



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Cofnod y Trafodion  
The Record of Proceedings**

**Dydd Mercher, 19 Rhagfyr 2012  
Wednesday, 19 December 2012**

**Cynnwys**  
**Contents**

- 3 Datganiad gan y Llywydd  
Statement by the Presiding Officer
- 3 Cynnig i Gymeradwyo Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a  
Gofynion Rhagnodedig (Cymru) a Rheoliadau Cynlluniau Gostyngiadau'r Dreth  
Gyngor (Cynllun Diofyn) (Cymru)  
Motion to Approve the Council Tax Reduction Schemes and Prescribed  
Requirements (Wales) Regulations and the Council Tax Reduction Schemes (Default  
Scheme) (Wales) Regulations
- 27 Pwynt o Drefn  
Point of Order

Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynnddi. Yn y golofn dde, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

In the left-hand column, the proceedings are recorded in the language in which they were spoken. The right-hand column contains a transcription of the simultaneous interpretation.

*Cyfarfu'r Cynulliad am 1.30 p.m. gyda'r Llywydd (Rosemary Butler) yn y Gadair.  
The Assembly met at 1.30 p.m. with the Presiding Officer (Rosemary Butler) in the Chair.*

**Datganiad gan y Llywydd  
Statement by the Presiding Officer**

**The Presiding Officer:** The National Assembly for Wales is now in session. In accordance with Standing Order No. 12.3, and at the request of the First Minister, I have summoned the Assembly to consider the council tax regulations as a matter of urgent public importance.

In summoning you today, I sought to balance the calls for these regulations to be considered as a matter of urgency with the need to provide sufficient time for them to be properly scrutinised.

I would like to thank the Chair of the Constitutional and Legislative Affairs Committee, David Melding and members of the committee for their efforts in ensuring that the draft regulations were scrutinised and reported on in advance of today's debate, which now allows us to have a properly informed debate.

**Cynnig i Gymeradwyo Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) a Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Ddiogel) (Cymru)**

**Motion to Approve the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations**

**The Presiding Officer:** It is proposed that these two items be debated together, unless any Member objects. I see that there are no objections.

*Cynnig NDM5122 Jane Hutt*

*Cynnig bod Cynulliad Cenedlaethol Cymru yn unol â Rheol Sefydlog Rhif 27.5:*

*Yn cymeradwyo bod y fersiwn ddrafft o'r Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2012 yn cael ei llunio yn unol â'r fersiwn ddrafft a osodwyd yn y Swyddfa Gyflwyno ar 12 Rhagfyr 2012.*

**Y Llywydd:** Dyma ddechrau trafodion Cynulliad Cenedlaethol Cymru. Yn unol â Rheol Sefydlog Rhif 12.3, ac yn unol â chais y Prif Weinidog, rwyf wedi cynnull y Cynulliad i drafod rheoliadau'r dreth gyngor fel mater o bwysigrwydd cyhoeddus brys.

Wrth eich cynnull yma heddiw, ceisiais sicrhau cydbwysedd rhwng y galw ar i'r rheoliadau hyn gael eu hystyried ar frys a'r angen i ganiatáu amser digonol i graffu arnynt yn briodol.

Hoffwn ddiolch i Gadeirydd y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol, David Melding, ac aelodau'r pwyllgor am eu hymdrechion wrth graffu ar y rheoliadau drafft ac adrodd arnynt cyn y ddatl hon heddiw, sy'n ein galluogi yn awr i gael dadl ddeallus arnynt.

**Y Llywydd:** Cynigir ein bod yn trafod yr eitemau hyn gyda'i gilydd, oni bai bod Aelod yn gwrthwynebu. Gwelaf nad oes gwrthwynebiad.

*Motion NDM5122 Jane Hutt*

*To propose that the National Assembly for Wales, in accordance with Standing Order No. 27.5:*

*Approves that the draft the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012 is made in accordance with the draft laid in the Table Office on 12 December 2012.*

*Cynnig NDM5123 Jane Hutt*

*Cynnig bod Cynulliad Cenedlaethol Cymru, yn unol â Rheol Sefydlog Rhif 27.5:*

*Yn cymeradwyo bod y fersiwn ddrafft o'r Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2012 yn cael ei llunio yn unol â'r fersiwn ddrafft a osodwyd yn y Swyddfa Gyflwyno ar 12 Rhagfyr 2012.*

**The Minister for Local Government and Communities (Carl Sargeant):** I move the motions.

**David Melding:** Under the Standing Orders of the National Assembly, the role of the Constitutional and Legislative Affairs Committee is to consider all relevant subordinate legislation laid by the Government, to test it against specific criteria and to report any concerns to the Assembly within 20 days. Within that 20-day period, we also have a discretionary function to report on whether the subordinate legislation in question is of political or legal importance, or gives rise to issues of public policy likely to be of interest to the Assembly.

The regulations being considered today were laid by the Government on 12 December and replace those it laid previously on 5 December. The differences between the two sets of regulations were identified in a briefing note prepared by the Government for the committee. While the default scheme regulations remain unchanged, the prescribed requirements regulations have been amended, by means of a sunset clause, to limit the applicability of these regulations to the financial year 2013-14 and to place a duty on Ministers to publish a new draft set of regulations on or before 1 January 2014 that will make provision for subsequent years. The Constitutional and Legislative Affairs Committee considered both regulations on Monday and reported to the Assembly yesterday. For each set of regulations, four technical reporting points were identified, including that the regulations were not made bilingually, and we invited the Assembly to pay special attention to three merits points.

*Motion NDM5123 Jane Hutt*

*To propose that the National Assembly for Wales, in accordance with Standing Order No. 27.5:*

*Approves that the draft the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2012 is made in accordance with the draft laid in the Table Office on 12 December 2012.*

**Y Gweinidog Llywodraeth Leol a Chymunedau (Carl Sargeant):** Cynigiau y cynigion.

**David Melding:** Dan Reolau Sefydlog y Cynulliad Cenedlaethol, rôl y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol yw ystyried yr holl is-ddeddfwriaeth berthnasol a osodir gan y Llywodraeth, gan ei phrofi yn erbyn meini prawf penodol ac adrodd ar unrhyw bryderon i'r Cynulliad o fewn 20 diwrnod. O fewn y cyfnod 20 diwrnod hwnnw, mae gennym hefyd swyddogaeth ddisgresiwn i ddweud a oes pwysigrwydd gwleidyddol neu gyfreithiol i'r is-ddeddfwriaeth dan sylw, ac a yw'n arwain at faterion o bolisi cyhoeddus sy'n debygol o fod o ddiddordeb i'r Cynulliad.

Gosodwyd y rheoliadau sydd dan sylw heddiw gan y Llywodraeth ar 12 Rhagfyr, ac maent yn disodli'r rhai a osodwyd ganddi ar 5 Rhagfyr. Nodwyd y gwahaniaethau rhwng y ddwy set o reoliadau yn y nodyn briffio a baratowyd gan y Llywodraeth i'r pwyllgor. Nid yw rheoliadau'r cynllun diofyn wedi newid, ond mae rheoliadau'r gofynion rhagnodedig wedi'u diwygio, drwy ychwanegu cymal machlud, i gyfyngu cymhwysedd y rheoliadau i flwyddyn ariannol 2013-14 ac i osod dyletswydd ar Weinidogion i gyhoeddi set o reoliadau drafft newydd erbyn 1 Ionawr 2014 i ddarparu ar gyfer y blynyddoedd wedi hynny. Edrychodd y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol ar y ddwy set o reoliadau ddydd Llun, gan adrodd yn ôl i'r Cynulliad ddoe. Ar gyfer y ddwy set o reoliadau, nodwyd pedwar o bwyntiau adrodd technegol, gan gynnwys y ffaith nad oedd y rheoliadau ar gael yn ddwyieithog, ac rydym yn gwahodd y Cynulliad i dalu sylw

arbennig i dri o bwyntiau rhagoriaeth.

As regards the merits points, the first is the limited time in which local authorities have to adopt their own council tax schemes if they have not started to prepare them, given that they must be in place by 31 January 2013. The second is the inclusion of a sunset clause, to which I have already referred, and third are the implications of the new scheme, given that it will mean that 70% of current council tax benefit claimants will have to pay council tax for the first time, which could result in falling council tax collection rates and rising collection costs. Following the meeting, we wrote to the Minister seeking confirmation that the regulations to be made in 2014 will be produced bilingually, particularly given the very important area of public policy to which they relate. We also expressed our wish to see the new regulations accompanied by a table of derivations to help facilitate the scrutiny process.

Mae'r cyntaf o'r pwyntiau rhagoriaeth yn ymwneud â'r amser cyfyngedig sydd gan awdurdodau lleol i fabwysiadu eu cynlluniau treth gyngor eu hunain os nad ydynt wedi dechrau ar y gwaith paratoi, o ystyried bod gofyn iddynt fod yn eu lle erbyn 31 Ionawr 2013. Mae'r ail yn ymwneud â chynnwys y cymal machlud, rwyf eisoes wedi cyfeirio ato, a'r trydydd yn ymwneud â goblygiadau'r cynllun newydd, o ystyried y bydd yn golygu bod 70% o'r rhai sy'n hawlio budd-dal y dreth gyngor ar hyn o bryd yn gorfod talu'r dreth am y tro cyntaf, a allai arwain at gyfraddau casglu is a chostau casglu uwch. Yn dilyn y cyfarfod, ysgrifennodd y pwyllgor at y Gweinidog yn gofyn am gadarnhad y bydd y rheoliadau a wneir yn 2014 yn cael eu paratoi yn ddwyieithog, yn arbennig o gofio eu bod yn ymwneud â maes pwysig iawn o bolisi cyhoeddus. Mynegodd y pwyllgor hefyd ei ddymuniad i weld y rheoliadau newydd yn cael eu cyflwyno law yn llaw â thabl tarddiadau er mwyn cynorthwyo â'r broses graffu.

The committee's legal advisers worked tirelessly to enable the Constitutional and Legislative Affairs Committee to consider these regulations on Monday and we are very grateful for the time they put into producing their reports. As this work has been undertaken during recess, it has been possible for more than one lawyer to consider what are very complex and lengthy regulations in a shorter period of time than would have been possible during term time. I give way to Rhodri Glyn Thomas.

Gweithiodd cynghorwyr cyfreithiol y pwyllgor yn ddiplino i ganiatáu i'r Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol ystyried y rheoliadau hyn ddydd Llun, ac rydym yn ddiolchgar iawn am yr amser a dreuliodd ganddynt yn llunio eu hadroddiadau. Gan fod y gwaith hwn wedi'i wneud yn ystod y toriad, bu modd i fwy nag un cyfreithiwr edrych ar reoliadau hir a chymhleth iawn mewn cyfnod byrrach nag a fyddai wedi bod yn bosibl yn ystod y tymor. Ildiaf i Rhodri Glyn Thomas.

**Rhodri Glyn Thomas:** Thank you, David. I echo your views about the tireless work undertaken by officials to ensure that your committee was able to look at these regulations. However, given the time restriction on you, were you able to look at the unintended consequence of this legislation, which is, of course, an important part of scrutiny when you have the time to do it?

**Rhodri Glyn Thomas:** Diolch, David. Ategaf eich sylwadau am waith diflino swyddogion wrth sicrhau bod eich pwyllgor wedi gallu edrych ar y rheoliadau hyn. Fodd bynnag, o ystyried y cyfyngiadau amser a oedd yn eich wynebu, a lwyddoch i edrych ar ganlyniadau anfwriadol y ddeddfwriaeth hon, sydd, wrth gwrs, yn rhan bwysig o unrhyw waith craffu pan fyddwch yn cael yr amser i'w wneud?

**David Melding:** The Member raises an important point. I remind the Assembly that the Constitutional and Legislative Affairs Committee reviews subordinate legislation

**David Melding:** Mae'r Aelod yn codi pwynt pwysig. Atgoffaf y Cynulliad fod y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol yn adolygu is-ddeddfwriaeth ac yn nodi

and identifies drafting errors and technical issues, including, for example, whether the legislation is bilingual. We also issue what is called a 'merits report'. That is not to pass judgment on the policy contained in the relevant secondary legislation, but to highlight its likely impact, its importance and whether the Assembly would wish to consider those aspects very carefully. It is not for us to give regulations any political scrutiny; that is the job either of this afternoon's debate or, at a fuller and more considered pace, of a relevant committee. So, it is important that the Assembly realises the nature of scrutiny that has occurred and that it covers the essential constitutional and legal points for which we are responsible in Standing Orders.

However, having referred to the extraordinary efforts of our legal team, it is important to acknowledge that these are exceptional circumstances and I can give no guarantee in the future that the lawyers would be able to deal with a complex and lengthy set of regulations as quickly as they have done on this occasion, and the Government needs to take very careful note of that. In making this point, I reiterate what I said to the Minister in my letter to him on 9 November. The Constitutional and Legislative Affairs Committee is always willing to work flexibly and consider subordinate legislation in a shorter period than the deadline set by Standing Orders. However, in doing so, we must ensure that we balance a flexible approach against our obligations to scrutinise the legislation effectively and in an open and transparent way.

In closing, I do think that there are lessons for the Government to take on board. Not least of these must be to ensure that, where subordinate legislation is complex and lengthy or is subject to important time constraints and is likely to impact on the daily lives of people in Wales, the Government brings it to the attention of the Constitutional and Legislative Affairs Committee at the earliest opportunity.

