

Agenda – Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau

Lleoliad:	I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 3 – Senedd	Naomi Stocks
Dyddiad: Dydd Mercher, 15 Tachwedd 2017	Clerc y Pwyllgor 0300 200 6565
Amser: 10.15	SeneddCymunedau@cynulliad.cymru

Rhag-gyfarfod (10:15–10:30)

1 Cyflwyniad, ymddiheuriadau, dirprwyon a datgan buddiannau

2 Craffu ar Gyllideb ddrafft Llywodraeth Cymru 2018–19: sesiwn dystiolaeth 2

(10:30–11:30)

(Tudalennau 1 – 29)

Alun Davies AC, Ysgrifennydd y Cabinet dros Lywodraeth Leol a

Gwasanaethau Cyhoeddus

Reg Mitchell–Kilpatrick, Cyfarwyddwr, Llywodraeth Leol, Llywodraeth Cymru

3 Craffu ar Gyllideb ddrafft Llywodraeth Cymru 2018–19: sesiwn dystiolaeth 3

(11:30–12:30)

(Tudalennau 30 – 49)

Alun Davies AC, Ysgrifennydd y Cabinet dros Lywodraeth Leol a

Gwasanaethau Cyhoeddus

Julie James AC, Arweinydd y Tŷ a'r Prif Chwip

Rebecca Evans AC, Y Gweinidog Tai ac Adfywio

Reg Mitchell–Kilpatrick, Cyfarwyddwr, Llywodraeth Leol, Llywodraeth Cymru

Jo–Anne Daniels, Cyfarwyddwr, Cymunedau a Threchu Tlodi, Llywodraeth

Cymru

John Howells, Cyfarwyddwr Tai ac Adfywio, Llywodraeth Cymru

4 Papur(au) i'w nodi



- 4.1 Llythyr oddi wrth Ysgrifennydd y Cabinet dros Addysg at Gadeirydd y Pwyllgor Plant, Pobl Ifanc ac Addysg ynghylch Cymunedau yn Gyntaf – yr hyn a ddysgwyd**
(Tudalennau 50 – 51)
- 4.2 Ymateb gan Let Down in Wales ynghylch ymgynghoriad Llywodraeth Cymru ar ffioedd i denantiaid yn y sector rhentu preifat**
(Tudalennau 52 – 66)
- 4.3 Llythyr oddi wrth Gadeirydd Cydbwyllgor y DU ar Fenywod at yr Ysgrifennydd Gwladol dros Adael yr Undeb Ewropeaidd ynghylch hawliau dynol yng Nghymru**
(Tudalennau 67 – 70)
- 5 Cynnig o dan Reol Sefydlog 17.42 (vi) i benderfynu gwahardd y cyhoedd o weddill y cyfarfod**
- 6 Craffu ar Gyllideb ddrafft Llywodraeth Cymru 2018–19: trafod tystiolaeth a ddaeth i law o dan eitemau 2 a 3**
(12:30–12:45)

Mae cyfyngiadau ar y ddogfen hon

1. Cyflwyniad

Mae'r papur hwn yn rhoi tystiolaeth i'r Pwyllgor am y portffolio Llywodraeth Leol a chynigion ar gyfer y gyllideb yn y dyfodol, fel yr amlinellwyd y rheini yn y gyllideb ddrafft a osodwyd ar 24 Hydref 2017.

Cyllid craidd heb ei neilltuo ar gyfer Awdurdodau Lleol a Chomisiynwyr Heddlu a Throseddu Cymru yw'r rhan fwyaf o gyllid y portffolio Llywodraeth Leol, a hynny'n unol â Deddf Cyllid Llywodraeth Leol 1988. Rhoddir cyllid hefyd drwy'r portffolio hwn i gyrff arolygu a rheoleiddio er mwyn goruchwyllo gwasanaethau cyhoeddus yng Nghymru mewn ffordd statudol effeithiol.

At ddibenion cyfeirio, mae Atodiad A yn rhoi manylion y ffigurau yn y gyllideb ddrafft ar gyfer Adnoddau, Cyfalaf ac AME yn y MEG Llywodraeth Leol, a hynny yn ôl Cam Gweithredu a Llinellau Gwariant (BEL).

2. Cefndir

Mae'r gyllideb hon yn cynnwys y cynlluniau gwariant ar gyfer 2018-19, ynghyd â chyllidebau referniw dangosol ar gyfer 2019-20 a chynlluniau cyfalaf dangosol hyd at 2020-21. Mae'r tabl isod yn rhoi trosolwg o'r MEG Llywodraeth Leol ar gyfer Adnoddau, Cyfalaf a Gwariant a Reolir yn Flynyddol (AME) tan 2019-20. Y dyraniad cyfalaf dangosol yn 2020-21 yw £143m.

Tabl 1: Y Gyllideb ar gyfer 2017-18, 2018-19 a 2019-20 yn dangos y newidiadau

£'000	Cyllideb Atodol Gyntaf 2017-18	Addasiad i Waelodlin 2017-18	Gwaelodlin Diwygiedig 2017-18	Newid	Cyllideb Ddrafft 2018-19	Newid	Cyllideb Ddrafft 2019-20
Adnoddau	3,298,256	6,000	3,304,256	37,465	3,341,721	-85,132	3,256,589
Cyfalaf	143,118	0	143,118	0	143,118	0	143,118
Cyfanswm DEL	3,441,374	6,000	3,447,374	37,465	3,484,839	-85,132	3,399,707
Cyfanswm AME	1,059,000	0	1,059,000	-7,000	1,052,000	26,000	1,078,000
Cyfanswm y Gyllideb	4,500,374	6,000	4,506,374	30,465	4,536,839	-59,132	4,477,707

Dyma'r ail gyllideb yn nhymor y Llywodraeth a'r drydedd flwyddyn yn setliad Adolygiad o Wariant presennol Llywodraeth y Deyrnas Unedig. Mae cyni yn dal i fod yn nodwedd sy'n diffinio gwariant cyhoeddus. Mae'r cyfnod hwn o gwtogi parhaus wedi effeithio ar bob gwasanaeth, hyd yn oed y rheini y bu modd inni eu hamddiffyn ryw faint. Mae hyn yn golygu ein bod, Lywodraeth Cymru a Chynulliad Cenedlaethol Cymru ill dau, yn parhau i wynebu dewisiadau anodd.

Mae'r goblygiadau posibl wrth i'r Deyrnas Unedig adael yr Undeb Ewropeaidd yn creu rhagor o ansicrwydd ar draws gwasanaethau cyhoeddus. Mae hyn yn arbennig o berthnasol i awdurdodau lleol pan fydd yr Undeb Ewropeaidd yn rhoi cyllid allweddol i'r awdurdodau hynny. Mae Llywodraeth Cymru wedi sefydlu tîm penodol i gydlynu materion sy'n ymwneud â'r Trefniadau Pontio Ewropeaidd. Mae'r tîm hwn yn gweithio'n agos gyda Brwsel a'r adrannau polisi perthnasol.

