent yn defnyddio heroin, gan ei fod yn dinistrio ac yn lladd pobl. Yr wyf yn dal i gredu mai'r neges hanfodol hon, o gael ei chyflwyno gan bobl sydd â phrofiad, fel Lemmy, yw'r cyfle gorau i gael effaith ffafriol ar benderfyniad person ifanc i arbrofi â heroin.

Consideration of all points of view concerning substance abuse may be a continuation of the debate that I began in January this year when I presented a short debate entitled 'Substance Abuse—A Failure of Joined-up Government'. As Lemmy said, my message—if that is what it is—concerns heroin, the single most destructive drug in the world. It not only destroys a person's life, but it first turns that person into a thief, a liar and a liability to himself or herself and everyone else.

Gall ystyried pob safbwynt o ran camddefnyddio sylweddau fod yn barhad o'r ddadl a ddechreuais ym mis Ionawr eleni, pan gyflwynais ddadl fer dan y teitl 'Camddefnyddio Sylweddau—Methiant Llywodraeth Gydgysylltiedig'. Fel y dywedodd Lemmy, mae fy neges—os dyna ydyw—yn ymwneud â heroin, y cyffur mwyaf dinistriol yn y byd. Nid yn unig mae'n dinistrio bywyd person, ond yn gyntaf mae'n troi'r person hwnnw yn lleidr, yn gelwyddgi ac yn faich arno'i hun ac ar bawb arall.

Do we need to think outside the box and maybe consider options once deemed totally unacceptable? Consider the way in which mental health patients were treated during the eighteenth and nineteenth centuries. They received treatments that are wholly indefensible today. It may be that in many years from now our treatment of substance abusers will be seen in a similar light. The way forward is to have more effective

A oes angen inni feddwl yn wahanol ac efallai ystyried dewisiadau a ystyrid ar un adeg yn hollol annerbyniol? Ystyriwch y modd y byddai cleifion iechyd meddwl yn cael eu trin yn ystod y ddeunawfed a'r bedwaredd ganrif ar bymtheg. Byddent yn cael triniaethau na ellir eu hamddiffyn o gwbl heddiw. Mae'n bosibl ymhen amser yr ystyriwch ein triniaeth ni o bobl sy'n camddefnyddio sylweddau yn yr un modd. Y ffordd ymlaen

partnerships, reallocating funding towards ensuring greater public safety, and directing medical solutions to solving identifiable medical problems. There would be no question of letting up on those who supply drugs. The law must be fully enforced for this crime, as today we face the reality that there has never been such easy access to a huge quantity and variety of drugs. Furthermore, drugs have never been more freely available at such low prices, with heroin being some £40 a gram on the streets of Cardiff.

It is an immense challenge for addicts to seek help. It could be argued that the most effective aid is offered only to those who have been arrested or imprisoned. This help takes the form of assistance such as drug treatment and testing orders, which are targeted mainly at heroin users.

In London, 21 boroughs participate in a deferred detention scheme, whereby people charged with trigger offences such as burglary, shoplifting or car theft are tested for class A drugs. If they test positive, magistrates have the option to send them for treatment instead of imprisonment. People have to be arrested for committing a criminal offence before they can be tested, and, if positive, they are offered the option of counselling. By volunteering for a detoxification programme you face a wait of months before counselling commences. This must change. We need to focus more resources towards detoxification programmes. We can begin to decriminalise one aspect of heroin abuse by removing the necessity of committing a crime before treatment is made available.

I focused upon heroin because one realisation that I share with Lemmy is that of all of the substances that people abuse, heroin kills. Each heroin-related death is a tragedy and each one is avoidable. In the face of such an alarming state of affairs, it is our duty to examine whether the existing policies and arrangements for dealing with this and other hard drugs are truly working.

yw cael partneriaethau mwy effeithiol, ail-ddyrannu arian i sicrhau gwell diogelwch i'r cyhoedd, a chyfeirio atebion meddygol at ddatrys problemau meddygol y gellir eu hadnabod. Ni fyddai hynny'n golygu rhoi'r gorau i erlyn pobl sy'n darparu cyffuriau. Rhaid i'r gyfraith gael ei gorfodi'n llawn am y drosedd hon, gan ein bod heddiw yn wynebu realiti na fu erioed mor hawdd gallu cael cynifer o gyffuriau ac amrywiaeth mor eang. At hynny, nid yw cyffuriau erioed wedi bod mor hawdd eu prynu ac am brisiau mor isel: mae heroin yn costio tua £40 y gram ar strydoedd Caerdydd.

Mae'n her anferthol i bobl sy'n gaeth ofyn am gymorth. Gellid dadlau bod y cymorth mwyaf effeithiol yn cael ei gynnig dim ond i'r rheini sy'n cael eu restio neu eu carcharu. Mae'r cymorth hwn ar ffurf gorchmynion trin a phrofi am gyffuriau, sy'n targedu pobl sy'n defnyddio heroin yn bennaf.