**Janet Finch-Saunders:** Thank you for

camgymeriadau drafftio a materion technegol, gan gynnwys, er enghraifft, a yw'r ddeddfwriaeth yn ddwyieithog. Rydym hefyd yn cyhoeddi'r hyn a elwir yn 'adroddiad rhagoriaethau'. Nid y bwriad yn hynny o beth yw gwneud unrhyw sylw am y polisi a geir mewn is-ddeddfwriaeth, ond yn hytrach pwysleisio'r effaith debygol, ynghyd â'i phwysigrwydd ac a fyddai'r Cynulliad am roi sylw gofalus i'r materion hynny. Nid ein rôl ni yw craffu yn wleidyddol ar reoliadau; y lle i wneud hynny yw yn ystod y ddadl hon y prynhawn yma neu mewn pwyllgor perthnasol a all wneud hynny'n llawnach ac yn fwy ystyrllon. Felly, mae'n bwysig bod y Cynulliad yn sylweddoli beth yw natur y gwaith craffu a wnaed a'i fod yn ymwneud â'r pwyntiau cyfansoddiadol a chyfreithiol hanfodol rydym yn gyfrifol amdanynt dan y Rheolau Sefydlog.

Fodd bynnag, gan fy mod wedi cyfeirio at ymdrechion neilltuol ein tîm cyfreithiol, mae'n bwysig cydnabod bod y rhain yn amgylchiadau eithriadol ac na allaf roi unrhyw sicrwydd y gallai'r cyfreithwyr, yn y dyfodol, ddelio â set hir o reoliadau cymhleth mor gyflym ag a wnaed ar yr achlysur hwn; mae gofyn i'r Llywodraeth dalu sylw gofalus i hynny. Wrth wneud y pwynt hwn, ailadroddaf yr hyn a ddywedais wrth y Gweinidog yn fy llythyr ato ar 9 Tachwedd. Mae'r Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol yn barod ar bob achlysur i weithio'n hyblyg ac i ystyried is-ddeddfwriaeth mewn cyfnodau byrrach na'r cyfyngiad a nodir yn y Rheolau Sefydlog. Fodd bynnag, wrth wneud hynny, mae'n rhaid inni sicrhau ein bod yn cydbwyso dull hyblyg â'n hymrwymiaadau i graffu'n effeithiol, mewn ffordd agored a thryloyw.

I gloi, credaf fod gwersi yma i'r Llywodraeth eu dysgu. Nid y lleiaf o blith y gwersi hynny yw'r angen i sicrhau, lle bo is-ddeddfwriaeth yn gymhleth ac yn hir neu'n ddarostyngedig i gyfyngiadau amser pwysig ac yn debygol o gael effaith ar fywyd pob dydd pobl Cymru, fod y Llywodraeth yn ei ddwyn i sylw'r Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol cyn gynted ag y bo modd.

**Janet Finch-Saunders:** Diolch am

recalling us to the National Assembly for Wales so that we are able to pass these regulations today, albeit with a sunset clause, in a more considered and appropriate manner. I pay tribute to David Melding and the Constitutional and Legislative Affairs Committee, and to the Government officials who have worked to make this possible.

No-one needs me to remind them of the embarrassing and shambolic attempt to introduce these regulations on 5 December, when Ministers tabled 175,000 words of complex legislation just minutes before requesting a suspension of Standing Orders. I believed then, and I believe today, that this showed absolute contempt not only for us as Assembly Members and our duty to scrutinise, but for the procedures of the National Assembly for Wales. I also feel that it is not fair to smile at what is a serious issue.

Given that they serve 330,000 people in Wales, these regulations should be examined and scrutinised, and possibly be challenged, following the use of the sunset clause and the opportunity to fully scrutinise them, because we have to ensure that there is nothing in these regulations that would significantly disadvantage those who are most in need of this support.

Much has been said about the funding shortfall, yet little has been done by the Welsh Government. As far back as April 2012, it was stated in the Chamber that that Minister had known about a potential shortfall for months. We know that the Minister was advised of the indicative figures for the regulations by Her Majesty's Treasury in May and it is fair to say that, despite repeated requests, it is disappointing that the Minister has still not made that information public. Why? Instead of making provisions for any shortfall, the Minister waits until five minutes before the twelfth hour to release figures that were released in the autumn statement, as the UK Government had always intended. This is lazy, last-minute, lackadaisical Labour indeed. Scotland has already reached an agreement to make up for any shortfall, and English local authorities are making up the difference. [*Interruption.*]

ailgynnull Cynulliad Cenedlaethol Cymru heddiw er mwyn inni allu pasio'r rheoliadau hyn, er bod hynny gyda chymal machlud, mewn ffordd fwy ystyrlon a phriodol. Talaf deyrnged i David Melding a'r Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol ac i'r swyddogion hynny o fewn y Llywodraeth sydd wedi gweithio i sicrhau bod hyn yn bosibl.

Nid oes neb angen eu hatgoffa o'r ymgais chwithig a di-drefn i gyflwyno'r rheoliadau hyn ar 5 Rhagfyr, pan gyflwynodd Gweinidogion ddeddfwriaeth gymhleth 175,000 o eiriau o hyd funudau yn unig cyn gofyn inni atal y Rheolau Sefydlog. Roeddwn yn credu bryd hynny, a chredaf heddiw, fod hynny'n dangos ymagwedd ddirmygus tuag atom ni fel Aelodau Cynulliad a'n dyletswydd i graffu, a hefyd tuag at weithdrefnau Cynulliad Cenedlaethol Cymru. Teimlaf hefyd nad yw'n deg gwenu wrth imi drafod mater difrifol.

Gan fod 330,000 o bobl yng Nghymru yn dibynnu arnynt, dylid craffu ar y rheoliadau hyn, a'u herio o bosibl, yn sgîl defnyddio'r cymal machlud i gymryd y cyfle i graffu'n llawn arnynt, gan ei bod yn ofynnol arnom ni i sicrhau nad oes unrhyw beth yn y rheoliadau hyn sy'n achosi anfantais arwyddocaol i'r rhai ag arnynt angen y gefnogaeth hon fwyaf.

Mae llawer o sylw wedi'i roi i'r diffyg yn y cyllid, ond ychydig sydd wedi'i wneud gan Lywodraeth Cymru. Mor gynnar ag Ebrill 2012 dywedwyd yn y Siambr fod y Gweinidog wedi gwybod am ddiffyg posibl am fisoedd. Gwyddom i'r Gweinidog gael ffigurau dangosol gan Drysorlys Ei Mawrhydi ym mis Mai, ac mae'n deg dweud, er gwaethaf sawl cais, ei bod yn siomedig nad yw'r Gweinidog wedi cyhoeddi'r wybodaeth honno. Pam? Yn hytrach na darparu ar gyfer unrhyw ddiffyg, arhosodd y Gweinidog tan bum munud cyn yr unfed awr ar ddeg i ryddhau ffigurau a gafwyd yn natganiad yr hydref—bwriad Llywodraeth y DU drwy'r holl broses. Dyma Blaid Lafur ddiog a gwan yn aros tan y funud olaf. Mae'r Alban eisoes wedi dod i gytundeb i lenwi unrhyw fwllch ac mae awdurdodau lleol Lloegr yn gwneud yr un peth. [*Torri ar draws.*]

**The Presiding Officer:** Order.

**Janet Finch-Saunders:** What is the Welsh Government doing? The answer is ‘nothing’. What guidance is it offering to support local authorities? The answer is ‘none’. England has devolved administrative powers to local authorities, with an estimated £100 million of funding announced in October to help support them in developing well-designed council tax support schemes. This is so as to ensure that people can claim up to 100% council tax benefit. What is the Welsh Government doing? It is cutting it to 90%. It is a fact that Wales is looking increasingly isolated in its response to these regulations and the system of dispensing council tax reduction schemes, and to its responsibility of dispensing council tax reduction schemes. In addition to the £38.9 million from the consequential funding in 2011—which, again, could have been used for some council tax freezes—the autumn statement also provided some £52 million for non-capital projects. Why has this not been looked at in order to provide some support?

Welsh Labour’s refusal to freeze council tax bills, with all those people claiming council tax benefit potentially having to pay council tax for the first time under the Welsh Government’s regulations, is not on. We need a solid commitment that it will be helping hard-pressed families at this time. Council tax has seen an eye-watering 140% rise in Wales since 1997. The Welsh Government has refused to use the consequential funding to freeze council tax, so it is likely that families and first-time council tax payers will see another rise in 2013. What is more, Wales is introducing centralised council tax rebates with a nationally defined scheme. This denies local authorities an opportunity to deliver specific spending decisions to their communities, to work within their demographics and to make up their shortfalls. Our English counterparts will be able to make flexible decisions about where and how money can be used to help those in need.

**Y Llywydd:** Trefn.

**Janet Finch-Saunders:** Beth mae Llywodraeth Cymru yn ei wneud? Yr ateb yw ‘dim’. Pa ganllawiau mae’n eu cynnig i gefnogi awdurdodau lleol? Yr ateb yw ‘dim’. Yn Lloegr, mae pwerau gweinyddol wedi’u datganoli i awdurdodau lleol, a chyhoeddwyd amcangyfrif cyllid o £100 miliwn ym mis Hydref i’w helpu i ddatblygu cynlluniau da i roi cefnogaeth treth gyngor. Bwriad hynny yw sicrhau bod pobl yn gallu hawlio budd-dal y dreth gyngor o hyd at 100%. Beth mae Llywodraeth Cymru yn ei wneud? Mae’n ei dorri i 90%. Mae’n ffaith bod Cymru yn edrych yn gynyddol ynysig yn ei hymateb i’r rheoliadau hyn a’r system o weinyddu cynlluniau gostyngiad treth gyngor, ynghyd â’i dyletswydd i weinyddu cynlluniau gostyngiad treth gyngor. Yn ychwanegol at y £38.9 miliwn o gyllid canlyniadol yn 2011—y gellid, eto, fod wedi’i ddefnyddio i rewi rhywfaint o’r dreth gyngor—darparodd ddatganiad yr hydref £52 miliwn ar gyfer prosiectau nad oeddent yn brosiectau cyfalaf. Pam nad edrychwyd ar hyn er mwyn darparu rhywfaint o gymorth?

Nid yw’n iawn i Lafur Cymru wrthod rhewi biliau’r dreth gyngor, gyda’r holl bobl sy’n hawlio’r budd-dal yn wynebu’r posibilrwydd o orfod talu’r dreth am y tro cyntaf dan reoliadau Llywodraeth Cymru. Rydym yn chwilio am ymrwymiad cadarn y bydd yn helpu teuluoedd sy’n ei chael yn anodd. Gwelwyd cynnydd aruthrol o 140% yn y dreth gyngor yng Nghymru ers 1997. Mae Llywodraeth Cymru wedi gwrthod defnyddio cyllid canlyniadol i rewi’r dreth gyngor, felly mae’n debygol y bydd teuluoedd a’r rhai sy’n talu’r dreth am y tro cyntaf yn gweld cynnydd arall yn 2013. Yn fwy na hynny, mae ad-daliadau treth gyngor canolog yn cael eu cyflwyno yng Nghymru, gyda chynllun a ddiffinnir yn genedlaethol. Mae hyn yn rhwystro awdurdodau lleol rhag cyflwyno penderfyniadau gwario penodol i’w cymunedau, rhag gweithio o fewn demograffeg eu hardaloedd a rhag delio ag unrhyw ddiffyg. Bydd ein cymdogion yn Lloegr yn gallu gwneud penderfyniadau hyblyg o ran sut a lle i ddefnyddio arian i helpu’r rhai sydd mewn angen.



Much has been said about how complex these regulations are. People are looking at these regulations, and I have received quite a few constituents who are extremely worried—including members of the Royal British Legion—about the full disregard of a means test under the discretionary powers.

**The Presiding Officer:** Order. Will you wind up, please?

**Janet Finch-Saunders:** Although I welcome the amended regulations and the scrutiny that the sunset clause will afford, as we come to the end of one year and approach another, I hope that I will never have to witness what we witnessed on 5 December again. *[Interruption.]*

**The Presiding Officer:** Order. Have you finished?

**Janet Finch-Saunders:** No.

Nadolig llawen a blwyddyn newydd dda.

**Mick Antoniw:** I was only going to comment on the hard work that has been done by the staff in very difficult circumstances, particularly with something as detailed and complex as this. However, having heard the last comments, when we talk about contempt, it seems to me that the Tory party are showing utter contempt for the most vulnerable and the weakest within our society in trying to shift away from the responsibility. Let us be clear: rather than devolving responsibility for something such as Remploy, where we could help disabled workers and do some good, the Tories chose to not devolve that to us but, instead, to devolve something to us without devolving the full amount of money and without giving us the facilities to enable us to complete it within time. I spent this morning at an institution that is symptomatic of Tory Governments at Westminster, which is a food bank. It is a food bank where people are coming in in tears about the implications of having to pay council tax, seeing cuts to housing benefit and disability benefits, and the welfare reforms that are now—*[Interruption.]*

1.45 p.m.

Mae llawer wedi'i ddweud am mor gymhleth yw'r rheoliadau hyn. Mae pobl yn edrych arnynt ac rwyf wedi clywed gan nifer o etholwyr—gan gynnwys aelodau o'r Llang Brydeinig Frenhinol—sy'n bryderus iawn am ddiystyru prawf moddion yn llawn dan y pwerau disgresiwn.

**Y Llywydd:** Trefn. A wnewch chi ddod i'r diwedd yn awr, os gwelwch yn dda?

**Janet Finch-Saunders:** Er fy mod yn croesawu'r rheoliadau diwygiedig a'r craffu a ganiateir dan y cymal machlud, wrth inni ddod i ddiwedd un flwyddyn a nesáu at y nesaf, gobeithiaf na fyddaf fyth eto yn gorfod gweld yr hyn a welwyd gennym ar 5 Rhagfyr. *[Torri ar draws.]*

**Y Llywydd:** Trefn. A ydych wedi gorffen?

**Janet Finch-Saunders:** Nac ydwyf.

A merry Christmas and a happy new year.