Mae dadansoddi'r dystiolaeth ynghylch y tueddiadau a'r amcanestyniadau presennol wedi rhoi sail i'r broses o flaenoriaethu adnoddau drwy'r gyllideb llywodraeth leol, a hynny er mwyn sicrhau bod y cyllid yn canolbwyntio ar y meysydd mwyaf allweddol wrth ateb anghenion poblogaeth Cymru.

Mae'r MEG Llywodraeth Leol yn cynnwys cyfanswm darpariaeth DEL ac AME o £4.537bn yn 2018-19, sef cynnydd o £30.5m miliwn o'i gymharu â 2017-18.

O fewn hyn, mae cynnydd net o £37.5m i'r gyllideb Adnoddau. Mae hyn yn cynnwys trosglwyddiadau o £91.7m i'r setliad refeniw cyffredinol, sef cyllid a roddwyd o'r blaen ar ffurf grantiau penodol gan Lywodraeth Cymru drwy MEGs eraill. Mae trosglwyddo grantiau penodol yn rhoi mwy o reolaeth i awdurdodau lleol dros gyfran fwy o'u gwariant yn y cynlluniau gwariant. Yn ei dro, mae hyn yn rhoi cyfle i arbed costau gweinyddol a chyfle i awdurdodau lleol geisio barn eu cymunedau am y penderfyniadau sy'n effeithio arnynt hwy.

Wrth roi mwy o hyblygrwydd i awdurdodau lleol drwy drosglwyddo cyllid i'r setliad llywodraeth leol, mae'n hanfodol bod Gweinidogion Cymru a deiliaid portffolios mewn llywodraeth leol yn parhau i drafod â'i gilydd er mwyn sicrhau bod y canlyniadau y cytunwyd arnynt sydd i'w cyflawni drwy'r elfennau hyn yn y cyllid yn dal i gael eu cyflawni.

Y gyfran fwyaf o'r MEG Llywodraeth Leol yw'r ddarpariaeth ar gyfer y cyllid craidd heb ei neilltuo i'r 22 o gynghorau sir a chynghorau bwrdeistref sirol. Caiff hyn ei ddarparu ar ffurf Cyllid Allanol Cyfun (AEF). Mae'r AEF yn cynnwys y Grant Cynnal Refeniw (RSG) ac ardrethi annomestig wedi'u hailddosbarthu (NDR). Mae'r grant cynnal refeniw wedi'i gynnwys o fewn y DEL Adnoddau, a chyfrifir ardrethi adnoddau ar ffurf AME Adnoddau. Mae'r cyllid hwn ar y cyd ag incwm a gaiff ei godi'n lleol drwy dreth gyngor yn helpu i ddarparu gwasanaethau craidd awdurdodau lleol. Gan nad yw'r cyllid wedi'i neilltuo, caiff pob awdurdod lleol benderfynu ar ei flaenoriaethau gwariant ei hun yn unol ag anghenion a blaenoriaethau lleol. Yn ogystal â'r cyllid craidd, caiff awdurdodau lleol gyllid hefyd drwy incwm o ffioedd a thaliadau, grantiau penodol gan y llywodraeth ganolog, ac arian wrth gefn.

Mae trefniadau tebyg yn berthnasol wrth ddarparu cyllid Llywodraeth Cymru i Gomisiynwyr Heddlu a Throseddau Cymru drwy Setliad yr Heddlu. Serch hynny, y Swyddfa Gartref sy'n rhoi'r elfen fwyaf o'r cyllid craidd ar gyfer plismona. Mae disgwyl cyhoeddi manylion am ddyraniadau setliad yr heddlu yn 2018-19 ar y cyd â'r Swyddfa Gartref ym mis Rhagfyr.

Mae Tabl 2 isod yn dangos, drwy edrych ar yr un ffigurau, bydd cyllid yr AEF yn gostwng £20m neu 0.5% yn 2018-19 o'i gymharu â'r flwyddyn bresennol, ac yn gostwng £61m neu 1.5% y flwyddyn ganlynol.

Tabl 3: Cyllid Allanol Cyfun ar gyfer Awdurdodau Unedol (Heb gynnwys cyllid atodol)

	2017-18 (wedi'i addasu i gynnwys trosglwyddiadau o £91.7m) £'000	2018-19 Arfaethedig £'000	2019-20 Dangosol £'000
Awdurdodau Unedol			
RSG*	3,201,884	3,188,855	3,103,237
NDR	1,006,050	999,400	1,024,100
Cyfanswm	4,207,934	4,188,255	4,127,337

* At ddibenion cysoni ag Atodiad A, mae'r llinell uchod yn cynnwys £600k ar gyfer claddu plant, a bydd yr arian hwn yn cael ei dalu ar wahân.

3. Y prif bolisiau

Meysydd blaenoriaeth Llywodraeth Cymru ar gyfer cyllid llywodraeth leol yn 2018-19

Mae'r cyllid yn rhoi'r setliad gorau posibl sy'n parhau i amddiffyn llywodraeth leol rhag toriadau mawr yn wyneb cyllidebau gan Lywodraeth y Deyrnas Unedig sy'n parhau i leihau. O fewn y setliad hwn, rydym yn blaenoriaethu cyllid ar gyfer gwasanaethau cyhoeddus hanfodol fel addysg a gofal cymdeithasol. Mae hyn yn golygu rhoi £62m drwy'r elfen ysgolion yn y setliad yn 2018-19 er mwyn sicrhau ein bod yn cynnal y gyfran dybiedig o gyllid craidd gan Lywodraeth Cymru i ysgolion ar yr un lefel â 2017-18. Yn 2019-20, mae'r ffigur hwn yn codi i £108m, gan adlewyrchu ein hymrwymiad i barhau i fuddsoddi mewn addysg a blaenoriaethu cyllid ysgolion o fewn setliad cyffredinol sy'n llai ei faint.

Mae blaenoriaethu £42m yn setliad 2018-19 ar gyfer gofal cymdeithasol yn golygu y byddwn yn cynnal y gyfran dybiedig o wariant craidd gan Lywodraeth Cymru ar ofal cymdeithasol ar yr un lefel â 2017-18. Yn 2019-20 bydd y ffigur hwn yn codi i £73m, gan adlewyrchu'r ffaith ein bod yn cydnabod bod angen buddsoddi mewn gofal cymdeithasol, hyd yn oed o fewn setliad cyffredinol sy'n llai ei faint.

Mae'r setliad hefyd yn cynnwys swm ychwanegol o £6m bob blwyddyn i ddarparu gwasanaethau lleol sy'n cyflawni dyletswyddau atal digartrefedd, yn ogystal â'r £6m sy'n rhan o'r setliad yn 2017-18.

Setliad Llywodraeth Leol

Cyhoeddwyd y setliad llywodraeth leol ar wahân ar 10 Hydref drwy roi datganiad ysgrifenedig gerbron Cynulliad Cenedlaethol Cymru. Mae'r datganiad yn pennu dosbarthiad y setliad llywodraeth leol drwy ddefnyddio'r fformiwla gyllido y cytunwyd arni. Roedd y dosbarthiad yn cynnwys £1.8m yn ychwanegol ar gyfer trefniant cyllid gwaelodol, a hynny er mwyn sicrhau na fyddai'r un awdurdod yn wynebu gostyngiad o fwy na 1% o'i gymharu â'i ddyraniad presennol wrth edrych ar yr un elfennau.