Yn Llundain, mae 21 o fwrdeistrefi yn cymryd rhan mewn cynllun carchar wedi'i ohirio lle caiff pobl, sydd wedi eu cyhuddo o droseddau cychwynnol megis bwrgleriaeth, lladrata o siopau neu ddwyn ceir, eu profi am gyffuriau dosbarth A. Os bydd y prawf yn gadarnhaol, mae gan ynadon y dewis i'w hanfon am driniaeth yn lle eu carcharu. Rhaid i bobl gael eu harestio am gyflawni trosedd criminal cyn y gellir eu profi, ac os bydd eu prawf yn gadarnhaol, cynigir y dewis o gwnsela iddynt. Drwy wirfoddoli ar gyfer rhaglen ddadwenwyno, byddwch yn aros am fisoedd cyn i'r cwnsela ddechrau. Rhaid i hyn newid. Mae angen inni neilltuo mwy o adnoddau ar gyfer rhaglenni dadwenwyno. Gallwn ddechrau drwy ddad-droseddoli un agwedd ar gamddefnyddio heroin drwy ddileu'r anghenraid am gyflawni trosedd cyn i driniaeth fod ar gael.

Canolbwyntiais ar heroin oherwydd un peth yr wyf wedi'i sylweddoli, fel Lemmy, yw hyn: o'r holl sylweddau y mae pobl yn eu camddefnyddio, mae heroin yn lladd. Mae pob marwolaeth oherwydd heroin yn drasiedi a gellir osgoi pob un. Mewn sefyllfa mor echrysud, mae'n ddyletswydd arnom archwilio a yw'r polisiau a'r trefniadau presennol ar gyfer delio â hyn a chyffuriau caled eraill yn gweithio mewn gwirionedd.

5.00 p.m.

We must question why heroin retains its appeal to young people, despite more information about the negative effects of drugs being available now than ever before. We must also question why it is so readily available on our streets, despite the best efforts of our excellent police service. We need to ensure that we reduce the volume of drugs available from illegal sources, and their ease of access.

One in 10 teenagers said that they would accept the offer of a drug they had never taken before from a friend at a party, as they would feel uncomfortable or not know how to say 'no'. Nearly 10 per cent said that they would be happy to be swept along with the crowd, saying 'yes' to look cool or not to feel left out. The safety of the wider community is paramount in any consideration of drugs policy, and the disastrous consequences of full legalisation are obvious to all.

Heroin was mistakenly created in 1898 by English researcher CR Alder Wright, as part of efforts to find a non-addictive alternative to morphine. It is made especially dangerous because it is traded by criminals, and almost always misused. At present, individuals who wish to break their habit will most likely be prescribed the synthetic narcotic methadone, after appropriate tests and checks have been made. The problem with methadone is that not only is it addictive, an average of 230 deaths each year in England and Wales is directly linked to this treatment. This is not to suggest that other drugs or means of treatment will necessary produce better results in individual cases; what I feel it makes clear is that an unacceptable number of people slip through the services that are currently provided for drug abusers in Wales.

It is vital that we adopt a different approach to tackling this problem. This addiction not only leads to many early deaths, it also costs the British taxpayer roughly £5 billion per

Rhaid inni holi pam mae heroin yn dal i apelio i bobl ifanc, er bod mwy o wybodaeth ar gael heddiw am effeithiau negyddol cyffuriau nag erioed o'r blaen. Rhaid inni hefyd holi pam mae mor hawdd cael gafael arnynt ar ein strydoedd, er ymdrechion ein heddlu ardderchog. Rhaid inni sicrhau ein bod yn lleihau'r cyffuriau sydd ar gael o ffynonellau anghyfreithlon, a hwylustod eu cael.

Dywedodd un o bob 10 person ifanc yn eu harddegau y byddent yn derbyn cyffur, nad oeddent erioed wedi ei gymryd o'r blaen, gan ffrind mewn parti oherwydd y byddent yn teimlo'n anghyfforddus neu am nad oeddent yn gwybod sut i ddweud 'na'. Dywedodd bron i 10 y cant y byddent yn fodlon dilyn pawb arall, gan ddweud 'ie' er mwyn edrych yn 'cŵl' neu er mwyn peidio â chael eu gadael allan. Mae diogelwch y gymuned ehangach yn hollbwysig wrth ystyried polisi cyffuriau, ac mae canlyniadau trychinebus cyfreithloni llawn yn amlwg i bawb.