**Mick Antoniw:** Y cwbl roeddwn yn bwriadu'i wneud oedd sôn am y gwaith caled sydd wedi'i wneud gan y staff dan amgylchiadau anodd iawn, yn arbennig gyda rhywbeth mor fanwl a chymhleth â hyn. Ond, o glywed y sylwadau olaf hynny, ac am fod yn ddirmygus, mae'n edrych yn debyg i mi bod y blaid Doriaidd yn gwbl ddirmygus tuag at y gwannaf a'r mwyaf bregus yn ein cymdeithas wrth geisio gwadu ei chyfrifoldeb. Gadewch inni fod yn glir: yn hytrach na datganoli cyfrifoldeb am rywbeth fel Remploy, lle gallem helpu gweithwyr anabl a gwneud rhywfaint o les, mae'r Toriaid yn dewis peidio â gwneud hynny, gan ddatganoli rhywbeth yn lle hynny heb yr holl arian angenrheidiol a heb roi'r gallu inni ei gwblhau mewn pryd. Treuliais y bore yma gyda sefydliad sy'n nodweddiadol o Lywodraethau Toriaidd yn San Steffan—banc bwyd. Yno, roedd pobl yn galw i mewn yn ei dagrau o ganlyniad i oblygiadau gorfod talu'r dreth gyngor, toriadau mewn budd-dal tai a budd-daliadau anabledd, a'r newidiadau lles sydd—*[Torri ar draws.]*

**The Presiding Officer:** Order. I am sorry to interrupt you, Mick Antoniw. Andrew R.T. Davies, did you wish to make an intervention?

**Andrew R.T. Davies:** Yes. Go on, then.

**The Presiding Officer:** Well, please do so on your feet and not from your chair.

**Andrew R.T. Davies:** Thank you, Mick, for taking this intervention. I find it ironic that your Government is inflicting cuts on some of the most vulnerable in Wales and yet is looking to buy an airport for tens of millions of pounds. Where are your priorities?

**Mick Antoniw:** When it comes to saving the jobs in the airport and helping the people who depend for their livelihoods on the airport—something that was so disastrously privatised by the Tories in the past, as you well know—I very much commend and welcome our bravery in the steps that we have taken. It is also quite contemptible that you avoid the issue of what you are doing to the vulnerable people in our society. You should listen to Oscar, who said in his tweet that he welcomed what we are doing with the airport—until the Tory party told him to remove the tweet from the site.

What you cannot answer for are the people whom I saw coming into food banks today for food parcels. They were absolutely terrified of what will happen, and we all know what the consequences will be in the next few months. We have a Tory Government that is attacking the most vulnerable, the weakest and the poorest in our society while creating tax breaks for the richest in society. That is what you will be remembered for.

**Rhodri Glyn Thomas:** Hwyrach y cawn ddychwelyd yn awr ar y rheoliadau yr ydym i fod yn edrych arnynt y prynhawn yma. Mae'n rhaid imi gyfaddef roeddwn yn canfod sylwadau llefarydd y Blaid Geidwadol yn anhygoel. Mae fel pe bai wedi anghofio mai'r glymblaid yn San Steffan sydd wedi datganoli'r budd-dâl treth gyngor hwn gyda 10% yn llai o arian, ac felly bod cyfrifoldeb ar y Blaid Geidwadol a'r Democratiaid

**Y Llywydd:** Trefn. Mae'n ddrwg gennyf dorri ar eich traws, Mick Antoniw. Andrew R.T. Davies, a oeddech chi'n dymuno ymyrryd?

**Andrew R.T. Davies:** Oeddwn. Man a man.

**Y Llywydd:** Wel, gwnewch hynny ar eich traed, felly, yn lle ar eich eistedd.

**Andrew R.T. Davies:** Diolch, Mick, am adael imi ymyrryd. Rwy'n ei gweld hi'n eironig bod eich Lywodraeth yn achosi toriadau i rai o bobl mwyaf bregus Cymru, ac eto'n ceisio prynu maes awyr am ddegau o filiynau o bunnoedd. Beth yw'r flaenoriaeth?

**Mick Antoniw:** Pan fo'n fater o arbed swyddi yn y maes awyr a helpu'r bobl hynny sy'n dibynnu am eu bywoliaeth ar y maes awyr—rhywbeth a gafodd ei breifateiddio mor drychinebus o wael gan y Torïaid yn y gorffennol, fel y gwyddoch yn iawn—rwy'n cymeradwyo ac yn croesawu dewrder y camau a gymerwyd gennym. Mae hefyd yn sarhaus eich bod yn osgoi yr hyn yr ydych yn ei wneud i bobl fregus ein cymdeithas. Dylech wrando ar Oscar, a ddywedodd wrth drydar ei fod yn croesawu'r datganiad am y maes awyr—nes i'r blaid Dorïaidd ddweud wrtho am dynnu'r sylw oddi ar y safle.

Yr hyn nad oes modd ichi ei amddiffyn yw'r bobl a welais heddiw yn dod i mewn i fanciau bwyd i ofyn am barseli bwyd. Roedd arnynt ofn mawr o'r hyn fydd yn digwydd, a gwyddom oll beth fydd y canlyniadau yn y misoedd nesaf. Mae gennym Lywodraeth Dorïaidd sy'n ymosod ar y rhai mwyaf bregus, gwan a thlawd yn ein cymdeithas, a hynny wrth iddynt drefnu toriadau treth i'r rhai mwyaf cefnog. Dyna y bydd pobl yn ei gofio amdanoch chi.

**Rhodri Glyn Thomas:** Perhaps we can now return to the regulations that we are meant to be scrutinising this afternoon. I have to admit that I found the comments of the Conservative spokesperson incredible. She seems to have forgotten that it is the Westminster coalition that has devolved this council tax benefit with 10% less funding to pay for it and, therefore, the Conservative Party and the Liberal Democrats have to take

Rhyddfrydol am y penderfyniad hwn yn y lle cyntaf.

Fel plaid, rydym wedi dadlau o'r cychwyn cyntaf y dylai'r Llywodraeth, yn sicr yn y flwyddyn gyntaf, wneud yn iawn am y golled honno ac amddiffyn y bobl mwyaf tlawd a bregus yn ein cymunedau. Dyna glywsom y Prif Weinidog yn ei ddweud dro ar ôl tro yn ystod yr etholiad diwethaf. Addewid y Blaid Lafur oedd y byddai'n amddiffyn pobl Cymru oddi wrth y gwaethaf o doriadau'r glymblaid yn San Steffan, a dyma gyfle iddi wneud hynny. Dyma bobl dlawd a bregus sydd, am y tro cyntaf, yn wynebu gorfod talu'r dreth gyngor, pobl nad oes ganddynt ddigon o arian i allu ymdopi â'u hanghenion, hyd yn oed, heb fod bil treth ychwanegol yn cael ei gyflwyno iddynt gan Lywodraeth Cymru.

A gaf ddweud hefyd, yn y cyd-destun hwn, y cefais fy syfrdanu bod y Gweinidog wedi ceisio gwneud dël gyda'r Blaid Geidwadol er mwyn gwthio'r rheoliadau hyn drwyddo ar ddiwrnod olaf y tymor? Ceisiodd wneud dël gyda'r Ceidwadwyr er mwyn iddynt hwy gael manteisio yn bleidiol a dadlau eu bod wedi ennill ohono. Pan oeddem ni fel plaid yn ceisio bod yn adeiladol ac yn barod i drafod â'r Llywodraeth sut y gallem sicrhau bod buddiannau'r bobl dlawd a bregus hyn yn cael eu hamddiffyn yng Nghymru, Weinidog, dewisoch anwybyddu ein cais i geisio sicrhau bod hynny yn digwydd. Mae'n rhaid i'r Blaid Lafur esbonio i ni pam aeth at y Blaid Geidwadol, sef y blaid y mae'n ei beio am y sefyllfa hon, i wneud rhyw ddël a fyddai'n rhoi elw gwleidyddol iddi, gan anwybyddu Plaid Cymru ac, rwy'n tybio, y Democratiaid Rhyddfrydol a oedd yn barod i drafod yn adeiladol a chyfrifol sut y gellid, ar yr awr olaf, sicrhau bod y rheoliadau hyn yn cael eu derbyn er mwyn i lywodraeth leol allu cyflwyno'r budd-dâl hwn ar 1 Ebrill.

Dyna gyd-destun y sefyllfa yr ydym yn canfod ein hun ynddi. Mae'n rhaid i lywodraeth leol gael y rheoliadau hyn yn eu lle er mwyn ei galluogi i sicrhau bod y budd-dâl yn ei le. Mae'n rhaid i'r Llywodraeth hefyd dderbyn ei bod wedi gosod hynny dan fygythiad. Creodd sefyllfa lle'r oedd yn bosibl na fyddai llywodraeth leol yn gallu gwneud hynny. Unwaith eto, y bobl dlawd a

responsibility for that decision in the first instance.

As a party, we have argued from the outset that the Government, certainly in the first year, should make up that shortfall and protect the poorest and most vulnerable people in our communities. That is what we heard the First Minister say time and again during the last election campaign. The Labour Party's pledge was that it would stand up for the people of Wales against the worst of the cuts of the Westminster coalition, and this is an opportunity for it to do that. These are poor and vulnerable people who, for the first time, face having to pay council tax, people who do not have enough money even to cope with their necessities, without an additional tax bill landing on their doorstep from the Welsh Government.

May I also say, in this context, that I was astounded that the Minister tried to reach a deal with the Conservative Party to push these regulations through on the last day of term? He tried to make a deal with the Tories so that they could seek a party political advantage and argue that they had benefited from it. When we, as a party, were trying to be constructive and were willing to discuss with the Government how we could protect the interests of poor and vulnerable people in Wales, Minister, you chose to ignore our bid to ensure that that happened. The Labour Party has to explain to us why it went to the Conservative Party, the party that it blames for this situation, to make some sort of deal that would provide it with political capital, while ignoring Plaid Cymru and, I assume, the Liberal Democrats, who were willing to discuss constructively and responsibly how we could, at the eleventh hour, ensure that these regulations could be agreed so that local government could introduce this benefit on 1 April.

That is the context for the situation in which we find ourselves. Local government needs to have these regulations in place to enable it to ensure that the benefit is in place. The Government also has to accept that it has put that in jeopardy. It created a situation in which it was possible that local government would not be able to do that. Once again, it is the poor and the vulnerable who would be the

bregus hynny fyddai'r rhai i ddioddef.

Rwyf wedi datgan fwy nag unwaith yn y lle hwn mai fi oedd yr Aelod cyntaf i godi'r mater hwn. Mae'n wir mai myfi oedd yr Aelod cyntaf i'w godi gyda'r Gweinidog, ond ar ôl gwneud ychydig o waith ymchwil, rwyf wedi canfod bod un Aelod—yn wir, un Gweinidog—wedi llwyddo i gael y blaen arnaf ar y mater hwn. Ar 28 Chwefror, wrth sôn am ad-drefnu'r system les, cyfeiriodd Leighton Andrews yn benodol at fudd-dal y dreth gyngor. Dyfynnaf yr hyn a ddywedwyd ganddo yn yr iaith wreiddiol:

'A good example of this will be our replacement of council tax benefit. As part of the wider reforms, the UK Government is abolishing council tax benefit and, from April 2013, responsibility for providing support for council tax in Wales will be passed to the Welsh Government...Welsh Ministers have previously expressed profound concerns about these significant changes and the timing and financial constraints within which they are being forced through. However, without some form of council tax support, nearly a quarter of Wales's most vulnerable households will experience severe financial hardship. Therefore, we have a moral obligation to develop a viable and affordable system of council tax support that best meets the needs of the Welsh people. The Minister for Local Government and Communities is working closely with local government in Wales to achieve this.'

**Rhodri Glyn Thomas:** Eto, pan godais—

**The Presiding Officer:** Order. Could you come to a conclusion, please? Your time is up. You may finish your sentence, as it is Christmas.

**Rhodri Glyn Thomas:** Os felly, dyfynnaf yr hyn a ddywedodd y Gweinidog llywodraeth leol mewn ymateb wrthyf pan godais y mater hwn ar 25 Ebrill, felly:

'There have been no changes to the tax benefits system that is being introduced by the Westminster Government. I think that

ones to suffer.

I have stated more than once in this place that I was the first Member to raise this issue. It is true that I was the first Member to raise it with the Minister, but, after carrying out a little research, I have found that one Member—indeed, one Minister—managed to steal a march on me on this issue. On 28 February, while talking about welfare reform, Leighton Andrews referred specifically to council tax benefit. I will quote what he said in the original language:

Enghraifft dda o hyn yw'r hyn y byddwn yn ei gyflwyno yn lle'r budd-dal treth gyngor. Fel rhan o'r diwygiadau ehangach, mae Llywodraeth y DU yn diddymu'r budd-dal treth gyngor ac, o fis Ebrill 2013 ymlaen, bydd y cyfrifoldeb am roi cymorth mewn perthynas â'r dreth gyngor yng Nghymru yn cael ei drosglwyddo i Lywodraeth Cymru...Mae Gweinidogion Cymru wedi mynegi pryderon dwys o'r blaen am y newidiadau sylweddol hyn ac am yr amseriad a'r cyfyngiadau ariannol sy'n bodoli wrth iddynt gael eu gwthio drwodd. Fodd bynnag, heb ryw fath o gymorth i dalu'r dreth gyngor, bydd bron chwarter o gartrefi mwyaf bregus Cymru'n profi caledi ariannol difrifol. Felly, mae gennym rwymedigaeth foesol i ddatblygu system ymarferol a fforddiadwy o roi cymorth i dalu'r dreth gyngor sy'n diwallu anghenion pobl Cymru orau. Mae'r Gweinidog Llywodraeth Leol a Chymunedau'n gweithio'n agos â llywodraeth leol yng Nghymru i gyflawni hyn.