Mae'r gwaith ymgynghori sy'n sail i'r broses o greu'r setliad llywodraeth leol ymhlith y mwyaf cynhwysfawr drwy holl Lywodraeth Cymru. Mae hyn wedi golygu ymwneud â llywodraeth leol drwy ystod o ddulliau wrth inni ddatblygu'r cynigion ar gyfer setliad 2018-19. Mae'r rhain wedi cynnwys trafodaethau o fewn y Cyngor Partneriaeth Llywodraeth Leol a'i Is-grŵp Cyllid ynghylch yr ystyriaethau cyllido a'r problemau wrth ddosbarthu.

Cynhaliwyd trafodaethau manylach am y fformiwla gyllido drwy'r Is-grŵp Dosbarthu sy'n cynnwys swyddogion Llywodraeth Cymru a swyddogion llywodraeth leol. Yn ei gyfarfod ar 28 Medi, cytunodd yr Is-grŵp Cyllid ar adroddiad yr Is-grŵp Dosbarthu ynghylch y fformiwla gyllido a fyddai'n cael ei defnyddio i ddosbarthu setliad 2018-19.

Gan fod elfen sylweddol o setliad yr heddlu yn cael ei chyllido gan y Swyddfa Gartref, bydd manylion am setliad yr heddlu yn 2018-19 yn cael eu cyhoeddi ym mis Rhagfyr 2017 fel rhan o'r cyhoeddiad am setliad yr heddlu yng Nghymru a Lloegr.

Cyllid gwaelodol a chyllid atodol

Fel y crybwyllwyd uchod, yn ogystal â'r cyllid a nodwyd o fewn y MEG ar gyfer y setliad llywodraeth leol, darperir £1.8m o gyllid ychwanegol er mwyn sicrhau nad yw unrhyw awdurdod yn wynebu gostyngiad o fwy nag 1.0% mewn termau ariannol o'i gymharu â'i ddyraniad yn setliad 2017-18, a rhoddir cyllid atodol os bydd angen yn hynny o beth.

Mae chwe awdurdod yn elwa o gyllid atodol yn 2018-19: Powys, Merthyr Tudful, Blaenau Gwent, Conwy, Caerffili a Sir Fynwy.

Mae'r holl gyllid atodol yn cael ei roi gan Lywodraeth Cymru ac nid yw'n golygu ailddosbarthu cyllid o awdurdodau eraill.

Cynlluniau gostyngiadau'r dreth gyngor

Bydd Llywodraeth Cymru yn parhau i amddiffyn aelwydydd sy'n agored i niwed ac aelwydydd sydd ar incwm isel yng Nghymru, a hynny drwy sicrhau bod pawb sy'n gymwys o dan Gynllun Gostyngiadau'r Dreth Gyngor yn dal i fod yn gymwys yn 2018-19. Er mwyn cyflawni hyn, rydym yn parhau i roi cyllid o £244m ar gyfer Cynllun Gostyngiadau'r Dreth Gyngor o fewn y setliad llywodraeth leol.

Bydd y trefniadau tymor hwy ar gyfer 2019-20 ac wedi hynny yn cael eu penderfynu fel rhan o ystyriaethau ehangach ynghylch sut i wneud y system dreth gyngor yn un decach.

Y fformiwla gyllido

Rydym yn gweithio'n agos gyda llywodraeth leol er mwyn penderfynu sut yr ydym yn dosbarthu'r setliad blynyddol. Mae Adroddiad yr Is-grŵp Dosbarthu yn cofnodi'r newidiadau arfaethedig i'r fformiwla gyllido yn 2018-19. Cymeradwywyd yr Adroddiad hwn gan yr Is-grŵp Cyllid ar 28 Medi.

Dim ond un newid o bwys sydd i'r fformiwla ar gyfer setliad 2018-19. Dyma'r ail elfen, a'r elfen olaf, yn y broses o gyflwyno newidiadau i'r darn o'r fformiwla sy'n ymwneud â gwasanaethau cymdeithasol, a hynny er mwyn rhoi ystyriaeth i gostau darparu'r gwasanaeth mewn cymunedau ac ynddynt boblogaethau mwy gwasgaredig.

Fel arall mae'r fformiwla'n adlewyrchu'r broses arferol o ddiweddau'r dangosyddion sy'n ymwneud â'r boblogaeth a data eraill. Mae hyn yn sicrhau bod y fformiwla'n parhau'n berthnasol ac yn amserol.

Mae'r fformiwla ar gyfer dosbarthu setliad yr heddlu yn cael ei pharatoi ar sail Cymru a Lloegr, a chyfrifoldeb y Swyddfa Gartref yw'r fformiwla hon.

Gwariant ataliol

Mae pob awdurdod lleol yn gorff hunanlywodraethol a etholwyd yn ddemocrataidd, a hwnnw'n atebol i'w etholaeth am y penderfyniadau y bydd yn eu gwneud. Mae gan awdurdodau gyfres o ddyletswyddau a swyddogaethau statudol, a phwerau i ddarparu ystod o swyddogaethau a gwasanaethau eraill. Mae'r dyletswyddau hyn yn cynnwys gwaith ataliol fel gwasanaethau gofal cartref er mwyn sicrhau nad yw pobl yn gorfod bod yn yr ysbyty, ac atal digartrefedd. Mae'r gwaith hwn yn cael ei gyllido drwy ystod o ffynonellau, gan gynnwys y setliad grant craidd, incwm treth gyngor ac incwm o ffioedd a thaliadau. O fewn y setliad, rydym yn blaenoriaethu cyllid ar gyfer gofal cymdeithasol ac yn rhoi £6m yn fwy o gyllid ar gyfer atal digartrefedd yn 2018-19.

Rhaid i bob awdurdod sicrhau ei fod yn cymryd camau priodol i asesu effaith unrhyw bolisi y mae'n ei weithredu gyda'r arian a ddaw drwy'r setliad llywodraeth leol.

Mae'r cynllun gweithredu sydd gan y trydydd sector gyda Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol yn pennu'r hyn y bydd Llywodraeth Cymru a'r trydydd sector yn ei wneud ar y cyd i gwmpasu gwaith a fydd yn diffinio gwariant ataliol, gan ddefnyddio methodoleg y tasglu gweithredu cynnar fel fframwaith. • Er ei bod yn anodd diffinio gwariant yn nhermau gwariant ataliol, gall fod yn ddefnyddiol deall gwahanol deipolegau o wariant.

Bydd gwneud gwaith ymgysylltu llawn ac ystyrlon ar y gyllideb yn gymorth i sicrhau bod yr effeithiau yn cael eu hystyried yn llawn. Cyfrifoldeb awdurdodau lleol yw pennu eu blaenoriaethau gwariant eu hunain gan roi ystyriaeth i hyn yn ogystal ag i'r ffynonellau cyllid

eraill sydd ar gael iddynt. Mae gofyn i awdurdodau lleol baratoi strategaethau ariannol tymor canolig er mwyn sicrhau eu bod yn pennu cyllidebau sy'n sefydlog ac yn gynaliadwy yn y tymor canolig.