Crëwyd heroin drwy gamgymeriad yn 1898 gan ymchwilydd o Loegr, CR Alder Wright, fel rhan o ymdrechion i ddod o hyd i gyffur nad yw'n gaethiwus i'w ddefnyddio yn lle morffin. Mae'n arbennig o beryglus oherwydd ei werthu gan droseddwr a'i gamddefnyddio bron bob tro. Ar hyn o bryd, mae unigolion sydd am roi'r gorau i'w harfer yn debygol o gael y narcotig synthetig methodon i'w gymryd, ar ôl gwneud profion ac archwiliadau priodol. Y broblem gyda methodon yw ei fod yn gaethiwus, ac mae 230 o farwolaethau bob blwyddyn ar gyfartaledd yng Nghymru a Lloegr wedi'u cysylltu â'r driniaeth hon. Nid yw hyn yn awgrymu y bydd angen cyffuriau eraill na math arall o driniaeth er mwyn cael canlyniadau gwell mewn achosion unigol; credaf mai'r hyn sy'n amlwg yw fod nifer annerbyniol o bobl yn mynd drwy'r rhwyd a heb gael y gwasanaethau a ddarperir ar hyn o bryd i bobl sy'n camddefnyddio cyffuriau yng Nghymru.

Mae'n hanfodol inni fynd ati mewn ffordd wahanol i ddatrys y broblem hon. Mae'r caethiwed hwn yn arwain at nifer o farwolaethau cynnar, yn ogystal â chostio tua

annum. Drugs charities try to communicate the message to the wider public that individuals respond with varying degrees of success to different treatment methods.

We must improve access to, and awareness of, facilities for those who wish to detox. For individuals to have to wait weeks for appointments is unacceptable. Like other patients, a large numbers of drug users will feel dismayed by this delay, and they may also experience the harsh effects of withdrawal and may decide that going clean is more trouble than it is worth.

Studies show that treatment is most effective if abuse is identified early. In the early months and years of abuse, many heroin users may not have experienced the debilitating side-effects of the drug. It is only when their health suffers, and they lose their jobs, homes and family, or contract HIV or hepatitis C, that they turn to people for help. The National Treatment Agency for Substance Misuse has sought to provide an integrated system of care for heroin addicts, in which a health worker would be responsible for determining the optimal route of treatment for an individual. There are, however, precious few examples of this scheme in operation, particularly in Wales.

Perhaps the greatest barrier to progress in ridding our streets of heroin, and helping addicts, is presented by the prevailing views among society about the drug. While some would say that to maintain a constant climate of fear around heroin can only be positive, it can also be argued that this only mitigates against any real impact being made in treating addicts. Furthermore, the west cannot expect oppressive regimes throughout the world to develop into compliant and civil-liberty-respecting governments when, for many of them, the core of their existence is an illegal trade.

Unfortunately, there is no panacea for the ills of heroin abuse either on an individual or

£5 biliwn y flwyddyn i drethdalwyr ym Mhrydain. Mae elusennau cyffuriau yn ceisio cyfleu'r neges i'r cyhoedd ehangach fod unigolion yn ymateb i wahanol raddau i wahanol ddulliau triniaeth.

Rhaid inni wella mynediad i gyfleusterau i'r rheini sydd am ddadwenwyno, a gwella'u hymwybyddiaeth o'r cyfleusterau hynny. Mae'n annerbyniol fod unigolion yn gorfod aros wythnosau i gael apwyntiadau. Fel cleifion eraill, bydd nifer fawr o bobl sy'n defnyddio cyffuriau yn digalonni o glywed am yr oedi hwn, a gallant hefyd ddiodesddef effeithiau llym diddyfnu ac efallai benderfynu ei bod yn ormod o drafferth rhoi'r gorau i gymryd cyffuriau.

Dengys astudiaethau mai trwy nodi camddefnyddio yn gynnar y mae triniaeth ar ei mwyaf effeithiol. Yn ystod y misoedd a'r blynyddoedd cyntaf wrth gamddefnyddio, efallai na fydd nifer o bobl sy'n defnyddio heroin wedi diodesddef sgîl-effeithiau gwanychol y cyffur. Dim ond pan fydd eu hiechyd yn diodesddef, a phan fyddant yn colli eu swyddi, eu cartrefi a'u teulu, neu'n cael HIV neu hepatitis C, y byddant yn troi at bobl am gymorth. Mae'r Asiantaeth Genedlaethol Triniaeth am Gamddefnyddio Sylweddau wedi ceisio darparu system integredig o ofal i bobl sy'n gaeth i heroin, lle byddai gweithiwr iechyd yn gyfrifol am bennu'r llwybr triniaeth gorau posibl i unigolyn. Fodd bynnag, prin iawn yw'r enghreifftiau o'r cynllun hwn ar waith, yn enwedig yng Nghymru.

Efallai mai'r rhwystr mwyaf rhag gwneud cynnydd wrth waredu ein strydoedd o heroin, a helpu pobl sy'n gaeth iddo, yw agwedd cymdeithas at y cyffur. Er y byddai rhai'n dweud bod parhau i godi ofn ar bobl am heroin yn beth cadarnhaol, gellid dadlau hefyd nad yw hynny ond yn milwrio yn erbyn cael unrhyw effaith wirioneddol wrth drin pobl sy'n gaeth. At hynny, ni all gwledydd y gorllewin ddisgwyl i lywodraethau gormesol ledled y byd ddatblygu'n llywodraethau ufudd sy'n parchu rhyddid sifil tra mae masnach anghyfreithlon wrth wraidd eu bodolaeth i nifer ohonynt.