**Rhodri Glyn Thomas:** Yet, when I raised—

**Y Llywydd:** Trefn. A wnei di ddirwyn i ben, os gweli di'n dda? Mae dy amser ar ben. Cei orffen dy frawddeg, gan ei bod hi'n gyfnod y Nadolig.

**Rhodri Glyn Thomas:** In that case, I will quote what the Minister for local government said in response to me when I raised this issue on 25 April, therefore:

Ni fu dim newidiadau i'r system budd-daliadau treth a gyflwynir gan Lywodraeth San Steffan. Rwyf yn credu bod eich

your question is premature, because no system has been changed.'

**Peter Black:** In the spirit of Christmas, I do not intend to go through the history of why we are here, or through the various deals that were attempted to be done, as that is all in the past. We need to concentrate on the meat of these regulations. I will make two very quick points to start. First, the Welsh Liberal Democrats will be supporting these regulations today. The introduction of the sunset clause is absolutely crucial and will enable us to carry out proper scrutiny of this legislation after it has been passed and, if necessary, ask the Minister to change them as a result of that scrutiny, when the new regulations come before us before 1 January 2014. However, I would ask the Minister to give us an undertaking that the second set of regulations referred to in the sunset clause come back to us in good time—and we are looking, really, at the beginning of September or around that period—so that we have adequate time to scrutinise these regulations properly, and so that we do not have a last-minute rush, as was the case this time. That is a very important part of the sunset clause.

The second point that I want to make is that I very much regret the fact that the UK Government has top-sliced 10% from the money that is available. I think that that is the wrong decision to make, and I do not support it. However, we are where we are, and we have to deal with what we have in front of us. In a sense, I do not suppose that the Government, at some stage, had a choice other than to pass that on to benefit claimants, but it will cause problems. I know that councils are already adjusting their assumptions on council tax collection to account for that. I know that at least 230,000 people will be paying council tax for the first time and will have to find that money from very tough budgets. Clearly, I am not happy with that, and I think that it is wrong.

However, the regulations before us are not necessarily the ones that I would have liked to see. As I said, we will vote for them, but we need to look at them subsequent to the vote. I am not convinced that a national scheme, as opposed to a local scheme, is the right way forward. In England, local

cwestiwn wedi'i ofyn yn rhy gynnar, oherwydd nid oes yr un system wedi'i newid.

**Peter Black:** Yn ysbryd y Nadolig, nid wyf yn bwriadu mynd drwy hen hanes pam ydym yma, na'r amryw fargeinion a geisiwyd eu selio, gan fod hynny oll yn y gorffennol. Mae angen inni ganolbwyntio ar swmp y rheoliadau hyn. Gwnaf ddau bwynt cyflym i ddechrau. Yn gyntaf, bydd Democratiaid Rhyddfrydol Cymru yn cefnogi'r rheoliadau hyn heddiw. Bu ymgorffori'r cymal machlud yn hollbwysig gan y bydd yn ein caniatáu i graffu'n briodol ar y ddeddfwriaeth hon ar ôl iddi gael ei phasio ac, os bydd angen, i ofyn i'r Gweinidog ei newid o ganlyniad i'r craffu hwnnw pan ddaw'r rheoliadau newydd ger ein bron ar 1 Ionawr 2014. Fodd bynnag, gofynnaf i'r Gweinidog ymrwymo i sicrhau y daw'r ail set o reoliadau y cyfeirir ati yn y cymal machlud ger ein bron mewn da bryd—ac rydym yn golygu ddechrau mis Medi, mewn gwirionedd, neu rywbryd yr adeg honno—fel bod digon o amser gennym i graffu ar y rheoliadau yn briodol, ac fel nad oes brys ar y funud olaf, fel yn yr achos hwn. Mae hynny'n rhan bwysig iawn o'r cymal machlud.

Yr ail bwynt yr hoffwn ei wneud yw fy mod yn flin iawn am y ffaith bod Llywodraeth y DU wedi brig-dorri 10% o'r arian sydd ar gael. Credaf mai'r penderfyniad anghywir oedd hwnnw, ac nid wyf yn ei gefnogi. Fodd bynnag, dyna'r sefyllfa, a rhaid inni ymgodymi â'r hyn sydd o'n blaenau. Ar un ystyr, rwy'n amau a oedd gan y Llywodraeth, ar un adeg, ddewis ond i basio hwnnw ymlaen at hawlwy'r budd-daliadau, ond bydd yn peri problemau. Gwn fod cynghorau eisoes yn addasu eu rhagdybiaethau o ran casglu'r dreth gyngor i gyfrif am hynny. Gwn y bydd o leiaf 230,000 o bobl yn talu'r dreth gyngor am y tro cyntaf ac yn gorfod dod o hyd i'r arian hwnnw o gyllidebau prin iawn. Yn amlwg, nid wyf yn hapus am hynny, ac rwy'n credu ei fod yn anghyfiawn.

Fodd bynnag, nid y rheoliadau sydd o'n blaenau ni heddiw oedd y rhai y byddwn wedi hoffi eu gweld, o reidrwydd. Fel y dywedais, byddwn yn pleidleisio o'u plaid, ond rhaid inni eu hailystyried ar ôl y bleidlais. Nid wyf wedi fy argyhoeddi mai cynllun cenedlaethol yn hytrach na chynllun

authorities have the opportunity to make up that 10% from their own resources. As I understand it, that opportunity has not been made available to authorities in Wales. Effectively, therefore, the 10% cut applies across Wales. If we had a system where local authorities had their own schemes, there would have been more flexibility for local authorities to try to meet that as part of the scheme.

There is also a more fundamental issue, namely the consequences of this scheme in future years. The UK Government is proceeding on the basis of a council tax freeze, so I am not anticipating any more money coming through in future years to meet the costs of council tax benefit. Therefore, if a council wants to put up its council tax, it will clearly have to meet the additional cost to the council tax benefit bill from that increase. That means that the act of doing so will fall to councils, and that is a subsequent charge.

That then raises questions. If the UK Government does have another council tax freeze and we have a Barnett consequential from that, can we assume that, in future, we will not pass that on to councils and just say that we will put that into capital, as we have quite rightly done in the past? The fact that a freeze assumption has been made and that we have been given money to pass on to councils to help them to freeze their council tax means that, if we do not pass that money on and they put their council tax up, they will have to meet the extra cost of the council tax benefit. Those are fundamental questions that we will have to address in future years, and I would certainly be interested in the Minister's views on that as part of how this scheme will be rolled out.

There will certainly be problems at a local level, and I would urge every local council to do the full disregard in relation to war pensions, as they have done in the past, as part of that. I understand that it is a local issue, and no local councils are currently consulting on that. However, I think that it is right that they continue to give that disregard. I also think that we need to examine in some detail what level of discretion is given to

lleol yw'r ateb cywir. Yn Lloegr, mae gan awdurdodau lleol y cyfle i dalu iawn hyd at y 10% hwnnw o'u hadnoddau eu hunain. Hyd y deallaf, nid yw'r cyfle hwnnw ar gael i awdurdodau Cymru. Yn y bôn, felly, mae'r toriad o 10% yn effeithio ar Gymru gyfan. Pe bai gan awdurdodau lleol eu cynlluniau eu hunain o dan y system, byddai wedi bod mwy o hyblygrwydd i awdurdodau lleol geisio talu am hynny fel rhan o'r cynllun.

Mae mater mwy elfennol yn y fantol hefyd, sef canlyniadau'r cynllun hwn yn y blynyddoedd i ddod. Mae Llywodraeth y DU yn bwrw ymlaen ar sail rhewi'r dreth gyngor, felly nid wyf yn rhagweld mwy o arian yn cyrraedd yn y blynyddoedd nesaf i dalu costau budd-dal y dreth gyngor. Felly, os bydd cyngor yn dymuno cynyddu ei dreth gyngor, bydd yn amlwg yn gorfod talu'r gost ychwanegol ym mudd-daliadau'r dreth gyngor oherwydd y cynnydd hwnnw hefyd. Bydd y weithred honno'n faich arall i gynghorau, ac yn dâl ychwanegol iddynt.

Mae hynny'n codi cwestiynau. Os bydd Llywodraeth y DU yn rhewi'r dreth gyngor eto a ninnau'n cael swm canlyniadol o dan fformiwla Barnett o'r herwydd, a allwn ni gymryd na fyddwn ni yn y dyfodol yn trosglwyddo'r arian hwnnw at y cynghorau ac y byddwn yn ei droi'n arian cyfalaf, fel a wnaed gennym, yn ddigon priodol, yn y gorffennol? Mae'r ffaith ein bod wedi rhagdybio y caiff y dreth gyngor ei rhewi a'n bod wedi cael arian i'w roi i'r cynghorau i'w helpu gyda hynny yn golygu y byddant yn gorfod talu am gost ychwanegol y budd-dal os nad ydym yn trosglwyddo'r arian hwnnw a bod y dreth gyngor yn cynyddu. Mae'r rheini'n gwestiynau sylfaenol y bydd yn rhaid eu hateb yn y dyfodol, a hoffwn glywed barn y Gweinidog amdanynt yng nghydestun gweithredu'r cynllun hwn.

Yn sicr, bydd problemau ar lefel lleol, a byddwn yn annog pob cyngor lleol i ddiystyru'n llawn y pensiynau rhyfel yn rhan o hynny, fel a wnaed ganddynt yn y gorffennol. Rwy'n deall ei fod yn fater lleol, ac nad oes yr un cyngor lleol yn ymgynghori ar hynny ar hyn o bryd. Fodd bynnag, credaf ei fod yn iawn iddynt barhau i'w diystyru. Rwyf hefyd yn meddwl bod angen inni edrych yn fanwl ar lefel y disgrisiwn sydd

local councils, and at whether they can be given more discretion to use their own resources to help the most vulnerable people who have been hit by what I consider to be a wrong decision at Westminster in passing on that 10% cut.

**Mike Hedges:** First, I welcome the regulations. I am glad that there will be no postcode lottery in Wales. I disagree with Peter Black's comments about that happening. You could end up with a different system coming into existence on either side of the Loughor bridge or along Birchgrove Road. It is important that everyone in Wales be treated exactly the same, and I am pleased that we do not have a postcode lottery in Wales over this scheme. It is not fair—

**Peter Black:** You know as well as I do that people living on Birchgrove Road pay a much higher council tax under Neath Port Talbot council than they do under Swansea council, so there are already local differences.

**Mike Hedges:** I was solely talking about benefits and that there has never been a postcode lottery in Wales before for benefits.

It is not fair. I think it was Janet Finch-Saunders who said that there will be 'significant disadvantage'. Yes, it is Conservative Party policy to affect the significantly disadvantaged. That is what it does at Westminster, and it is what it does with its policies all the time. It is making the cuts and then trying to find someone else to blame. I am sure that we will see press releases in north Wales and other parts of Wales saying that it is all the local authorities' fault that this is happening—particularly when they are Labour-run authorities. The reality is that not enough money is coming into the system.

The other difficulty is that people will try to manage a demand-led benefit within a set funding amount. That is bound to cause problems for local authorities, particularly as their budgets have already been cut and at a time of growing demand for benefits.

I am happy that there is a sunset clause

gan gynghorau lleol ac a oes modd rhoi mwy o ddisgresiwn iddynt i ddefnyddio eu hadnoddau eu hunain i helpu'r bobl mwyaf bregus sydd wedi'u heffeithio gan y penderfyniad anghywir hwn gan San Steffan i basio'r toriad hwnnw o 10% ymlaen.

**Mike Hedges:** Yn gyntaf, rwy'n croesawu'r rheoliadau. Rwy'n falch na fydd loteri cod post yng Nghymru. Rwy'n anghytuno â sylwadau Peter Black yn hynny o beth. Gallech gael system wahanol ar naill ochr pont Llchwyr a'r llall neu ar hyd Ffordd Birchgrove. Mae'n bwysig bod pawb yng Nghymru yn cael eu trin yn union yr un fath, ac rwy'n falch nad oes gennym loteri cod post yng Nghymru o ran y cynllun hwn. Nid yw'n deg—

**Peter Black:** Gwyddoch gystal â mi bod y bobl sy'n byw ar hyd Ffordd Birchgrove yn talu treth gyngor lawer yn uwch o dan gyngor Castell-nedd Port Talbot nag o dan gyngor Abertawe, felly mae gwahaniaethau lleol yn bodoli eisoes.

**Mike Hedges:** Roeddwn yn sôn am fudd-daliadau yn unig, ac ni fu loteri cod post yng Nghymru erioed o ran budd-daliadau.

Nid yw'n deg. Rwy'n credu mai Janet Finch-Saunders ddywedodd y bydd 'anfantais arwyddocaol'. Ydy, mae'n bolisi gan y Blaid Geidwadol i gael effaith ar y sawl sydd dan anfantais arwyddocaol. Dyna'r hyn y mae'n ei wneud yn San Steffan, a dyna'r hyn y mae'n ei wneud gyda'i pholisïau drwy'r amser. Mae'n gwneud y toriadau, ac yna'n ceisio beio rhywun arall. Rwy'n siŵr y gwelwn ddatganiadau i'r wasg yng ngogledd Cymru a mannau eraill o Gymru sy'n dweud mai'r awdurdodau lleol sydd ar fai am hyn—yn enwedig pan fyddant yn awdurdodau dan reolaeth Llafur. Y realiti yw nad oes digon o arian yn dod i mewn i'r system.

Yr anhawster arall yw y bydd pobl yn ceisio rheoli budd-dal sydd ar sail galw o fewn swm penodol o arian. Mae hynny yn sicr o achosi problemau i awdurdodau lleol, yn enwedig gan fod eu cyllidebau eisoes wedi'u torri, a hynny pan fo galw cynyddol am fudd-daliadau.