Bydd pob awdurdod yn gwneud ei benderfyniadau ei hun ar sail anghenion a blaenoriaethau lleol, a rhaid iddo asesu effaith ei gynigion a'i benderfyniadau ar grwpiau gwarchoddedig ac yng nghyd-destun ei swyddogaethau ehangach.

Safonau'r Gymraeg

Mae pob awdurdod yn gyfrifol am sicrhau ei fod yn cyflawni ei rwymedigaethau statudol ac yn ateb anghenion cymunedau wrth roi safonau'r Gymraeg ar waith.

Mae gan lywodraeth leol gyfraniad allweddol i'w wneud wrth roi'r strategaeth ar waith – yn benodol yr ymdrechion i wella'r cynllunio ar gyfer addysg cyfrwng Cymraeg er mwyn cynyddu canran y dysgwyr sy'n cael addysg drwy gyfrwng y Gymraeg (o waelodlin o 22% i 24% yn 2021, 30% yn 2031, a 40% erbyn 2050).

Mae awdurdodau lleol hefyd yn rhoi strategaethau ar waith er mwyn hyrwyddo'r defnydd o'r Gymraeg yn eu cymunedau er mwyn cyfrannu at darged Cymraeg 2050 o gynyddu'r defnydd dyddiol a wneir o'r Gymraeg.

Effeithiau ar gydraddoldeb a chynaliadwyedd

Rydym wedi parhau i ddatblygu ein dull o wreiddio'r pum ffordd o weithio yn ein gwaith wrth baratoi'r gyllideb ddrafft, ac mae Deddf Cenedlaethau'r Dyfodol yn llywio ein dull cyffredinol o weithio yn hynny o beth.

Mae cynlluniau'r gyllideb ddrafft wedi'u selio ar ddadansoddiad clir o ffactorau hirdymor sy'n llywio'r galw am wasanaethau cyhoeddus, gan gynnwys gwasanaethau a ddarperir gan awdurdodau lleol. Dangosodd y dadansoddiad yn glir bod angen dull ataliol o gyllido darpariaeth gwasanaethau cyhoeddus.

Wrth osod cyllideb ar gyfer yr holl sector cyhoeddus, rydym wedi nodi'n glir y bydd gwell integreiddio ar draws gwasanaethau cyhoeddus yn hollbwysig er mwyn darparu gwasanaethau'n fwy effeithiol, ac felly hefyd gydweithio a chynnwys defnyddwyr gwasanaethau cyhoeddus. Gwneir hyn drwy flaenoriaethu cyllid ar gyfer gwasanaethau cymdeithasol a'r gofyniad i ddarparu cyllidebau cyfun gyda'r Byrddau Iechyd Lleol, a thrwy barhau i gefnogi'r Gronfa Gofal Integredig.

Rydym hefyd wedi parhau i ddilyn dull integredig o weithio wrth ystyried yr effeithiau ar grwpiau gwarchoddedig ac wrth ganolbwyntio ar y nodau cenedlaethol a rannwn. Mae dull integredig o asesu effaith yn hanfodol, oherwydd mae cydberthynas rhwng llawer o'r materion sy'n ymwneud â chydaddoldeb, tiodi a hawliau plant. Bydd gweithio fel hyn yn ein helpu i ystyried effaith bosibl ein penderfyniadau yn well, ac i fod yn hyderus y gallwn eu

rheoli wrth eu hystyried ynghyd.

Mae Grŵp Cynghorol y Gyllideb ar Gydraddoldeb (BAGE), sy'n cael ei gyd-gadeirio gan Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol ac Ysgrifennydd y Cabinet dros Gymunedau a Phlant, yn rhoi adnodd gwerthfawr wrth sicrhau bod ystyriaethau ynghylch cydraddoldeb yn rhan amlwg o holl benderfyniadau'r gyllideb.

Mae ein dull integredig yn rhoi asesiad mwy realistig o effaith gyffredinol penderfyniadau gwariant, ac mae'n cydnabod nad oes wastad un ateb a fydd yn rheoli effaith penderfyniad ym mhob maes. Mae'r asesiad hwn o effaith ein penderfyniadau yn hanfodol er mwyn hyrwyddo cyfleoedd cyfartal ac atal gwahaniaethu, a dyma sydd wedi llywio ein dull o weithio yn ystod proses y gyllideb.

O ran cynaliadwyedd, mae gan Fyrddau Gwasanaethau Cyhoeddus gyfraniad hollbwysig i'w wneud. Mae'r Byrddau wedi gwneud cynnydd sylweddol tuag at gyflawni eu rhwymedigaethau o dan Ddeddf Llesiant Cenedlaethau'r Dyfodol, gan weithio'n unol â'r egwyddor datblygu cynaliadwy.

Drwy eu Hasesiadau, mae'r Byrddau yn ceisio deall yr achosion sy'n sail i'r problemau y mae eu cymunedau a'r bobl sy'n byw yn eu hardaloedd yn eu hwynebu.

Yn y dyfodol, wrth ddatblygu Cynlluniau Llesiant Lleol, mae'r Byrddau yn defnyddio'r dystiolaeth yn eu Hasesiadau Llesiant yn sail i ymyriadau sy'n ceisio dod o hyd i atebion ataliol, cyfun i'r problemau hyn. Mae enghreifftiau cynnar nodedig o ymyriadau ataliol yn ymwneud ag anghydraddoldebau iechyd (amddifadedd mewn ardaloedd penodol yn y gymuned), pa mor gydnerth yw'r gymuned yng nghyd-destun poblogaeth sy'n heneiddio, a newid yn yr hinsawdd ar lefel leol.

Rydym hefyd wedi dilyn dull o weithio'n integredig ar draws portffolios wrth ddyrannu ein cyllideb gyfalaf ac wrth ystyried yr effaith ddisgwyliedig, a hynny er mwyn blaenoriaethu wrth ddyrannu'r gyllideb. Rydym yn gweithio gydag awdurdodau lleol er mwyn gwneud y defnydd mwyaf effeithiol o'r adnoddau sydd ar gael ar y cyd, a hynny er mwyn rhoi sylw i'r heriau a'r cyfyngiadau sy'n wynebu'r llywodraeth gyfan, ac er mwyn canfod cyfleoedd i ddwyn pethau ynghyd, er enghraifft, wrth ddarparu rhaglen Ysgolion yr 21ain Ganrif.

Mae'r rhaglen beilot ar gyfer ystadau o dan gynllun cydweithredol Cwm Taf wedi dangos bod cyfleoedd amlwg i'r sector cyhoeddus ledled Cymru arbed arian drwy ddefnyddio tir ac adeiladau mewn ffordd well. Mae hyn yn cynnwys casglu data am eiddo a mapio asedau'n well, a gwella gwybodaeth am yr ystâd gyhoeddus gyfun. Yn ogystal â chanfod cyfleoedd i wneud rhagor o arbedion, bydd hyn hefyd yn tynnu sylw at gyfleoedd i integreiddio a gwella'r modd y caiff gwasanaethau eu darparu.