Yn anffodus, nid oes ateb hawdd i broblemau camddefnyddio heroin o ran unigolion na

society basis. The process of rehabilitation is physically and mentally draining, feelings that are only compounded by the individuals concerned being labelled 'users' or 'junkies'. While I acknowledge that a radical shift in public opinion is unlikely, we can play our part. It is imperative that we alter sentencing guidelines to move away from the temptation merely to sentence those involved in heroin use to jail, and instead send the individuals concerned on carefully designed rehabilitation programmes and to treatment centres. Sadly, drugs remain freely available in prisons. Such a policy could provide those who would have merely returned to society as hardened criminals with a chance of a decent life, and could yield significant results in tracking down the dealers that fuel this evil trade. Furthermore, it could go some way to altering the dominant view that heroin users are criminals with no hope for the future.

I pay tribute to Edwina Hart for demonstrating an acceptance of the need to consider the widest possible views to address this problem. She has directed scarce resources towards further education and rehabilitation, together with supporting initiatives to enhance economic activities that direct people away from isolation and substance abuse. We must consider every option to address this problem, understanding that we need to offer specific treatments as an alternative to prison. Drug addiction is a medical problem; people need doctors, not prison guards.

I will end my presentation as Lemmy ended his, by saying that heroin addicts will never rehabilitate until someone gives them a chance.

Mick Bates: I congratulate William on getting Lemmy from Motörhead into this building to raise this issue. There is a broader issue of drugs abuse per se, but, in this case, we are talking specifically about heroin. The challenging question has been raised about legalising it on prescription, which is the basic issue that I will address in my short speech.

chymdeithas. Mae'r broses adsefydlu yn blino pobl yn gorfforol ac yn feddyliol, a bydd hynny'n gwaethygu pan gaiff yr unigolion dan sylw eu galw'n 'ddefnyddwyr' neu'n 'junkies'. Er fy mod yn cydnabod nad yw'n debygol y bydd newid sylfaenol ym marn y cyhoedd, gallwn wneud ein rhan. Mae'n hanfodol inni newid canllawiau dedfrydu i symud oddi wrth y temtasiwn i garcharu pobl sy'n gysylltiedig â defnyddio heroin, ac yn hytrach anfon yr unigolion dan sylw ar raglenni adsefydlu wedi'u cynllunio'n ofalus ac i ganolfannau triniaeth. Yn anffodus, mae cyffuriau ar gael yn hawdd mewn carchardai o hyd. Gallai polisi o'r fath roi cyfle i'r rheini a fyddai'n dychwelyd i gymdeithas dim ond fel troseddwr profiadol gael bywyd purion, a gallai fod yn lled lwyddiannus i ddal dal y rheini sy'n gwerthu cyffuriau ac sy'n cynnal y fasnach ddrwg hon. At hynny, gallai wneud llawer i newid barn y mwyafrif fod pobl sy'n defnyddio heroin yn droseddwyr heb unrhyw obaith am y dyfodol.

Yr wyf am roi teyrnged i Edwina Hart am ddangos ei bod yn derbyn bod angen ystyried y safbwyntiau ehangaf posibl er mwyn mynd i'r afael â'r broblem hon. Mae wedi cyfeirio adnoddau prin tuag at addysg ac adsefydlu, ynghyd â chefnogi mentrau i wella gweithgareddau economaidd sy'n cyfeirio pobl oddi wrth arwahanrwydd a chamddefnyddio sylweddau. Rhaid inni ystyried pob dewis i ymdrin â'r broblem hon, gan ddeall bod angen inni gynnig triniaethau penodol yn lle mynd i'r carchar. Problem feddygol yw bod yn gaeth i gyffuriau; meddygon sydd ar bobl eu hangen, nid gwarchodwyr mewn carchardai.

Dof â'm cyflwyniad i ben fel y gwnaeth Lemmy, drwy ddweud na fydd pobl sy'n gaeth i heroin fyth yn cael eu hadsefydlu oni fydd rhywun yn rhoi cyfle iddynt.

Mick Bates: Hoffwn longyfarch William am gael Lemmy o Motörhead i ddod i'r adeilad hwn i godi'r mater hwn. Mae yna broblem ehangach o gamddefnyddio cyffuriau, ond yn yr achos hwn, yr ydym yn siarad am heroin yn benodol. Codwyd y cwestiwn heriol ynghylch ei gyfreithloni ar bresgripsiwn, a dyna'r mater sylfaenol y byddaf yn ymdrin ag ef yn fy araith fer.