Rwy'n hapus bod cymal machlud i ganiatáu

allowing proper scrutiny pre-2014 and prior to the new system coming in. It is important that we see what happens, and it gives us an opportunity to investigate it during the year. I am also happy that the scheme produces the least regressive outcome possible, with a smaller monetary loss to those on the lowest income. The cut by the Tories of 10% and the set-up costs will inevitably affect councils and council services. In addition, a number of people who have never had bills before will have them landing on their mats, and their first view will be, 'It has been sent to me by mistake, so I will just file it somewhere—in the bin'. That will happen. It is inevitable. People are not used to it. They know that they get full council tax benefit. They do not pay anything, so they will think that it has just been sent by mistake and will ignore it. That is where the problems will come for collection. Asking people who have no money left over for additional money will not get you anywhere. They do not have the money to pay it. It is not that they will not pay, but that they cannot pay. It is a really serious—

**Rhodri Glyn Thomas:** Given the scenario that you have just painted for us, do you not think, as Leighton Andrews said, that the Government of Wales has a moral responsibility to ensure that these poor, vulnerable people do not suffer as a result?

**Mike Hedges:** Only by making other vulnerable people in other areas suffer. We have a fixed budget, as I said before—

**Eluned Parrott:** Will you take an intervention?

**Mike Hedges:** Let me just finish this point, and then I will. One of your researchers mocked me about this before, Rhodri, when I said that the Welsh block grant is the Welsh block grant. What I meant was that the amount of money that we have is the amount of money that we have. We cannot say that we will have additional money coming along, or that we can borrow to make up the revenue shortfall, as they can at Westminster. We have to live within our means.

craffu priodol cyn 2014 a chyn i'r system newydd gael ei chyflwyno. Mae'n bwysig inni weld beth sy'n digwydd, a bydd yn rhoi cyfle inni ymchwilio i hynny yn ystod y flwyddyn. Rwyf hefyd yn falch bod y cynllun yn cynhyrchu'r canlyniad lleiaf atchweliadol posibl, gyda llai o golli arian i'r sawl sydd â'r incwm lleiaf. Bydd y toriad o 10% gan y Torïaid a'r costau sefydlu yn anochel yn effeithio ar gynghorau ac ar eu gwasanaethau. Yn ogystal, bydd biliau yn glanio ar fatiau nifer o bobl nad ydynt erioed wedi cael un o'r blaen, a'u hymateb cyntaf fydd, 'Mae hwn wedi'i anfon ataf drwy gamgymeriad, felly fe wna' i ei ffeilio yn rhywle—yn y bin'. Bydd hynny'n digwydd. Mae'n anochel. Nid yw pobl yn gyfarwydd ag ef. Maent yn gwybod eu bod yn cael budd-dal y dreth gyngor yn llawn. Nid ydynt yn talu dim, felly byddant yn meddwl ei fod wedi'i anfon ar gam a byddant yn ei anwybyddu. Dyna pan daw'r problemau o ran y casglu. Ni fydd neb ar ei ennill o ofyn am arian ychwanegol gan bobl nad oes ganddynt ddim arian dros ben. Nid oes ganddynt yr arian i'w dalu. Nid mater o beidio talu ydyw, ond o beidio â gallu talu. Mae'n wirioneddol ddifrifol—

**Rhodri Glyn Thomas:** O ystyried y sefyllfa rydych newydd ei phortreadu i ni, onid ydych yn meddwl, fel y dywedodd Leighton Andrews, fod cyfrifoldeb moesol ar Lywodraeth Cymru i sicrhau nad yw'r bobl dlawd, fregus hyn yn dioddef o ganlyniad?

**Mike Hedges:** Dim ond drwy wneud i bobl fregus eraill mewn ardaloedd eraill ddiodeff. Mae gennym gyllideb sefydlog, fel y dywedais eisoes—

**Eluned Parrott:** A wnewch chi ganiatáu imi ymyrryd?

**Mike Hedges:** Gadewch imi orffen y pwynt hwn, ac fe wnaaf. Bu i un o'ch ymchwilyr fy ngwatwar am hyn o'r blaen, Rhodri, pan ddywedais mai grant bloc Cymru yw grant bloc Cymru. Yr hyn yr oeddwn yn ei olygu oedd mai'r swm o arian sydd gennym yw'r swm o arian sydd gennym. Ni allwn ddweud bod arian ychwanegol ar y ffordd, na bod modd inni fenthycu i wneud iawn am y diffyg refeniw, fel y gallant yn San Steffan. Mae'n rhaid inni fyw o fewn ein hadnoddau.



2.00 p.m.

**Eluned Parrott:** I completely accept your point that we have to live within the means available to us, but would you not say that it is a strange set of priorities in which you can afford an airport but cannot afford to help these people?

**Mike Hedges:** I am glad that you mentioned the airport, because I was looking for a reason to talk about it without being ruled out of order by the Presiding Officer.

**The Presiding Officer:** Order. Be careful.

**Mike Hedges:** Local authorities used to run the airport—Mid Glamorgan, West Glamorgan and South Glamorgan—and we were making in excess of £1 million a year for each local authority. We were making so much money that John Redwood—another Tory backwoodsman, and a man who probably helped to get this Assembly in place—said that it was making too much money and that it needed to go to the private sector. Since it has been in the private sector, what has happened? It has become run down. When the local authorities ran it, Cardiff was the major airport in south-west Britain. Now, Bristol has massively overtaken it. The local authorities ran the airport phenomenally well by putting their own manager in. So, an investment in the airport is an investment on which we should expect a return. Let us think about what we are doing: local authorities and the public sector ran the airport phenomenally well.

**The Presiding Officer:** I remind Members that we are here today to discuss the draft council tax regulations. I wish that you would remember that when you are making your contributions.

**Alun Ffred Jones:** Y peth mwyaf trawiadol am y rheoliadau hyn yw bod Llywodraeth Cymru yn trosglwyddo'r gosb ariannol i'r mwyaf bregus yn ein cymdeithas. Cosb a gyflwynwyd gan Lywodraeth San Steffan yw hon, ond mae'n cael ei throsglwyddo yn uniongyrchol, heb ymyrraeth a heb ymdrech i warchod y rhai mwyaf bregus. Gallwn feio'r

**Eluned Parrott:** Rwy'n derbyn yn llwyr eich pwynt am fyw o fewn cyfyngiadau'r arian sydd ar gael inni, ond oni fydddech yn dweud bod y blaenoriaethau'n rhyfedd os gallwch fforddio maes awyr ond ddim fforddio helpu'r bobl hyn?

**Mike Hedges:** Rwy'n falch eich bod wedi sôn am y maes awyr, gan fy mod yn chwilio am reswm i siarad amdano heb i'r Llywydd ddweud bod hynny allan o drefn.

**Y Llywydd:** Trefn. Byddwch yn ofalus.

**Mike Hedges:** Awdurdodau lleol—Morgannwg Ganol, Gorllewin Morgannwg a De Morgannwg—oedd yn arfer rhedeg y maes awyr ac roeddem yn gwneud mwy na £1 miliwn y flwyddyn i bob awdurdod lleol. Roeddem yn gwneud cymaint o arian fel y dywedodd John Redwood—cefnogwladwr Toriaidd arall, a gŵr a wnaeth lawer, siŵr o fod, i sefydlu'r Cynulliad hwn—ei fod yn gwneud gormod o arian a bod rhaid iddo fynd i'r sector preifat. Ers iddo fynd i'r sector preifat, beth sydd wedi digwydd? Mae wedi dirywio. Dan arweiniad yr awdurdodau lleol, Caerdydd oedd prif faes awyr de-orllewin Prydain. Erbyn hyn, mae Bryste yn bendant wedi cymryd drosodd. Roedd yr awdurdodau lleol yn rhedeg y maes awyr yn arbennig o dda, dan arweiniad eu rheolwr. Felly, mae buddsoddiad yn y maes awyr yn fuddsoddiad a ddylai dalu ar ei ganfed. Gadewch inni feddwl am beth rydym yn ei wneud: roedd awdurdodau lleol a'r sector cyhoeddus yn rhedeg y maes awyr yn arbennig o dda.

**Y Llywydd:** Atgoffaf Aelodau ein bod yma heddiw i drafod rheoliadau drafft y dreth gyngor. Byddwn yn falch pe baech yn cofio hynny wrth wneud eich cyfraniadau.

**Alun Ffred Jones:** The most striking thing about these regulations is that the Welsh Government is transferring the financial penalty on to the most vulnerable in our society. It is a penalty that was introduced by the Westminster Government, but it is being transferred directly, with neither intervention nor attempt to protect the most vulnerable

Toriadaid yn Llundain, a'r Rhyddfrydwyr Democrataidd, ond y ffaith amdani yw mai Llywodraeth Lafur yma yng Nghymru sy'n pasio'r toriadau hynny ymlaen i'r mwyaf bregus. Dyna sy'n digwydd heddiw. Mae hyn yn golygu y bydd pawb bron yn talu swm tuag at filiau'r dreth gyngor, hyd yn oed y rhai hynny sy'n derbyn dyfarniadau o dan y cynllun gostyngiad.

Y wybodaeth rwyf wedi'i derbyn o Wynedd, sy'n cynnwys fy etholaeth i, yw y bydd 11,500 o bobl yn derbyn llai o gymorth tuag at dalu'r dreth gyngor o fis Ebrill 2013, ac o'r 11,500 hynny, bydd 8,200 yn gorfod talu bil o rhwng £80 a £200 am y tro cyntaf. Mae hynny'n golygu y bydd tua £800,000 yn llai yn yr economi.

Bydd awdurdodau lleol yn cario risg sylweddol—cafwyd cyfeiriadau at hynny yn barod gan Mike Hedges, wrth gwrs. Bydd pobl yn derbyn biliau am y tro cyntaf, a bydd llawer ohonynt yn ei chael yn anodd, felly bydd cyfran go helaeth ohonynt yn methu neu'n gwrthod talu. Ond, mae'r symiau mor fach, ni fydd yn gost-effeithiol i'r awdurdod lleol fynd ar eu hôl—ni fydd pwynt mynd ar ôl bil o ryw £80; bydd yn costio mwy na hynny mewn costau llys. Felly, bydd colled ariannol i lywodraeth leol. Os bydd cynnydd yn nifer y ceisiadau—bydd hynny'n dibynnu ar yr economi ehangach yn gyffredinol—bydd hynny hefyd yn effeithio ar y cynghorau sir.

Tra bo hyn yn digwydd, bydd yr un bobl hefyd yn wynebu colledion o ran budd-dal tai. Bydd tua 1,400 o bobl yng Ngwynedd ar eu colled oherwydd cyflwyno'r hyn a elwir yn 'dreth ystafelloedd gwely'. Yr un bobl yn union a gosbir yn hynny o beth ag a gosbir dan y rheoliadau sy'n cael eu cyflwyno heddiw. Dyna'r bobl roeddem yn disgwyl i'r Llywodraeth hon eu gwarchod; ond dyna'r rhai a fydd yn gweld y golled a'r gosb fwyaf. Felly, rwy'n anhapus iawn gyda'r rheoliadau fel y'u cyflwynwyd—mae'r ddadl wedi ei chyflwyno'n iawn gan Rhodri Glyn.

Bydd colled i'r bobl hynny hefyd oherwydd y gostyngiad yn y cymhorthdal ar gyfer tai rhent. Bydd hynny'n costio tua £800,000 hefyd, felly bydd llai o arian yn yr economi.

people. We can blame the Tories in London, and the Liberal Democrats, but the fact of the matter is that it is a Labour Government in Wales that is passing these cuts on to the most vulnerable. That is what is happening today. This means that almost everyone will pay towards council tax bills, even those in receipt of payments under this reduction scheme.

The information that I have received from Gwynedd, which includes my constituency, is that 11,500 people will receive less support with paying their council tax bills from April 2013, and that, of those 11,500, some 8,200 will have to pay a council tax bill of between £80 and £200 for the first time. That will mean about £800,000 less in the economy.

Local authorities will carry a significant risk—reference has already been made to this by Mike Hedges, of course. People will receive bills the first time, and many will find it difficult to pay, so a substantial proportion will be either unable or unwilling to pay. However, the sums will be so small that it will not be cost-effective for the local authority to pursue them—there is no point chasing after £80 or so; court costs will be higher than that. So, there will be a financial loss to the local authority. If there is an increase in the number of claims—which will depend on the wider economy generally—that, too, will affect county councils.

While all this is happening, the very same people will also face losses with regard to housing benefit. Around 1,400 people in Gwynedd will be worse off because of what is called the 'bedroom tax'. These are the self-same people who will be punished under the regulations being introduced today. These are the people we thought this Government was going to protect, but it is they who will feel the effects of this most keenly. So, I am very unhappy about the regulations as they have been introduced—the argument has been forcefully made by Rhodri Glyn.

These people will also lose out because of the reduction in the support that they receive for rented housing. That will cost around £800,000, so there will be less money in the economy.

I grynhoi, rwy'n credu bod pasio'r rheoliadau hyn heddiw yn ddiwrnod du iawn i'r Llywodraeth hon, i ni fel Cynulliad, ac i filoedd o etholwyr, yn Arfon a thu hwnt.

**Simon Thomas:** As a member of the Constitutional and Legislative Affairs Committee, I will add to the Chair's remarks and thank officials for at least having one take on these regulations and for giving us an initial take on their merits and for enabling our scrutiny. They found a couple of mistakes, which I hope will be rectified. We need to be aware that these have only gone to one committee—they have not gone to the subject committee where some of the issues being discussed today could have been explored properly. This is a piece of legislation that has not had the proper scrutiny that it is due. We need to underline that. Although we will support it today, because we need to see the legislation in place—or there will be no system available—we are very reluctant and we do not agree with what the Government has done. That is why we need the sunset clause. I am pleased that there is a sunset clause. We can think of several pieces of Westminster legislation that could have done with a sunset clause—the Dangerous Dogs Act 1991 comes to mind. When you make legislation at haste, you often repent at leisure, and the sunset clause is to be welcomed.