Diwygio llywodraeth leol

Mae cydnabod ein bod mewn cyfnod o dorri cyllidebau, a chyfnod lle mae gwasanaethau'n wynebu mwy o heriau, yn golygu nad yw'r sefyllfa sydd ohoni'n gynaliadwy. Mae canfod ffyrdd newydd a gwahanol o weithio, a rhoi'r rheini ar waith ar y cyd â llywodraeth leol, yn ganolog i raglen helaeth ar gyfer diwygio llywodraeth leol. Elfen hollbwysig yn y rhaglen yw ein cynlluniau i roi dulliau i awdurdodau o weithio'n rhanbarthol mewn ffordd systematig a gorfodol mewn gwahanol wasanaethau. Bydd hyn, law yn llaw â mwy o ryddid, fel rhoi pŵer cymhwysedd cyffredinol i awdurdodau, yn hanfodol er mwyn sicrhau bod awdurdodau lleol yn parhau i fod yn gynaliadwy yn ariannol ac yn darparu gwasanaethau effeithiol a chydnerth.

Darperir £5m yn 2018-19, sy'n codi i £6m yn 2019-20, ar gyfer gwaith sy'n gysylltiedig â thrawsnewid llywodraeth leol a gweithredu deddfwriaeth er mwyn diwygio ac adnewyddu awdurdodau lleol.

Mae'r cynlluniau hyn yn cynnwys bwrw ymlaen â'r gwaith o ystyried cyfres o gynigion i ddiwygio'r system etholiadol mewn llywodraeth leol, er mwyn ei gwneud yn haws i bobl bleidleisio a sicrhau bod mwy o bobl yn gymwys i bleidleisio. Mae hefyd yn cynnwys cynnal adolygiad annibynnol o gynghorau tref a chymuned yng Nghymru.

Cyrff arolygu a rheoleiddio

Mae'r portffolio llywodraeth leol yn cynnwys cyllid ar gyfer Arolygiaeth Gofal a Gwasanaethau Cymdeithasol Cymru, Arolygiaeth Gofal Iechyd Cymru, ac Estyn. Mae cyllidebau'r cyrff arolygu a rheoleiddio hyn yn gostwng 2.3% yn 2018-19 a 5.4% yn 2019-20. Mae hyn yn gyson â'r gostyngiad yng nghostau rhedeg Llywodraeth Cymru. Mae'r cyrff hyn eisoes yn cymryd camau i sicrhau arbedion ac i dargedu eu hadnoddau'n fwy effeithiol, a hynny er mwyn lliniaru effaith y gostyngiadau hyn yn eu cyllidebau.

Atodiad A

Llinell Wariant yn y Gyllideb									
Action		Llinell Wariant yn y Gyllideb	Cyllideb Atodol 2017-18 Mehefin 2017 £000oedd	Newidiadau 2017-18 £000oedd	Cynlluniau Newydd Cyllideb Ddrafft 2018-19 £000oedd	Gwaelodlin Ddiwygiedig 2017-18 £000oedd	Cynlluniau Newydd Cyllideb Ddrafft 2018-19 £000oedd	2019-20 Changes	2019-20 New Plans Draft Budget
Funding Support for Local Government	0830	Swyddogion Cymorth Cymunedol	16,787		16,787	-16,787	0		0
	0840	Cyllid Refeniw Cyffredinol Llywodraeth Leol (RSG ac NDR)	3,110,168	26,000	3,136,168	52,687	3,188,855	-85,618	3,103,237
	0845	Bargeinion Dinesig a Bargeinion Twf	20,000	-10,000	10,000		10,000		10,000
	0860	Cyllid Refeniw Cyffredinol yr Heddlu	85,750		85,750	2,550	88,300	1,200	89,500
	0875	Rhyddhad Ardrethi'r Ardrethi Annomestig	10,000	-10,000	0		0		0
	0885	Canlyniadau Refeniw PFI Llywodraeth Leol	3,650		3,650	-261	3,389	-133	3,256
	0887	Trawsnewid a Deddfwriaeth	5,000		5,000		5,000	1,000	6,000
	0940	Costau Casglu Ardrethi Annomestig	5,172		5,172		5,172		5,172
	1600	Cynllun Cymorth Ariannol Brys	1		1		1		1
Total Funding Support for Local Government			3,256,528	6,000	3,262,528	38,189	3,300,717	-83,551	3,217,166
Valuation Services	1500	Gwasanaethau Asiantaeth y Swyddfa Briso	8,561		8,561		8,561		8,561
	1540	Tribiwnlys Priso Cymru	1,074		1,074	-35	1,039		1,039
	1550	Ymchwil a Dadansoddi Trethiant Lleol	100		100		100		100
Total Valuation Services			9,735	0	9,735	-35	9,700	0	9,700
Building Local Democracy	1440	Noddi Comisiwn Ffiniau a Democratiaeth Leol Cymru	572		572		572		572
	1462	Gwariant i Hybu Democratiaeth Leol	126		126		126		126
Total Building Local Democracy			698	0	698	0	698	0	698
Local Government Improvement	1571	Gwella ac Archwilio	460		460	-110	350		350
Total Local Government Improvement			460	0	460	-110	350	0	350
Academi Wales	7093	Academi Wales	1,109		1,109	84	1,193	-59	1,193
Total Academi Wales			1,109	0	1,109	84	1,193	-59	1,193
Supporting Collaboration and Reform	1574	Cynghorau Cymuned a Thref	144		144		144		144
	1575	Byrddau Gwasanaethau Cyhoeddus	730		730		730		730
Total Supporting Collaboration and Reform			874	0	874	0	874	0	874
Care and Social Services Inspectorate	6775	Yr Arolygiaeth Gofal a Gwasanaethau Cymdeithasol	13,953		13,953	-321	13,632	-736	12,896
Total Care and Social Services Inspectorate			13,953	0	13,953	-321	13,632	-736	12,896
Healthcare Inspectorate Wales	6785	Arolygiaeth Gofal Iechyd Cymru	3,586		3,586	-82	3,504	-189	3,315
Total Healthcare Inspectorate Wales			3,586	0	3,586	-82	3,504	-189	3,315
Estyn	6280	Estyn - Gwariant Rhaglenni	11,313		11,313	-260	11,053	-597	10,456
Total Estyn			11,313	0	11,313	-260	11,053	-597	10,456
LOCAL GOVERNMENT - TOTAL RESOURCE BUDGET			3,298,256	6,000	3,304,256	37,465	3,341,721	-85,132	3,256,589