One of Lemmy and Motörhead's greatest songs was *Ace of Spades* and, so often, drugs mean the ace of spades—death—to so much. It is not just the individual who suffers; the whole family structure often breaks down. There are three key issues that I know the Minister will address. One is to ensure that there is support for people, not just from the voluntary sector, but from the statutory sector, when they are identified as having drug abuse problems. The second issue is the position of the law and stopping the supply, as that is critical on the streets. Finally, there is the issue of education and ensuring that rehab really means that.

A recent experiment in Liverpool, in which a GP was legally prescribing heroin, had to be stopped, unfortunately, but crime in the area reduced and people's lives were better. That is a challenge. Should we accept the legal prescribing of heroin? There is a case for that, and I look forward to hearing the Minister's reply.

The Minister for Social Justice and Regeneration (Edwina Hart): I thank William Graham for bringing this forward as a short debate. It is good to have a discussion on these particular issues. However, we must be clear that legislation on drugs is not a devolved matter. The Westminster Government has no intention of legalising the recreational use of any currently controlled drug, particularly heroin. Although advocates of legalisation suggest that this would reduce a range of harms associated with the illicit control and supply of drugs, this takes no account of the consequences of the significant increase in use that would be likely to follow any legalisation.

Heroin, as William said, is a particularly dangerous drug. Overdose deaths from heroin, although reducing, are still at an intolerably high level. Injecting heroin and sharing needles rapidly increases the risk of infections such as hepatitis B, C and HIV/AIDS. Heroin is also highly addictive. Effects on the brain cause strong psychological and physical dependence. The risk of overdose actually

Un o ganeuon gorau Lemmy a Motörhead oedd *Ace of Spades*, ac yn amlach na pheidio mae cyffuriau'n golygu hyn—marwolaeth—i gynifer o bobl. Nid yr unigolyn yn unig sy'n dioddef; mae'r holl strwythur teuluol yn chwalu. Mae tri mater allweddol y gwn y bydd y Gweinidog yn mynd i'r afael â hwy. Y cyntaf yw sicrhau bod digon o gymorth ar gael i bobl, nid o'r sector gwirfoddol yn unig, ond o'r sector statudol hefyd, pan nodir bod ganddynt broblemau camddefnyddio cyffuriau. Yr ail fater yw sefyllfa'r gyfraith a dod â'r cyflenwad i ben, gan fod hynny'n hanfodol ar y strydoedd. Yn olaf, mae mater addysg a sicrhau bod adsefydlu'n golygu hynny.

Yn anffodus, bu'n rhaid rhoi terfyn ar arbrawf yn ddiweddar yn Lerpwl, pan oedd meddyg teulu'n rhagnodi heroin yn gyfreithlon. Ond gostyngwyd lefel troseddau yn yr ardal ac yr oedd bywydau pobl yn well. Mae hynny'n her. A ddylem dderbyn rhagnodi heroin yn gyfreithlon? Mae yn ddadl dros hynny, ac edrychaf ymlaen at glywed ateb y Gweinidog.

Y Gweinidog dros Gyfiawnder Cymdeithasol ac Adsefydlu (Edwina Hart): Hoffwn ddiolch i William Graham am gyflwyno hyn fel dadl fer. Mae'n dda cael trafodaeth am y materion penodol hyn. Fodd bynnag, rhaid inni fod yn glir nad yw cyfreithloni cyffuriau yn fater sydd wedi ei ddatganoli. Nid yw'n fwriad gan Lywodraeth San Steffan i gyfreithloni defnyddio fel hamdden unrhyw gyffur sy'n cael ei reoleiddio ar hyn o bryd, yn enwedig heroin. Er bod pobl sydd o blaid cyfreithloni yn awgrymu y byddai hyn yn lleihau'r effeithiau niweidiol sy'n gysylltiedig â rheoli a chyflenwi cyffuriau'n anghyfreithlon, nid yw hyn yn ystyried canlyniadau'r cynnydd sylweddol mewn defnyddio a fyddai'n debygol o ddilyn oherwydd unrhyw gyfreithloni.

Fel y dywedodd William, mae heroin yn gyffur arbennig o beryglus. Mae marwolaethau oherwydd cymryd gormod o heroin yn dal ar lefel annioddefol o uchel. Mae chwistrellu heroin a rhannu nodwyddau yn cynyddu risg heintiau fel hepatitis B, C a HIV/AIDS yn gyflym. Mae heroin yn gaethiwus iawn hefyd. Mae'r effeithiau ar yr ymennydd yn achosi dibyniaeth seicolegol a

increases after a period of abstinence from the drug, because the body's tolerance to the drug goes down. Excessive doses of heroin can lead to a coma and death from respiratory failure. If heroin is taken with other drugs, including alcohol, the risk of death increases.

We do not always see the law as a deterrent, but we should look at our drugs laws. They cannot be expected to eliminate drug misuse, but there is no doubt that they do help to limit use and deter experimentation. Of adults questioned by a MORI survey for the Police Foundation inquiry, 30 per cent cited illegality as the reason for not taking drugs. Research undertaken by the Office for National Statistics in 1999 showed that 35 per cent of 15-year-olds surveyed had taken a controlled drug at some time. In comparison, 61 per cent had tried tobacco and 84 per cent had tried alcohol. We believe that heroin misuse would rise if it was legalised, Mick, and it seems self-evident that supplies would be increased as a consequence. The significant increase in the consumption of controlled drugs would have enormous implications for public health, for our communities, for families and for the individual.