There is a well-known quotation from *The West Wing* that there are two things that you should never do in public: make sausages and make law. We now see from this Government that whether it is sausages or law, the result is a dog's dinner. That is what we have before us today.

I am not sure whether everyone on the Labour benches has read these regulations, because, for the first time, people on passported benefits in Wales will pay council tax. That did not happen under the Tories in the past, but it will now happen under a Welsh Labour Government. You will have pensioners on pension credit coming to your surgeries to ask why they have a bill of £65, £80 or £90 when they have never had a

To summarise, I believe that passing these regulations today will mean that it is a very bleak day for this Government, for us as an Assembly, and for thousands of constituents, in Arfon and beyond.

**Simon Thomas:** A minnau'n aelod o'r Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol, ychwanegaf at sylwadau'r Cadeirydd a diolch i'r swyddogion am edrych ar y rheoliadau hyn ac am roi sylwadau cychwynnol inni ar eu rhinweddau ac am ganiatáu inni graffu arnynt. Daethant o hyd i gwpl o gamgymeriadau, a fydd yn cael eu cywiro, gobeithio. Mae'n rhaid inni fod yn ymwybodol mai at un pwyllgor yn unig y mae'r rhain wedi mynd—nid ydynt wedi mynd at y pwyllgor pwnc, lle gallai rhai o'r materion a drafodir heddiw fod wedi'u harchwilio yn briodol. Mae hwn yn ddarn o ddeddfwriaeth na chraffwyd arno'n briodol. Mae'n rhaid pwysleisio hynny. Er y byddwn yn ei gefnogi heddiw, gan fod angen rhoi'r ddeddfwriaeth ar waith—neu ni fydd unrhyw system ar gael—rydym yn anfodlon iawn ac nid ydym yn cytuno â'r hyn mae'r Llywodraeth wedi'i wneud. Dyna pam mae angen y cymal machlud. Rwy'n falch bod gennym gymal machlud. Gallwn feddwl am nifer o ddarnau o ddeddfwriaeth o San Steffan lle byddai cymal machlud wedi bod yn ddefnyddiol—mae Deddf Cŵn Peryglus 1991 yn un ohonynt. Yn aml, gall llunio deddfwriaeth ar frys arwain at edifarhau, ac mae'r cymal machlud i'w groesawu.

Mae dyfyniad enwog o *The West Wing* yn dweud bod dau beth na ddylech eu gwneud yn gyhoeddus: gwneud selsig a gwneud cyfreithiau. Wrth geisio gwneud selsig neu gyfreithiau, mae'r Llywodraeth hon yn dangos ei bod yn gwneud cawlach. Dyna sydd ger ein bron heddiw.

Nid wyf yn siŵr a yw pob Aelod Llafur wedi darllen y rheoliadau hyn, oherwydd, am y tro cyntaf, bydd pobl yng Nghymru sy'n derbyn budd-daliadau wedi'u trosglwyddo yn talu'r dreth gyngor. Nid oedd hynny'n digwydd dan y Toriaid yn y gorffennol, ond bydd yn digwydd yn awr dan Lywodraeth Lafur Cymru. Bydd pensiynwyr ar gredyd pensiwn yn dod i'ch cymorthfeydd i ofyn pam eu bod yn cael bil o £65, £80 neu £90 am y dreth

council tax bill before. You will have to tell them that it is because of a decision taken by your Minister and your Labour Government not to protect the whole sum, as happened in Scotland or even, with local protection, as is happening in many local authorities in England. An examination of the regulations and the very useful impact and equalities reports lying behind them, shows that the Government had alternatives. It could have protected the most vulnerable. It could have protected those on passported benefits. It could have done that for less than £22 million or £23 million, because they would have been a protected group, and it could have done it by shifting the balance within the system. I know that some people would have been worse off because of that, but as a Government elected to stand up for Wales and the poorest and the most vulnerable, you have let those people down.

These regulations should only be enforced for a year because they do not deliver for the poorest people in Wales. To take an example, pensioners on pension credit today will not have a penny more to spend next year. They are recognised, because they are on pension credit—even by the Westminster Government—as having the minimum on which to exist. They now have an extra bill to pay, due to your decision—an extra bill that could be £80 or £90. When the bum-bailiffs come to call, will you be there to defend them? Will you go to court as a McKenzie friend? Will you revive the old poll tax arguments? You are putting people in a process of debt here today. You could have done something about this. Very rarely does this Government simply take the allocation of money from Westminster and say that it is passing it over. The Arriva Trains Wales franchise is propped up by £30 million a year from your Government. When there are insufficient funds from Westminster, you say that your political priorities are the poorest and most vulnerable, and you provide a top-up. You have failed to do so on this occasion, and it is important that we have the sunset clause there to ensure that that is done in future.

For the first time, 70% of those on council tax benefits will pay an element of their

gyngor—a hynny am y tro cyntaf. Bydd rhaid ichi ddweud wrthynt mai'r rheswm am hynny yw penderfyniad eich Gweinidog chi a'ch Llywodraeth Lafur chi i beidio â diogelu'r swm cyfan, fel yn yr Alban neu, gyda champau diogelu lleol, mewn nifer o awdurdodau lleol yn Lloegr. Mae darllen y rheoliadau a'r adroddiadau effaith a chydraddoldeb defnyddiol arnynt yn dangos bod gan y Llywodraeth ddewisiadau amgen. Gallai fod wedi amddiffyn y mwyaf bregus. Gallai fod wedi amddiffyn y rhai ar fuddaliadau wedi'u trosglwyddo. Gallai fod wedi gwneud hynny am lai na £22 miliwn neu £23 miliwn, gan eu bod yn grŵp wedi'i ddiogelu, a gallai fod wedi gwneud hynny drwy amrywio'r cydbwysedd o fewn y system. Gwn y byddai rhai pobl wedi bod ar eu colled o ganlyniad, ond fel Llywodraeth a etholwyd i sefyll cornel Cymru a'r bobl dlotaf a mwyaf bregus, rydych wedi'u gadael i lawr.

Ni ddylai'r rheoliadau hyn gael eu gweithredu am fwy na blwyddyn, gan nad ydynt yn delifro ar gyfer y tlotaf yng Nghymru. Er enghraifft, ni fydd gan bensynwyr sy'n derbyn credyd pensiwn heddiw geiniog yn fwy i'w gwario y flwyddyn nesaf. Gan eu bod ar gredyd pensiwn, mae hyd yn oed Llywodraeth San Steffan yn cydnabod eu bod yn byw ar y lleiafswm sydd ei angen. Yn awr, oherwydd eich penderfyniad chi, mae ganddynt fil ychwanegol—a gallai hwnnw fod yn fil am £80 neu £90. Pan ddaw'r bwmbeli at y drws, a fyddwch chi yno i'w hamddiffyn? A ewch chi i'r llys fel cyfaill McKenzie? A wnewch chi adfer hen ddadleuon treth y pen? Heddiw, rydych yn rhoi pobl mewn proses o ddyled. Gallech fod wedi gwneud rhywbeth am hyn. Yn anaml iawn mae'r Llywodraeth hon yn cymryd arian a ddyrennir o San Steffan a'i drosglwyddo'n syth. Mae £30 miliwn y flwyddyn yn cael ei ategu at fasnachfaint Arriva Trains Wales gan eich Llywodraeth chi. Pan fo arian annigonol yn dod o du San Steffan, byddwch yn dweud mai eich blaenoriaeth yw'r tlotaf a'r mwyaf bregus, a byddwch yn ychwanegu arian. Rydych wedi methu â gwneud hynny y tro hwn, ac mae'n bwysig bod gennym gymal machlud yn ei le i sicrhau y bydd yn digwydd yn y dyfodol.

Am y tro cyntaf, bydd 70% o'r rhai sy'n derbyn budd-dal y dreth gyngor yn talu

council tax. That is 0.25 million people. That is a lot of people facing bills that they were not expecting—still do not expect, if the correspondence to my office is anything to go by.

Minister, you have let people down. I think that you tried to hide this and you tried to pull the wool over our eyes. You tried to do it at the last minute in order to have a fight with Westminster. Those Tories are responsible for these cuts—we know that; they have been doing it for two years and we know what they are about—but you are responsible for protecting the poorest and most vulnerable people in Wales. You have failed to do that.

The final twist here was this attempt to get some kind of agreement between the Tories and Labour that would get these regulations through. It is a pity that wrestling is no longer broadcast, because this was like a tag team of Big Daddy and Giant Haystacks. You should be thankful that the referee stepped in and stopped you from doing that, Minister. You would never have been forgiven for pushing through an increase in council tax bills for the poorest in Wales with the support of the Tories. That would have been repeated up and down the Valleys of Wales for many years to come. Let us have better regulations in a year's time, Minister.

**Ieuan Wyn Jones:** Hoffwn ddweud fy mod yn falch o'r cyfle i gael trafod y rheoliadau hyn heddiw. Rwyf am ganolbwyntio ar yr effaith ar fy etholaeth i. Mae Alun Ffred wedi cyfeirio yn barod at yr effaith yng Ngwynedd; hoffwn ailadrodd hynny, ond yng nghyd-destun Ynys Môn.

Mae nifer o ffactorau, fel y gwyddom, i'w hystyried yma, fel cael un cynllun i Gymru gyfan. Rwy'n tueddu i gytuno â hynny, gan nad wyf am weld pensiynwyr mewn rhai rhannau o Gymru yn cael rhywbeth nad yw pensiynwyr mewn rhannau eraill o Gymru yn ei gael. Rwy'n meddwl bod cael un system ar draws Cymru yn dderbyniol.

Yn Ynys Môn, pan fo'r rheoliadau hyn yn eu lle, o fis Ebrill y flwyddyn nesaf, bydd 5,400 yn talu'r dreth gyngor am y tro cyntaf.

cyfran o'r dreth. Mae hynny gyfystyr â 0.25 miliwn o bobl. Mae hynny'n nifer fawr o bobl yn wynebu biliau nad oeddent yn eu disgwyl—nad ydynt yn dal i'w disgwyl, os yw'r ohebiaeth a ddaw i fy swyddfa yn nodweddiadol.

Weinidog, rydych wedi gadael pobl i lawr. Rwy'n meddwl eich bod wedi ceisio cuddio hyn a thaflu llwch i'n llygaid. Ceisioch ei wneud ar y funud olaf er mwyn cael brwydr â San Steffan. Y Torïaid hynny sy'n gyfrifol—gwyddom hynny; maent wedi bod yn gwneud hyn ers dwy flynedd a gwyddom sut rai ydynt—ond eich cyfrifoldeb chi yw amddiffyn y tlotaf a'r mwyaf bregus yng Nghymru. Rydych wedi methu yn hynny o beth.

Y cam gwag olaf yma oedd yr ymgais i sicrhau rhyw fath o drefniant rhwng y Torïaid a'r Blaidd Lafur a fyddai'n arwain at basio'r rheoliadau hyn. Me'n biti nad oes yna reslo ar y teledu mwyach, gan fod hyn fel rhyw bartneriaeth rhwng Big Daddy a Giant Haystacks. Dylech ddiolch bod y dyfarnwr wedi camu i'r sgwâr ac wedi'ch rhwystro rhag gwneud hynny, Weinidog. Ni fydech wedi cael maddeuant am godi biliau'r dreth gyngor i bobl dlotaf Cymru gyda chefnogaeth y Torïaid. Byddai hynny wedi'i ailadrodd ym mhob rhan o Gymoedd Cymru am flynyddoedd i ddod, Gadewch inni gael gwell rheoliadau ymhenn y flwyddyn, Weinidog.

**Ieuan Wyn Jones:** I would like to say that I am pleased to have the opportunity to discuss these regulations today. I want to concentrate on the effect on my own constituency. Alun Ffred has already referred to the effect in Gwynedd; I would like to restate that, but in the context of Anglesey.

There are a number of factors, as we know, to take into consideration here, including having one scheme for the whole of Wales. I tend to agree with that, because I do not want to see pensioners in some parts of Wales receiving something that pensioners in other parts of Wales do not get. Having one system across Wales is acceptable.

In Anglesey, once these regulations are in place, from April next year, 5,400 people will pay council tax for the first time. Those are

Dyma'r bobl, fel yr eglurodd Simon Thomas, sydd wedi cael cymorth 100% hyd yma, a gwyddom eu bod yn bensiynwyr ac yn bobl gydag anableddau—pobl nad ydynt erioed wedi talu'r dreth yn y gorffennol. Yr hyn sy'n syndod i mi yw nad oes eithriadau o gwbl. Mae'r mwyaf bregus o blith pensiynwyr a'r bobl gyda'r anableddau mwyaf difrifol i gyd yn gorfod talu am y tro cyntaf. Felly, y flwyddyn nesaf, bydd 10% yn cael ei dalu gan deuluoedd—y bobl rwyf newydd gyfeirio atynt—a'r 10% arall gan y cyngor.

Ond nid dyna fydd yr union fil y bydd y cyngor yn ei wynebu. Ni fydd llawer o'r rhai sydd yn y categori hwn, sydd ar gyllidebau tyn iawn beth bynnag ac sy'n gorfod edrych ar eu cyllidebau i'r geiniog olaf, yn aml iawn, mewn sefyllfa i dalu. Mae'r cyngor yn amcangyfrif y bydd yn dileu dyled—fel y dywedodd Alun Ffred—llawer o'r bobl fregus a fydd yn gorfod talu am y tro cyntaf. Os yw hynny'n digwydd, gallai cost y cyfuniad hwnnw—y 10% mae'n rhaid i'r cyngor ei dalu beth bynnag a'r 10% na fydd llawer, o bosibl, yn ei dalu—olygu bil i'r cyngor o £300,000 y flwyddyn. Bydd 1,300 o bobl sydd ar hyn o bryd yn talu rhywfaint o'r dreth gyngor hefyd yn talu mwy. Felly, os ychwanegwch chi'r 1,300 hynny at y 5,400 a fydd yn talu am y tro cyntaf, mae'n ganran uchel iawn o'r boblogaeth.