CYLLIDEB GYFALAF												
Cam Gweithredu		Disgrifiad y Llinell Wariant yn y Gyllideb	Cyllideb Atodol 2017-18 Mehefin 2017	Cynlluniau 2018-19 yn ôl Cyllideb Derfynol 2017-18	Newidiadau 2018-19	Cynlluniau Newydd Cyllideb Ddrafft 2018-19	Cynlluniau 2019-20 yn ôl Cyllideb Derfynol 2017-18	Newidiadau 2019-20	Cynlluniau Newydd Cyllideb Ddrafft 2019-20	Cynlluniau 2020-21 yn ôl Cyllideb Derfynol 2017-18	Newidiadau 2018-19	Cynlluniau Newydd Cyllideb Ddrafft 2020-21
Cyllid Cyfalaf Cyffredinol Llywodraeth Leol	1675	Cyllid Cyfalaf Cyffredinol Llywodraeth Leol	142,837	142,837		142,837	142,837		142,837	142,837		142,837
		Cyfanswm Cyllid Cyfalaf Cyffredinol Llywodraeth Leol	142,837	142,837	0	142,837	142,837	0	142,837	142,837		142,837
Estyn	6280	Gwariant Rhaglen Estyn	281	281		281	281		281	281		281
		Cyfanswm Estyn	281	281	0	281	281	0	281	281		281
LLYWODRAETH LEOL – CYFANSWM Y GYLLIDEB GYFALAF			143,118	143,118	0	143,118	143,118		143,118	143,118		143,118

CYLLIDEB ADNODDAU – AME								
Cam Gweithredu	Rhif y Llinell Wariant yn y Gyllideb	Disgrifiad y Llinell Wariant yn y Gyllideb	Cyllideb Atodol 2017-18 Mehefin 2017	Newidiadau 2018-19	Cynlluniau Newydd Cyllideb Ddrafft 2018-19	Newidiadau 2019-20	Cynlluniau Newydd Cyllideb Ddrafft 2019-20	
Cymorth Cyllid i Lywodraeth Leol	0870	Swm Dosbarthadwy Ardrethi Annomestig – AME	1,059,000	-7,000	1,052,000	26,000	1,078,000	
		Cyfanswm y Cymorth Cyllid i Lywodraeth Leol	1,059,000	-7,000	1,052,000	26,000	1,078,000	
LLYWODRAETH LEOL – CYFANSWM CYLLIDEB ADNODDAU AME			1,059,000	-7,000	1,052,000	26,000	1,078,000	

Tudalen y 29 o 39

Eitem 3

Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon



Ein cyf / Our ref: MA(P)/KW/3712/17

Lynne Neagle
Cadeirydd
Y Pwyllgor Plant, Pobl Ifanc ac Addysg
Cynulliad Cenedlaethol Cymru
Ty Hywel
Bae Caerdydd
CF99 1NE

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-32-17 Papur 2 / Paper 2

23 Hydref 2017

Annwyl Lynne,

Diolch i chi am eich llythyr dyddiedig 28 Medi yn dilyn ystyriaeth y pwyllgor Plant, Pobl Ifanc ac Addysg o'm llythyr dyddiedig 24 Gorffennaf ynglŷn ag ysgolion bro.

Gofynnoch am eglurhad o'r materion canlynol. Byddaf yn rhoi sylw iddynt yn eu tro:

- A yw Cylchlythyr 34/03 yn dal yn weithredol ac, os felly, pa asesiad sydd wedi'i wneud o ba raddau y mae ein partneriaid cyflenwi yn dilyn y canllawiau?

Mae Cylchlythyr 34/03 yn dal i fod yn berthnasol ac fe fydd yn cael ei ddefnyddio pan fyddwn yn gweithredu'r ymrwymadau a amlinellwyd yn Ffyniant i bawb er mwyn sefydlu canolfannau dysgu cymunedol ac i sicrhau bod ysgolion yn ymgymryd â rôl ehangach fel canolfannau cymunedol. Fe fydd y canllaw yn ddefnyddiol ar gyfer penaeithiaid, cyrff llywodraethu a'r gymuned ehangach.

- P'un a oedd y diffiniad o ysgolion sy'n canolbwyntio ar y gymuned dal yn berthnasol

Mae'r diffiniad hwn yn dal yn briodol. Bydd ysgolion bro yn rhan hanfodol o ganolfannau dysgu cymunedol. Ni fydd y modelau newydd ond yn canolbwyntio ar yr adeilad ond ar ddarparu gwasanaethau; er enghraifft, darparu gwasanaethau estynedig gyda gofal plant, cefnogaeth i rieni, dysgu fel teuluoedd a mynediad cymunedol i gyfleusterau a adeiledir o gwmpas y diwrnod ysgol.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Correspondence.Kirsty.Williams@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Mae'n bwysig bod ysgolion yn cysylltu gyda'r gymuned o'u cwmpas a bod prifathrawon, staff addysgu a'r corff llywodraethu yn chwarae eu rhan i'w gwneud yn bosibl cydweithio er mwyn symud ymlaen.

- Cynnwys meini prawf penodol o fewn yr amodau ar gyfer cyllid Ysgolion yr 21ain Ganrif a fframwaith arolygu Estyn.


Bydd buddsoddi yn seilwaith ein hysgolion a'n colegau trwy'r Rhaglen i Sicrhau Addysg ac Ysgolion ar gyfer yr 21^{ain} Ganrif yn un o'r ffyrdd fydd yn galluogi datblygiad ein canolfannau cymunedol a'n canolfannau dysgu. Fe fyddwn yn defnyddio'n holl gyllidebau ar draws y maes addysg, yn benodol Ysgolion yr 21ain

Ganrif, i fwrw ymlaen â'r agenda hon.

Bydd mesurau priodol yn cael eu hychwanegu at fframwaith arolygu Estyn lle bo angen.

Anfonir copi o'r llythyr hwn at Gadeirydd y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau.

Yn gywir



Kirsty Williams AM/AC
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

Eitem 4.2

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-32-17 Papur 3 / Paper 3

Introduction

Let Down Wales has been campaigning since 2013 for Wales to take a lead on reforming the private rented sector. The licensing of landlords under the Housing Act made a positive first step, but the Renting Homes Act did little to improve renters' rights and we have not seen much action on improving conditions in the private rented sector (PRS) since.

In 2016, our manifesto for the Assembly elections called for five proposals:

- A ban on letting agency fees
- Higher quality standards for PRS housing
- Either a housing ombudsman or an expansion of the Residential Property Tribunal, to make mediation and dispute services available to both landlords and renters
- Rent control measures, to ensure rent cannot rise above inflation
- Support for a Tenants Union

We warmly welcome the commitment from the Welsh Government to ban letting agency fees and would like to facilitate this in any way we can. Likewise, the forthcoming Fitness for Human Habitation standards will, hopefully, set a higher standard for renters' homes (as social housing tenants can expect from the Welsh Housing Quality Standard).

For more information on our campaign, see:

- Website: <https://letdown.wales/>
- Twitter: <https://twitter.com/letdownwales>

General questions

1. Who do you represent?

Let Down in Wales is a campaign to improve the rights of renters and the quality of their homes. We represent tenants in the private rented sector. **We have run an online survey of the course of the consultation and gathered answers from a sample of 30 private renters' to the tenants' section of questions.** We describe PRS tenants as 'renters' through most of the consultation, as it is a term that people more easily identify with.

2. Do you agree that Welsh Government should legislate to prevent agents and landlords from charging fees, other than rent in advance and a refundable deposit, to tenants when entering into a new, or renewing an existing tenancy?