We must also look at our responsibilities under international law. Drug control is an international matter; drugs are very often produced in one country and consumed in another, as William said. The UK has signed up to United Nations convention on drug control. To withdraw from that convention—a necessary consequence of legalising heroin—would severely damage UK relations with all the major countries of the world. It is likely that legalising heroin in the UK would encourage drug tourism, in the event that there were no similar moves to legalise internationally.

While there may be a reduction in certain aspects of crime if heroin were legalised, it is important to remember that other crime is associated with drug misuse, for example crimes committed under intoxication. In addition, many heroin users could well

chorffforol gref. Mae perygl cymryd gormod yn cynyddu ar ôl cyfnod o ymwrthod â'r cyffur, gan fod goddefiad y corff i'r cyffur yn lleihau. Gall cymryd gormod o heroin achosi coma a marwolaeth oherwydd methu anadlu. Os cymerir heroin gyda chyffuriau eraill, gan gynnwys alcohol, mae perygl marwolaeth yn cynyddu.

Ni fyddwn bob amser yn ystyried y gyfraith yn arf ataliol, ond dylem edrych ar ein cyfreithiau cyffuriau. Ni ellir disgwyl iddynt ddileu camddefnyddio cyffuriau, ond heb os maent yn helpu cyfyngu defnyddio ac yn atal pobl rhag arbrofi. O'r oedolion a holwyd gan arolwg MORI ar gyfer ymchwiliad gan Sefydliad yr Heddlu, dywedodd 30 y cant mai'r ffaith fod cyffuriau'n anghyfreithlon oedd y rheswm dros beidio â'u cymryd. Dangosodd gwaith ymchwil a wnaed gan y Swyddfa Ystadegau Gwladol yn 1999 fod 35 y cant o'r bobl ifanc 15 oed a arolygwyd wedi cymryd cyffur rheoledig rywbryd. i'r gwrthwyneb, yr oedd 61 y cant wedi rhoi cynnig ar dybaco ac 85 y cant wedi rhoi cynnig ar alcohol. Credwn y byddai achosion o gamddefnyddio heroin yn codi pe câi ei gyfreithloni, Mick, ac mae'n amlwg y byddai cyflenwadau'n cynyddu o ganlyniad i hynny. Byddai goblygiadau mawr i iechyd y cyhoedd, i'n cymunedau, i deuluoedd ac i'r unigolyn pe bai cynnydd sylweddol yn y cyffuriau rheoledig a ddefnyddir.

Rhaid inni edrych ar ein cyfrifoldebau dan gyfraith ryngwladol. Mae rheoli cyffuriau'n fater rhyngwladol; cynhyrchir cyffuriau yn aml mewn un wlad a'u defnyddio mewn gwlad arall, fel y dywedodd William. Mae'r DU wedi ymuno â chonfensiwn y Cenhedloedd Unedig ar reoli cyffuriau. Byddai tynnu'n ôl o'r confensiwn hwnnw—canlyniad anorfod o gyfreithloni heroin—yn gwneud niwed mawr i gysylltiadau'r DU â holl brif wledydd y byd. Mae'n debygol y byddai cyfreithloni heroin yn y DU yn annog twristiaeth gyffuriau, heb gamau tebyg i'w gyfreithloni yn rhyngwladol.

Er y gellid cael gostyngiad mewn rhai agweddau ar droseddau pe câi heroin ei gyfreithloni, mae'n bwysig cofio bod troseddau eraill yn gysylltiedig â chamddefnyddio cyffuriau, er enghraifft, troseddau sy'n cael eu cyflawni dan

continue with their chaotic lifestyles, still needing money for other purposes while unable to work, and may continue to turn to crime. The legalisation of drugs would not eliminate the crime committed by organised career criminals; such criminals would simply seek new sources of illicit revenue through crime

ddyfanwad alcohol. Mae'n ddigon posibl hefyd y byddai nifer o bobl sy'n defnyddio heroin yn parhau eu ffordd anhrefnus o fyw, ac angen arian o hyd at ddibenion eraill er na allent weithio, ac yn parhau i droi at droseddu. Ni fyddai cyfreithloni cyffuriau yn dileu'r troseddau sy'n cael eu cyflawni gan droseddwr y mae troseddu yn ffordd o fyw iddynt; byddai troseddwr felly yn chwilio am ffynonellau newydd o arian anghyfreithlon drwy droseddu.

5.10 p.m.