Mae'n rhaid inni gofio mai nid dyma'r unig newidiadau a fydd yn taro'r tlawd a'r bregus yn 2014. Edrychwch ar fudd-dal tai, er enghraifft. Bydd y bobl hynny y mae'r wladwriaeth yn credu eu bod yn byw mewn tai sy'n fwy na'u hangen—er enghraifft, un person yn byw mewn tŷ â dwy neu dair llofft—yn colli 25% o'u budd-dal tai. Bydd hyn yn digwydd ar yr union adeg y bydd nifer ohonynt yn gorfod talu'r dreth gyngor am y tro cyntaf hefyd. Beth fydd yn digwydd? Bydd nifer y digartref yn codi, yn ôl y cyngor lleol. Ni fyddant yn gallu talu eu rhent yn llawn ac ni fyddant yn gallu talu'r dreth gyngor. Mae 800 o bobl yn y categori hwn yn Ynys Môn.

Meddyliwch hefyd am y newidiadau i'r gronfa gymdeithasol. Mae nifer o bobl na fyddant yn cymhwyso y flwyddyn nesaf am

people who, as Simon Thomas explained, have had 100% paid hitherto, and we know that they are pensioners and people with disabilities—people who have never paid in the past. What is a surprise to me is that there are no exceptions at all. The most vulnerable pensioners and those with the worst disabilities will all have to pay for the very first time. So, next year, 10% will be paid by the families that I have just referred to and the other 10% will be paid by the council.

However, that will not be the exact bill that the council will face. As many of the people who fall into these categories are on very tight budgets in the first place, and have to count every last penny available to them, they will not be in a position to pay this tax. The council anticipates—as Alun Ffred said—that it will have to write off the debts of many of those vulnerable people who will be facing payment for the first time. If that is the case, the cost of that combination of factors—the 10% that the council will have to pay in the first place, and the other 10% that many people will not be able to pay—the bill for the council itself could be £300,000 per annum. There will be 1,300 people who currently pay a contribution to their council tax who will also be facing increased bills, so if you add them to the 5,400 paying for the first time, that is a very high percentage of the population.

What we must bear in mind is that these are not the only changes affecting the poor and vulnerable in 2014. Those on housing benefit whom the state believes are living in homes that are larger than they need—for example, one person living in a home with two or three bedrooms—will lose 25% of their housing benefit. This will happen at exactly the same time as many of them will be facing council tax bills for the very first time. What will happen to those people? It will mean that the number of homeless, according to the local council, will increase. They will not be able to afford their rent, and they will not be able to afford their council tax. There are 800 people in that category in Anglesey.

Consider also the changes to the social fund. There are many people who will not qualify next year for loans or grants from that fund,

fenthyciadau neu grantiau o'r gronfa honno. Bydd rhaid iddynt fynd at rywun arall am fenthyciadau, a bydd y llog i'w dalu yn fwy na'r hyn maent yn ei dalu ar hyn o bryd dan y gronfa gymdeithasol.

2.15 p.m.

Ffactor arall yw bod oedran y bobl sy'n gymwys am gredyd pensiwn yn codi, felly bydd llai o bensiynwyr dros 65 oed yn cael credyd pensiwn. Mae un o bob pedwar o gartrefi Môn yn ddibynnol am gyfran neu'r cyfan o'u hincwm ar fudd-daliadau. Mae hynny'n 7,500 o gartrefi ar yr ynys. Mae chwarter o gartrefi'r ynys, felly, yn ddibynnol ar ryw fath o fudd-dal. Mae rhai ohonynt yn llwyr ddibynnol arno ac eraill yn rhannol ddibynnol. O edrych ar y ffigurau hyn, felly, gwelwn effaith y newidiadau yr ydym yn eu trafod heddiw ar ben y newidiadau sy'n dod i mewn o 1 Ebrill 2013. Dyna pam ydym mor flin nad yw'r Llywodraeth hon wedi gwneud y golled honno i fyny am y flwyddyn nesaf, a dyna pam ydym wedi mynnu y bydd oedi y flwyddyn nesaf cyn bod y rheoliadau newydd yn dod i rym.

**The Presiding Officer:** Order. Can you come to a conclusion, please?

**Ieuan Wyn Jones:** Rwy'n gobeithio y bydd y Llywodraeth, o ystyried y gwrthwynebiad chwyrn i'r rheoliadau hyn, yn gwneud gwell trefn ohoni y flwyddyn nesaf.

**The Presiding Officer:** I have no more speakers on the list. Does anyone else wish to participate? I see that there are no further speakers. Therefore, I call the Minister for Local Government and Communities to reply to the debate.

**The Minister for Local Government and Communities (Carl Sargeant):** I thank the Presiding Officer for enabling this session to take place. I am also grateful to the Constitutional and Legislative Affairs Committee and its Chair for making the time to scrutinise these regulations over the past week.

It was never our intention to stifle the scrutiny of these regulations by the Assembly, but the timescale within which

and they will have to approach someone else for those loans. The interest that they will be facing will mean that they will be paying more in repayments than they would under the social fund.

Another factor is that the age of people qualifying for pension credit will go up, so there will be fewer pensioners aged over 65 who will be able to access that pension credit. In Anglesey, one in four homes are dependent for part or all of their income on benefits, and that is 7,500 homes on the island. That is a quarter of all homes on the island, therefore, dependent on some form of benefit. Some of them are entirely dependent on it, and others partly dependent. From looking at these figures, therefore, we see the impact of the changes that we are discussing today, coming on top of the changes from 1 April 2013. That is why we are so angry that the Government here has not made up that shortfall for next year, and that is why we have insisted on a break next year before the new regulations are put in place.

**Y Llywydd:** Trefn. A wnewch chi ddirwyn i ben, os gwelwch yn dda?

**Ieuan Wyn Jones:** I hope that the Government will take into account the strong objection to these regulations and will make a better fist of things next year.

**Y Llywydd:** Nid oes neb ar ôl ar fy rhestr o'r siaradwyr. A hoffai unrhyw un arall gyfrannu? Gwelaf nad oes neb yn dymuno gwneud. Felly, galwaf ar y Gweinidog Llywodraeth Leol a Chymunedau i ymateb i'r ddadl.

**Y Gweinidog Llywodraeth Leol a Chymunedau (Carl Sargeant):** Diolch i'r Llywydd am ganiatáu cynnal y sesiwn hon. Rwyf hefyd yn diolch i'r Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol a'i Gadeirydd am drefnu amser i graffu ar y rheoliadau hyn dros yr wythnos diwethaf.

Nid oedd byth yn fwriad gennym gyfyngu ar allu'r Cynulliad i graffu ar y rheoliadau hyn, ond roedd amserlen Llywodraeth y DU ar

these huge changes are being forced through by the UK Government present significant challenges. Whitehall has also found this a challenge, and similar regulations for English authorities were laid only on 22 November, but the Welsh regulations go further in establishing a national scheme. To get these regulations through the Assembly today and, following the scrutiny of the regulations by the Constitutional and Legislative Affairs Committee, I have inserted a sunset clause, which means that the regulations will relate only to the 2013-14 financial year, and I have made an amendment placing a duty on the Welsh Ministers to bring forward a set of new regulations by 1 January 2014. Picking up on a point that Peter Black raised earlier, it is my intention to bring forward the regulations for Members to consider as soon as appropriately drafted.

As I have said before, I have deep reservations about the UK Government's plans to abolish council tax benefit and to localise support for council tax benefit as part of its wider reforms of the benefits system. I am particularly concerned about the impact of the funding cuts on the most vulnerable, and my Cabinet colleagues and I have repeatedly raised concerns with Whitehall, to no avail. I am grateful for some of the comments that Rhodri Glyn Thomas made about the ability to protect the poor and vulnerable, and I am grateful for the support of the Liberal Democrats and Plaid Cymru on the addition of the sunset clause in the regulations.

The scheme was not made up on a whim. We have gone through much consultation, and the Joseph Rowntree Foundation informed our decision-making process about protecting the most vulnerable, steering and guiding the way in which the regulations were made. Over 90% of the consultation responses suggested that there was no room for specifically protected areas within the scheme. However, with around 330,000 households in Wales, roughly one in four, receiving some form of support with their council tax bills, we have a moral obligation to introduce a replacement scheme.

I want to underline that these regulations

gyfer gorfodi'r newidiadau enfawr hyn yn achosi cryn her inni. Mae Whitehall hefyd wedi'i weld yn her, gan fod y rheoliadau cymharol o ran awdurdodau Lloegr wedi'u gosod dim ond ar 22 Tachwedd, ac mae'r rheoliadau o ran Cymru yn mynd yn bellach drwy sefydlu cynllun cenedlaethol. Er mwyn inni gael y rheoliadau hyn drwy'r Cynulliad heddiw, ac yn sgîl gwaith craffu y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol, rwyf wedi ychwanegu cymal machlud atynt, a fydd yn golygu y byddant yn ymwneud â'r flwyddyn ariannol 2013-14 yn unig, ac rwyf wedi'u diwygio fel bod dyletswydd ar Weinidogion Cymru i gyflwyno set newydd o reoliadau erbyn 1 Ionawr 2014. Ymhellach i bwynt a wnaed gan Peter Black yn gynharach, mae'n fwriad gennyf gyflwyno'r rheoliadau cyn gynted â'u bod wedi'u drafftio'n briodol, i Aelodau gael eu hystyried.

Fel yr wyf wedi'i ddweud o'r blaen, mae gennyf amheumon mawr am gynlluniau Llywodraeth y DU i ddiddymu budd-dal y dreth gyngor ac i leoleiddio'r cymorth ar gyfer y budd-dal fel rhan o'i diwygiadau i'r system fudd-daliadau yn ehangach. Yr wyf yn arbennig o bryderus am effaith y toriadau ar y bobl mwyaf bregus, ac mae fy nghyd-Weinidogion a minnau wedi codi'r pryderon hyn droeon gyda Whitehall, ond yn ofer. Rwy'n ddiolchgar am rai o'r sylwadau a wnaed gan Rhodri Glyn Thomas am y gallu i amddiffyn y tlawd a'r bregus, ac rwy'n ddiolchgar am gefnogaeth y Democratiaid Rhyddfrydol a Phlaid Cymru o ran ychwanegu'r cymal machlud at y rheoliadau.

Nid ar fympwy y gwnaed y cynllun. Rydym wedi ymgynghori'n eang, ac roedd Sefydliad Joseph Rowntree yn rhan o'r broses benderfynu am amddiffyn y rhai mwyaf bregus, gan lywio ac arwain y ffordd y gwnaed y rheoliadau. Bu i dros 90% o'r ymatebion i'r ymgynghoriad awgrymu nad oedd lle yn y cynllun i warchod ardaloedd penodol. Fodd bynnag, gyda rhyw 330,000 o gartrefi yng Nghymru, tua un o bob pedwar, yn cael rhyw fath o gymorth gyda'u biliau treth gyngor, mae gennym gyfrifoldeb foesol i gyflwyno cynllun newydd.

Hoffwn bwysleisio bod y rheoliadau hyn yn



arose from the UK Government's policy decisions. We are seeking to mitigate the effects of those decisions as far as the resources and powers allow. I was astounded by the contribution from the Conservative benches about the hypocrisy of the challenges to the reform of the welfare system. Let us be clear here: the reduction of 10% for the constituents of Wales, whom we all represent, is a direct response to the Welsh Conservatives' support of the Conservative Party at Westminster reducing the amount allocated to this institution.

I want to pick up on a point that Janet Finch-Saunders raised earlier with regard to the Welsh Government understanding the provisional allocation issued by the Treasury for 2013-14. Of course, she is absolutely right: we did know those numbers then, and if the Member would have liked me to insert those numbers then into the accounts of today, we would have seen an additional £15 million reduction—another damning reflection of her lack of understanding of the whole scheme that is in place.

The regulations that we are considering today have been developed in close partnership with local government and practitioners. To pick up on the points raised by David Melding earlier, it is really important that we work with local authorities to develop the scheme. Throughout this process, we have held two consultations, and there has been ongoing engagement with local government on a weekly basis, as well as research by the Institute for Fiscal Studies and a detailed equality impact assessment. Cabinet discussions on the design of the new scheme have taken place, and we have secured provisions in the UK Local Government Finance Act 2012 to enable us to introduce schemes in Wales via regulations. These are things that have been ongoing since May, when the proposals were first talked about.

These regulations establish a nationally defined framework scheme, which will provide a consistent approach to council tax support for claimants across Wales. They will also allow local authorities, by adopting their scheme, to benefit from the limited amount of discretion to respond to local needs that

deillio o benderfyniadau polisi Llywodraeth y DU. Rydym yn ceisio lliniaru effeithiau'r penderfyniadau hynny i'r graddau y mae'n hadnoddau a'n pwerau yn caniatáu hynny. Cefais fy syfrdanu gan y cyfraniad o feinciau'r Ceidwadwyr am ragrith yr heriau o ran diwygio'r system les. Gadewch inni fod yn glir: mae'r gostyngiad o 10% i etholwyr Cymru, yr ydym oll yn eu cynrychioli, mewn ymateb uniongyrchol i gefnogaeth y Ceidwadwyr Cymreig i'r ffaith bod y Blaid Geidwadol yn San Steffan wedi lleihau'r swm a ddyrennir i'r sefydliad hwn.