Yes. In no other business are costs added on like this at the point of purchase, or even six months after your purchase. Landlords and letting agents, in particular, are running a business and therefore the costs of the business should be borne by the one who owns it and is profiting from it. Let Down has been calling for a letting agent fee ban since 2013 and included it in our 2016 Assembly manifesto¹.

Rent and deposits are financial safeguards which, whilst often too high, we are not against in principle (although we would like to see deposits made transferrable between contracts). But any additional costs of reference checks, inventory fees or renewal fees are not appropriate. They take advantage of renters' lack of choice and the lack of available housing in the market. **Letting agents charge fees because they can and renters pay them because they have no other choice.**

Renters in Wales are made up of 29% living alone; 25% cohabiting couples with no children and 30% with children under 18. Renting is increasing the only option for families and the age demographic is increasing. Shelter

¹ Let Down Manifesto, 2015. 'A 2016 Manifesto for the Let Down renters of Wales'. <https://letdownincardiff.files.wordpress.com/2015/08/let-down-manifesto-2016.pdf>

Cymru's survey² of private renters found that "the figures shatter the stereotype of private tenants as being primarily young and child-free". Half of renters are over 35 and 29% are over 45. 15% are over 55, which shows that more vulnerable older people need to be taken care of in this sector. Due to the Housing (Wales) Act 2014, new homelessness duties mean that more vulnerable people are being referred by local authorities to the private sector.

Particularly considering the poverty often suffered by people who have to rent, it is important for their burden to be lessened and their debt and low income not exacerbated by renting costs. The Joseph Rowntree Foundation found in their evidence review³ of housing and poverty that: "Low rents are important in reducing poverty. The private rented sector is paying an increasingly important role with 18% of private tenants in poverty before housing costs are taken into account and 38% in poverty after housing costs are paid."

Let Down are strongly in favour of a letting agency fee ban, both on principle and to urgently make the sector fit for purpose, particularly given the poverty and vulnerability of the renters in it.

3. If no, please explain why: n/a

4. Which fees, aside from rent in advance and refundable deposits, do you think an agent, landlord or third party should be permitted to charge? Why?

None. The tenant pays their monthly rent, which is inflated to bear the costs of the landlord and letting agent. No further fees should be necessary for

² Shelter Cymru, 2015. 'Fit to Rent: Today's Private Rented Sector in Wales'. <https://sheltercymru.org.uk/wp-content/uploads/2015/02/Fit-to-rent-Todays-Private-Rented-Sector-in-Wales.pdf>

³ The Joseph Rowntree Foundation, 2013. 'The Links between Housing & Poverty: An Evidence Review'. <https://www.jrf.org.uk/report/links-between-housing-and-poverty>

protocol that a landlord or agent considers necessary. Reference checks are usually vastly inflated, considering that an individual can usually access their credit report for free or for a very low cost – approximately £2 – online. The inventory check and staff time should be a business cost borne by the agent or landlord. In reality, they don't have to spare much cost during a tenancy, unless white goods break or damage is done to the property (which, if done by the renter, can be paid for through their deposit).

5. Some agents may charge a refundable holding deposit to take the property off the market whilst reference checks are undertaken. Do you think this is a fair charge? Please explain your answer:

No. A refundable deposit is also rare and isn't heard of much in renters' accounts to Let Down. A letting agent is more than capable of taking a property off a website (or marking it 'let agreed') whilst they conduct reference checks, without charging something extra.

6. Some agents may charge for in-tenancy property management actions that directly relate to an action or service carried out at the request of the tenant, or as a result of the tenant's actions (such as out-of-hours contact, or replacing lost keys). Do you feel that such charges are fair? Please explain your answer:

No, these do not seem fair but renters are usually willing to accept responsibility and costs if they have lost keys or need to get a locksmith out from their own fault. However, if for example they are locked out due to a faulty lock, the cost should be borne by the agent for not fixing the lock to begin with.

7. Agents may occasionally provide bespoke, non-standard services to tenants, for example, when arranging a property for someone currently living abroad who is relocating to Wales. Do you think there are parts of the market where a different approach to handling letting agents' fees may be allowable?

Different kinds of business models and services are welcome; certain renters, like international students, may welcome help with relocation, but

could also easily be taken advantage of i.e. by paying for a property they haven't seen in person. Some renters may still be willing to pay costs, if there are extra services of a high standard. However, **Let Down would still advocate for a blanket ban on fees, as 'standard services' may quickly be relabelled 'extra services', in order to get around the ban.**

Ultimately, if an agent or landlord wishes to provide extra services then this cost should be added to the rent. The rent is an all-inclusive cost to the renter which goes towards agents' profits, the landlord's mortgage and maintaining the quality of the property. If an 'extra service' is offered, the rent should be increased accordingly so the renter knows exactly what they're paying for.

8. What do you think the main impacts of a ban on charging fees to tenants might be? Please include any unintended consequences that you believe may arise:

Letting agents and landlords would be irritated but renters would have more rights, increased fairness and less debt created merely renting. **It would be revolutionary for a lot of renters who have told us how difficult it is to have to find the money for fees, by taking out loans or borrowing off friends or family.**

Agents are likely to use the well-worn argument of 'rents will increase if a fee ban is enacted'. Rents are set by the surrounding area, the income of the local renters' demographic and the quality of the property. Rents are set by supply and demand; if they did increase from this then so be it, but we very much doubt that administration costs would ever be the main factor in setting rent.

We would hope landlords would be in favour of this and that this may increase direct landlord - renter relationships, in avoiding agency costs for both of them (as landlords pay fees too). Our renters' reviews (submitted to

our website to review Welsh letting agents and landlords) overwhelming show that direct relationships are better for both parties, with the poorest service coming from agents.

Tenant questions

9. Have you ever been charged fees before entering into a tenancy agreement? If yes, please detail your most recent pre-tenancy charges, and if possible a breakdown of the charges, here:

Out of the 30 renters that responded to our survey, all but one had been charged fees up front, on top of their deposits and rent demanded in advance. These varied widely, with some paying as low as £90 and others going up to £400. The average between them was £228, but practice clearly depends on which agency you are with.

Whilst most were generally labelled as ‘administration fees’, some of the reasons listed where fees are broken down included:

- £40 – £70 charged to renters required to use a guarantor (where the agency doesn’t think you are solvent enough to be solely responsible for the contract)
- Credit checks between £50 – £80
- Non-refundable holding fees, to take the property of the market whilst checks are done, between £75 – £100
- Pet deposits of around £100 – £150, on top of the regular deposit
- Inventory check fees when moving out
- Renewal fees of £80 – £100 for wanting to continue a contract (e.g. after already living there for say, 6–12 months). The agency charges a renewal fee for the renter to continue living there, often due to the ‘lost revenue’ from not charging new renters administration fees

One renter said they thought it was “normal” to be charged administration fees, on top of holding fees and then renewal fees later on in the contract. But they were surprised when they recently used an agency without fees. It’s important to stress how normal yet still highly unfair renters find these fees.

Another renter said: “I felt particularly hard by having to pay these clearly unfair and ridiculous fees but I felt I had no choice as most one-bed properties [are] rented via letting agents and they always charge fees.”