Some argue that it is a personal choice to take illegal drugs, such as heroin, and that, if people wish to harm themselves, it is their own business. I do not subscribe to that view. The costs to the NHS, and so to the taxpayer, in terms of health provision to heroin users are substantial. The Advisory Council on the Misuse of Drugs study into the children of problem drug users, 'Hidden Harm', found that more than 0.25 million children were suffering significant harm because of their parent's or parents' drug habits—mostly heroin users. It is not just the individual who is affected by drug misuse; it is a problem for the whole of society.

Mae rhai'n dadlau mai dewis personol yw cymryd cyffuriau anghyfreithlon, fel heroin, ac os yw pobl am niweidio eu hunain, mai eu busnes hwy yw hynny. Nid wyf yn cytuno â'r safbwynt hwnnw. Mae'r costau i'r GIG, ac felly i'r trethdalwr, o ran darpariaeth iechyd i bobl sy'n defnyddio heroin yn sylweddol. Gwelodd astudiaeth y Cyngor Ymgynghorol ar Gamddefnyddio Cyffuriau o blant pobl sydd â phroblem gyffuriau, 'Niwed Cudd', fod dros 0.25 miliwn o blant yn dioddef niwed sylweddol oherwydd bod eu rhieni'n cymryd cyffuriau—heroin yn bennaf. Nid ar yr unigolyn yn unig y mae camddefnyddio cyffuriau yn effeithio; mae'n broblem i gymdeithas yn gyfan.

I turn to drug intervention programmes. It is not widely understood that our anti-drugs laws provide an opportunity for criminal justice interventions with problem drug misusers, which can have a positive effect on reducing drug misuse and related crime. UK wide, there are a number of interventions at different points in the criminal justice system, which provide opportunities to maximise engagement, particularly for those who have already accessed treatment. The evidence shows that treatment, even where there is a coercive element, works.

Trof at raglenni ymyriadau cyffuriau. Nid yw'n hysbys yn gyffredinol fod ein cyfreithiau gwrthgyffuriau yn rhoi cyfle i bobl sydd â phroblem camddefnyddio cyffuriau gael ymyriadau cyfiawnder troseddol, a all gael effaith gadarnhaol ar leihau achosion o gamddefnyddio cyffuriau a throseddau cysylltiedig. Ar hyd a lled y DU, mae yna nifer o ymyriadau ar adegau gwahanol yn y system cyfiawnder troseddol, sy'n rhoi cyfle i gynyddu cyfranogiad, yn arbennig i'r rheini sydd eisoes wedi cael triniaeth. Dengys y dystiolaeth fod triniaeth yn gweithio, hyd yn oed pan fydd elfen o orfodaeth.

In Wales, we will shortly have the drugs intervention programme, which I launched on 3 November 2005. The programme tackles the root of the problem, and aims to break the destructive cycle of drugs, offending and prison, which was one of the points that William made. It reduces the effects of drug-related crime on the community by

Yng Nghymru, bydd gennym y rhaglen ymyriadau cyffuriau cyn hir, a lansiwyd ar 3 Tachwedd 2005. Mae'r rhaglen yn mynd at wraidd y broblem, a'i nod yw torri cylch niweidiol cyffuriau, troseddu a charchar, sef un o'r pwyntiau a gododd William. Mae'n lleihau effeithiau troseddau sy'n gysylltiedig â chyffuriau, drwy annog troseddwr sy'n

encouraging offenders who misuse drugs away from crime and into treatment. The programme offers a chance to get offenders into treatment and to retain them there. Getting offenders into treatment helps to break the link between their drug habit and the crimes that they commit, and gives them a chance to change. Achieving that would mean a win/win situation.

We have put in substantial additional funds into these programmes to deal with some of the issues in Wales, as William acknowledged. It is important that, when people admit that they have a problem, they have easy access to those facilities. I will continue to press for resources in that area and ensure that our resources are well spent.

When we are talking about the misuse of tobacco and alcohol, and particularly the misuse of drugs, it is important that we recognise that it is a problem in society and, as William says, we need to go outside the box to look at some of the issues, to see what works and to make it work. However, at the end of the day, I have to say to all the siren voices that suggest that we legalise heroin that the answer must be 'no'. This drug is too dangerous. If we look at individuals who are addicted and see how some of them lead their lives, we must be thankful that we have the laws that we do have in place.

The Deputy Presiding Officer: That brings today's proceedings to a close.

camddefnyddio cyffuriau i gefnu ar droseddu ac i gael triniaeth. Mae'r rhaglen yn gyfle i droseddwr gael triniaeth ac i'w cadw yno. Mae annog troseddwr i gael triniaeth yn helpu torri'r cysylltiad rhwng cymryd cyffuriau a'r troseddau y maent yn eu cyflawni, ac mae'n gyfle iddynt newid. Byddai pawb ar eu hennill o gyflawni hynny.

Yr ydym wedi rhoi llawer o arian ychwanegol i'r rhaglenni hyn i ymdrin â rhai o'r problemau yng Nghymru, fel yr oedd William yn cydnabod. Mae'n bwysig, pan fydd pobl yn cyfaddef bod ganddynt broblem, i'r cyfleusterau hyn fod ar gael iddynt. Byddaf yn parhau i bwysio am adnoddau yn y maes hwnnw ac i sicrhau y caiff ein hadnoddau eu defnyddio'n ddoeth.