Rwyf am ymateb i bwynt a godwyd gan Janet Finch-Saunders yn gynharach mewn perthynas â Llywodraeth Cymru yn deall y dyraniad dros dro a gyhoeddwyd gan y Trysorlys ar gyfer 2013-14. Wrth gwrs, mae hi yn llygad ei lle: roeddem yn gwybod y ffigurau hynny bryd hynny, a phe bai'r Aelod wedi hoffi imi gynnwys y ffigurau hynny yng nghyfrifon heddiw, byddem wedi gweld gostyngiad pellach o £15 miliwn—gan adlewyrchu'n ddamniol eto ei diffyg dealltwriaeth o'r cynllun sydd ar waith.

Mae'r rheoliadau yr ydym yn eu trafod heddiw wedi'u datblygu mewn partneriaeth agos â llywodraeth leol ac ymarferwyr. I ymateb i'r pwyntiau a godwyd gan David Melding yn gynharach, mae'n bwysig iawn ein bod yn gweithio gydag awdurdodau lleol i ddatblygu'r cynllun. Drwy gydol y broses hon, rydym wedi cynnal dau ymgynghoriad, a bu ymgysylltu parhaus â llywodraeth leol yn wythnosol, yn ogystal ag ymchwil gan y Sefydliad Astudiaethau Cyllid ac asesiad manwl o'r effaith ar gydraddoldeb. Cynhaliwyd trafodaethau Cabinet am ddyluniad y cynllun newydd, ac rydym wedi sicrhau darpariaethau yn Neddf Cyllid Llywodraeth Leol 2012 y DU i'n galluogi i gyflwyno cynlluniau yng Nghymru drwy gyfrwng rheoliadau. Mae'r pethau hyn wedi bod ar waith ers mis Mai, pan soniwyd gyntaf am y cynigion.

Mae'r rheoliadau hyn yn sefydlu cynllun fframwaith a ddiffinir yn genedlaethol, a byddant yn darparu dull cyson o roi cefnogaeth y dreth gyngor i hawl wyr ledled Cymru. Byddant hefyd yn caniatáu i awdurdodau lleol, drwy fabwysiadu eu cynllun, elwa ar y disgrisiwn cyfyngedig

Members have raised with me today.

sydd ganddynt i ymateb i'r anghenion lleol y mae Aelodau wedi'u codi gyda mi heddiw.

I would also like to pick up the point raised by the Constitutional and Legislative Affairs Committee regarding the bilingual process. It is my intention to make sure that the 2014-15 regulations are fully bilingual, and I apologise to Members that, in the timescale that we had to bring this to the floor of the Assembly, it was possible to provide only an English version.

Hoffwn hefyd gyfeirio at y pwynt a godwyd gan y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol am y broses ddwyieithog. Mae'n fwriad gennyf sicrhau bod y rheoliadau yn 2014-15 yn gwbl ddwyieithog, ac ymddiheuraf i Aelodau nad oedd yn bosibl darparu dim ond y fersiwn Saesneg o fewn yr amserlen oedd gennym i ddod â hyn gerbron y Cynulliad.

**Rhodri Glyn Thomas:** Minister, a minute ago, you mentioned that the Welsh Government intended to mitigate the effect of the shortfall in this benefit on poor and vulnerable people in Wales, but you forgot to tell us how you would do that. Can you explain to us this afternoon how the Welsh Government will mitigate that effect?

**Rhodri Glyn Thomas:** Weinidog, funud yn ôl, digwydd ichi sôn am fwriad Llywodraeth Cymru i liniaru effaith y diffyg yn y budd-dal ar bobl dlawd a bregus yng Nghymru, ond gwnaethoch anghofio dweud wrthym sut y byddech yn gwneud hynny. A allwch chi esbonio i ni y prynhawn yma sut y bydd Llywodraeth Cymru yn lliniaru'r effaith honno?

**Carl Sargeant:** I am very grateful for the Member's question, although, of course, he will remember from his time in Government the issue that we had then and which we still have today with the pensioners' council tax support scheme. I will issue £4 million to give additional support to pensioners for their council tax bills this year, which is the level of support that has been offered consistently by this Government and the One Wales Government, in which the Member was a Minister.

**Carl Sargeant:** Rwy'n ddiolchgar am gwestiwn yr Aelod, er, wrth gwrs, bydd yn cofio o'i gyfnod yn y Llywodraeth y broblem oedd gennym bryd hynny ac sy'n dal i fodoli heddiw gyda chynllun cymorth y dreth gyngor i bensynwyr. Byddaf yn rhoi £4 miliwn i ddarparu cymorth ychwanegol i bensynwyr gyda'u biliau treth gyngor eleni, sef lefel y gefnogaeth a gynigiwyd yn gyson gan y Llywodraeth hon a Llywodraeth Cymru'n Un, yr oedd yr Aelod yn Weinidog ynddi.

If the regulations are not passed today, before Christmas, local authorities will not be in a position to put the scheme in place by 31 January. That could mean having to issue council tax bills in full, causing considerable anxiety for claimants, and issuing rebates once schemes are adopted. The cost of this could run into millions at a time when we need as much of the funding as possible to go to front-line services.

Os nad yw'r rheoliadau yn cael eu pasio heddiw, cyn y Nadolig, ni fydd awdurdodau lleol mewn sefyllfa i roi'r cynllun ar waith erbyn 31 Ionawr. Gallai hynny olygu gorfod anfon biliau treth gyngor yn llawn, gan achosi pryder sylweddol i'r hawlwyd, a rhoi ad-daliadau unwaith y bydd y cynlluniau wedi'u mabwysiadu. Gallai cost hyn redeg i'r miliynau, a hynny ar adeg pan fo angen i gymaint o'r arian â phosibl fynd at wasanaethau rheng-flaen.

Llywydd, once again, I thank you for the opportunity to bring these regulations before the Assembly today, and I ask Members to support the regulations in today's vote.

Llywydd, unwaith eto, diolchaf ichi am y cyfle i ddod â'r rheoliadau gerbron y Cynulliad heddiw, a gofynnaf i'r Aelodau gefnogi'r rheoliadau yn y bleidlais heddiw.

**The Presiding Officer:** The proposal is to agree the motion to approve the Council Tax

**Y Llywydd:** Y cynnig yw ein bod yn cytuno ar y cynnig i gymeradwyo Rheoliadau

Reduction Schemes and Prescribed Requirements (Wales) Regulations. Does any Member object? I see that there is no objection. Therefore, the motion is agreed in accordance with Standing Order No. 12.36.

*Derbyniwyd y cynnig.  
Motion agreed.*

**The Presiding Officer:** The second proposal is to agree the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations. Does any Member object? I see that there is no objection. Therefore, the motion is agreed in accordance with Standing Order No. 12.36.

*Derbyniwyd y cynnig.  
Motion agreed.*

Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2012. A oes unrhyw Aelod yn gwrthwynebu? Gwelaf nad oes gwrthwynebiad. Felly, cytunir y cynnig yn unol â Rheol Sefydlog Rhif 12.36.

**Y Llywydd:** Yr ail gynnis yw ein bod yn cytuno ar Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2012. A oes unrhyw Aelod yn gwrthwynebu? Gwelaf nad oes gwrthwynebiad. Felly, cytunir y cynnig yn unol â Rheol Sefydlog Rhif 12.36.

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

**Andrew R.T. Davies:** Yesterday, the Conservative group tabled an urgent question in relation to the major announcement that has been made by the Government. There were two major issues to that, which related to policy and financial matters. Will you give a direction on how urgent questions are taken, given that we have assembled here today, there is a Plenary meeting, and this is a very topical issue that could have been discussed here today?

**The Presiding Officer:** Standing Order No. 12.3 allows the First Minister to make a request to me that I summon the Assembly to meet to consider a specific matter of urgent public importance. The specific issue on which the First Minister's request was based was the consideration of the council tax regulations. A meeting convened in this way is exceptional and sits outside many of the usual procedures for setting business in Plenary. In my judgment, the Assembly's sole focus today should have been, and has been, on the regulations.

Of course, when usual business resumes again in the new year, any urgent question requests submitted during the recess will be considered as usual prior to the first Plenary meeting. I also remind Members that they

**Andrew R.T. Davies:** Ddoe, bu i'r grŵp Ceidwadol gyflwyno cwestiwn brys mewn perthynas â'r cyhoeddiad pwysig a wnaed gan y Llywodraeth. Roedd dau fater o bwys yn rhan o hynny, yn ymwneud â materion polisi ac ariannol. A wneuch chi roi cyfarwyddyd inni ar sut y mae derbyn cwestiynau brys, o gofio ein bod wedi ymgynnull yma heddiw, bod Cyfarfod Llawn, a bod hyn yn fater amserol iawn a allai fod wedi cael ei drafod yma heddiw?

**Y Llywydd:** Mae Rheol Sefydlog Rhif 12.3 yn caniatáu i'r Prif Weinidog wneud cais i mi fy mod yn cynnull y Cynulliad i gyfarfod i ystyried mater penodol o bwys cyhoeddus mawr. Y mater penodol y seiliwyd cais y Prif Weinidog arno oedd ystyried rheoliadau'r dreth gyngor. Mae cyfarfod a drefnir yn y modd hwn yn eithriadol ac mae tu hwnt i nifer o'n gweithdrefnau arferol o ran trefn busnes yn y Cyfarfod Llawn. Yn fy marn i, felly, dylai'r Cynulliad fod wedi canolbwyntio ar y rheoliadau yn unig heddiw, ac felly y bu.

Wrth gwrs, pan fydd busnes arferol yn aildechrau yn y flwyddyn newydd, bydd unrhyw geisiadau a wnaed yn ystod y toriad i gael gofyn cwestiwn brys yn cael eu hystyried cyn y Cyfarfod Llawn cyntaf, yn ôl

have until 12 p.m. on Friday to table written questions to the Government before the Christmas closure.

yr arfer. Atgoffaf yr Aelodau fod ganddynt tan 12 p.m. ar ddydd Gwener i gyflwyno cwestiynau ysgrifenedig i'r Llywodraeth cyn toriad y Nadolig

I have no other business, but I would like to take this opportunity to wish you all a peaceful, happy and very healthy new year and a happy Christmas. I look forward to seeing you again in 2013. That brings today's proceedings to a close. Diolch yn fawr.

Nid oes gennyf unrhyw fusnes arall, ond hoffwn gymryd y cyfle hwn i ddyuno blwyddyn newydd heddychlon, hapus ac iach i chi i gyd a Nadolig llawen. Edrychaf ymlaen at eich gweld eto yn 2013. Daw hynny â thrafodion heddiw i ben. Diolch yn fawr.

*Daeth y cyfarfod i ben am 2.25 p.m.  
The meeting ended at 2.25 p.m.*

**Aelodau a'u Pleidiau  
Members and their Parties**

Andrews, Leighton (Llafur – Labour)  
 Antoni, Mick (Llafur – Labour)  
 Asghar, Mohammad (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Black, Peter (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
 Burns, Angela (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Butler, Rosemary (Llafur – Labour)  
 Chapman, Christine (Llafur – Labour)  
 Cuthbert, Jeff (Llafur – Labour)  
 Davies, Alun (Llafur – Labour)  
 Davies, Andrew R.T. (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Davies, Byron (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Davies, Jocelyn (Plaid Cymru – The Party of Wales)  
 Davies, Keith (Llafur – Labour)  
 Davies, Paul (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Davies, Suzy (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Drakeford, Mark (Llafur – Labour)  
 Elis-Thomas, yr Arglwydd/Lord (Plaid Cymru – The Party of Wales)  
 Evans, Rebecca (Llafur – Labour)  
 Finch-Saunders, Janet (Ceidwadwyr Cymreig – Welsh Conservatives)  
 George, Russell (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Gething, Vaughan (Llafur – Labour)  
 Graham, William (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Gregory, Janice (Llafur – Labour)  
 Griffiths, John (Llafur – Labour)  
 Griffiths, Lesley (Llafur – Labour)  
 Gruffydd, Llyr Huws (Plaid Cymru – The Party of Wales)  
 Hart, Edwina (Llafur – Labour)  
 Hedges, Mike (Llafur – Labour)  
 Hutt, Jane (Llafur – Labour)  
 Isherwood, Mark (Ceidwadwyr Cymreig – Welsh Conservatives)  
 James, Julie (Llafur – Labour)  
 Jenkins, Bethan (Plaid Cymru Annibynnol – Independent Plaid Cymru)  
 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, Ieuan Wyn (Plaid Cymru – The Party of Wales)  
 Lewis, Huw (Llafur – Labour)  
 Melding, David (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Mewies, Sandy (Llafur – Labour)  
 Millar, Darren (Ceidwadwyr Cymreig – Welsh Conservatives)  
 Morgan, Julie (Llafur – Labour)  
 Neagle, Lynne (Llafur – Labour)  
 Parrott, Eluned (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)

Powell, William (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
Price, Gwyn R. (Llafur – Labour)  
Ramsay, Nick (Ceidwadwyr Cymreig – Welsh Conservatives)  
Rathbone, Jenny (Llafur – Labour)  
Rees, David (Llafur – Labour)  
Roberts, Aled (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
Sandbach, Antoinette (Ceidwadwyr Cymreig – Welsh Conservatives)  
Sargeant, Carl (Llafur – Labour)  
Skates, Kenneth (Llafur – Labour)  
Thomas, Gwenda (Llafur – Labour)  
Thomas, Rhodri Glyn (Plaid Cymru – The Party of Wales)  
Thomas, Simon (Plaid Cymru – The Party of Wales)  
Watson, Joyce (Llafur – Labour)  
Whittle, Lindsay (Plaid Cymru – The Party of Wales)  
Williams, Kirsty (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
Wood, Leanne (Plaid Cymru – The Party of Wales)