Wrth sôn am gamddefnyddio tybaco ac alcohol, ac yn enwedig camddefnyddio cyffuriau, mae'n bwysig inni gydnabod ei bod yn broblem mewn cymdeithas, ac fel y dywedodd William mae angen inni edrych yn ehangach ar rai o'r materion hyn, i weld beth sy'n gweithio ac i wneud i hynny weithio. Ond yn y pen draw, rhaid imi ddweud wrth yr holl eiriolwyr hudolus sy'n awgrymu y dylem gyfreithloni heroin mai 'na' yw'r ateb. Mae'r cyffur hwn yn rhy beryglus. Os edrychwn ar unigolion sy'n gaeth a gweld sut mae rhai ohonynt yn byw eu bywydau, rhaid inni fod yn ddiolchgar fod gennym gyfreithiau o'r fath.

Y Dirprwy Lywydd: Daw hynny â chyfarfod heddiw i ben.

*Daeth y cyfarfod i ben am 5.12 p.m.
The meeting ended at 5.12 p.m.*

Aelodau a'u Pleidiau Members and their Parties

Andrews, Leighton (Llafur – Labour)
Barrett, Lorraine (Llafur – Labour)
Bates, Mick (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
Black, Peter (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
Bourne, Nick (Ceidwadwyr Cymru – Welsh Conservatives)
Burnham, Eleanor (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
Butler, Rosemary (Llafur – Labour)
Cairns, Alun (Ceidwadwyr Cymru – Welsh Conservatives)
Chapman, Christine (Llafur – Labour)
Cuthbert, Jeff (Llafur – Labour)
Davidson, Jane (Llafur – Labour)
Davies, Andrew (Llafur – Labour)
Davies, David (Ceidwadwyr Cymru – Welsh Conservatives)

Davies, Glyn (Ceidwadwyr Cymru – Welsh Conservatives)
 Davies, Janet (Plaid Cymru – The Party of Wales)
 Davies, Jocelyn (Plaid Cymru – The Party of Wales)
 Dunwoody, Tamsin (Llafur - Labour)
 Elis-Thomas, Dafydd (Plaid Cymru – The Party of Wales)
 Essex, Sue (Llafur – Labour)
 Francis, Lisa (Ceidwadwyr Cymru – Welsh Conservatives)
 German, Michael (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Graham, William (Ceidwadwyr Cymru – Welsh Conservatives)
 Gregory, Janice (Llafur – Labour)
 Griffiths, John (Llafur – Labour)
 Gibbons, Brian (Llafur – Labour)
 Gwyther, Christine (Llafur – Labour)
 Hart, Edwina (Llafur – Labour)
 Hutt, Jane (Llafur – Labour)
 Idris Jones, Denise (Llafur – Labour)
 Isherwood, Mark (Ceidwadwyr Cymru – Welsh Conservatives)
 James, Irene (Llafur – Labour)
 Jones, Alun Ffred (Plaid Cymru – The Party of Wales)
 Jones, Ann (Llafur – Labour)
 Jones, Carwyn (Llafur – Labour)
 Jones, Elin (Plaid Cymru – The Party of Wales)
 Jones, Helen Mary (Plaid Cymru – The Party of Wales)
 Jones, Ieuan Wyn (Plaid Cymru – The Party of Wales)
 Jones, Laura Anne (Ceidwadwyr Cymru – Welsh Conservatives)
 Law, Peter (Annibynnol – Independent)
 Lewis, Huw (Llafur – Labour)
 Lloyd, David (Plaid Cymru – The Party of Wales)
 Lloyd, Val (Llafur – Labour)
 Marek, John (Cymru Ymlaen – Forward Wales)
 Melding, David (Ceidwadwyr Cymru – Welsh Conservatives)
 Mewies, Sandy (Llafur – Labour)
 Morgan, Jonathan (Ceidwadwyr Cymru – Welsh Conservatives)
 Morgan, Rhodri (Llafur – Labour)
 Neagle, Lynne (Llafur – Labour)
 Pugh, Alun (Llafur – Labour)
 Randerson, Jenny (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Ryder, Janet (Plaid Cymru – The Party of Wales)
 Sargeant, Carl (Llafur – Labour)
 Sinclair, Karen (Llafur – Labour)
 Thomas, Catherine (Llafur – Labour)
 Thomas, Gwenda (Llafur – Labour)
 Thomas, Owen John (Plaid Cymru – The Party of Wales)
 Thomas, Rhodri Glyn (Plaid Cymru – The Party of Wales)
 Williams, Brynle (Ceidwadwyr Cymru – Welsh Conservatives)
 Williams, Kirsty (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Wood, Leanne (Plaid Cymru – The Party of Wales)