One highlights most of their charges are “rolled into one” so they had “no idea” what each charge was for separately, or between two or more tenants.

10. Have you ever been charged fees during a tenancy, or for renewal of a tenancy agreement? If yes, please detail the most recent amounts charged to you during the tenancy or renewal of the tenancy, and if possible, a breakdown of the amounts, here:

Again, most renters had been charged renewal fees. These were divided between two kinds:

- Fees for having a new renter added, mostly around £50
- Fees for re-signing the contract, between £40 and £150

Many also cited unfair repair costs, where agencies didn’t respond to reports so felt they had to repair it themselves. For example, one said that “we reported [a problem with the washing machine] but the agency didn’t send anyone to fix it, and when it finally broke completely they said that because we knew there was a problem and didn’t sort it out, that we were liable for replacing it, so we had to buy a new washing machine ourselves”.

One said that their agency charged them £50 every 6–12 months, so they “try to get a 12 month tenancy to avoid the fees and I want more security and longer tenancies”.

Another stated that the letting agency “won’t let me sign for more than a year so I cannot avoid these fees”. One who is charged £100 for each renewal said “they will only let me sign for 6 or 12 months so I have to pay £100 a couple of times a year, just to keep my flat”.

For those that hadn’t been charged these particular fees, they cited reasons such as moving or being forced to move at the end of a contract so not

renewing. Another said they hadn't had this themselves, "but hear of it all the time; there should be no charge [...] nothing has changed, it's the letting agents making money for nothing".

11. Have you ever been charged fees after a tenancy has ended? If yes, please enter the most recent amounts charged to you after a tenancy has ended, and what the charges were for here:

About half of our respondents had been charged fees at the end of a tenancy, of between £50 – £300. These were mostly made up of 'cleaning fees' and 'repair fees'.

Renters particularly highlighted the spurious nature these fees were claimed for. One said they were charged "to replace a chair that was already broken when I moved in" and another said they were "charged £85 for carpet cleaning from my deposit, although I had already cleaned it". Another was charged £100 for cleaning, despite having hired professional cleaners to help on vacating the property.

One describes: "They took £120 for "cleaning fees" even though we had spent a very VERY long time cleaning the property to get our deposit back. We asked for a breakdown of the cleaning costs or receipts to show that the cleaning had actually cost the amount that they had taken off our deposits. They wouldn't provide us with receipts so we had no other choice but to let the money get taken off our deposits".

In Let Down's survey, we used the the consultation's questions verbatim, with some added explanation on what kinds of fees the questions are referring to. However, in this section, **we also took the opportunity to ask renters about delays or problems with getting their deposit returned.** Deposits are usually 1–2 months' worth of rent, so are a significant sum which are withheld for a long time.

Most who responded on this one said they had to wait weeks or even 4–5 months to return their deposit, with one landlord having to force the agency to, despite already instructing them to return it. One had to go through deposit protection schemes to get it back, with the agency attempting to keep £630 of a £900 deposit.

One had money deducted from the deposit for “the garden having weeds in, despite the fact that it had been fully overgrown when we moved in. We didn't have any photographic proof so couldn't contest. They took roughly £100. We drove past the property after it had been re-let and they hadn't even done any maintenance on the garden, just taken the money”.

12. Were any fees made clear to you before any agreement had taken place? If so, how?

Not as many renters could remember on this one; but of those that could, about a third were not told about fees upfront and the rest were either told after choosing a property or saw them mentioned in the tenancy agreement. Of the third not told, one said they were not made clear and they had threatened going to Trading Standards on one occasion.

However, even where fees are made clear, it's not as though renters feel they have much choice in them. One said the fees were explained verbally, “during quite a pressurised sales pitch where we ‘had’ to act fast to secure the property”.

Another said: “Fees are often in the tenancy agreement but as you have no other agent to choose from and such a limited time scale to look for properties you feel forced to sign for them. The demand for rental properties is too high and it seems all agents now charge fees. I remember once when they were about £125 for referencing but now there's a charge for everything.”

A few mentioned that they knew about upfront tenancy fees, but had no idea about the in-contract fees, renewal fees or outgoing fees. One said they were told, but it was not on the website. In terms of money being taken off the deposit, one said that money is taken when there is “anything beyond ‘fair wear and tear’ although when it comes to the end of the tenancy, they seem to change their minds on that one.”

Another speculated: “Fees seemed to be made up on the spot. They were never on any website. It seemed like one big con to be honest but as a consumer I felt a complete lack of choice as there was no point taking my custom elsewhere as all letting agents charge such fees.”

Some agencies seemed to be downright deceptive. One said an agent “attempted to charge over £100 [for admin fees] when receipt showed it cost £65”.

13. Have tenancy fees ever affected: a. your ability to move to a new rented property? b. your decision to use an agent? c. your overall finances?

To this question, only 3 out of the 29 respondents said ‘no’.

For the rest, the two most common issues cited were:

- Needing their family’s help with the cost of both their rent and agency fees. One had to take out pay day loans to raise the money for fees.
- Not being able to move to a new home, despite being miserable in their current property, because they couldn’t afford the fees. One felt “locked in due to the cost of moving”. These renters cited loud noise, damp conditions and mice for wanting to move, but weren’t able to afford it.

One said that they are “unable to move from private renting to [owning] because of finances and fees [being] too high”. **The vulnerability of renters needs to be borne in mind.** A poignant comment from one renter was: “Yes. I

have had to take out pay day loans to raise deposits and fees. It's the main reason I'm in debt. I've tried to go private but most landlords now use agents. I have been homeless because of the cost of renting, not once but three times in my life and I have serious mental health issues which have been exacerbated by agents/landlords and their underhand methods of money extraction."

On a positive note, **those that rented directly from a landlord (without an agency between them) had a much more positive experience.** One said it was "easier and cheaper" with landlords being more responsive to any concerns or queries than agencies. Another said they tend to have "a trusted relationship" with a landlord rather than agent, and some had approached the landlord directly after one year of a contract to continuing renting with them directly.

One renter posited that whilst they tried to rent directly from private landlords, the relationship between landlord and renter is damaged to the point where agents are brought into mediate: "Problem is that greedy estate agents/landlords treat tenants with such contempt especially with regards maintenance issues that some tenants hit back by trashing flats. I have always been a model tenant and have never done this but I understand that this is the reason why landlords are wary of renting directly to tenant and bypassing estate agents."

Another commented on the letting agent's justification for high fees: "Yes, I viewed two prospective properties which were great, however, was told that agency fees would be over £500. I thought this was completely absurd, however the sales person attempted to justify it by stating that the agency would put together a legal contract as they referred to the tenancy agreement. Whilst I accept a tenancy is a legal document, it is important to note that a bus ticket is also a legal contract."

One respondent said that bad treatment from their last letting agency made them “more proactive as tenants to find problems early and pester our letting agency about it and post as much evidence as possible, as it is obvious that as tenants we're the only ones defending ourselves.”

Letting agent / landlord questions

As a renters' campaign, these questions aren't applicable to us. However, we would advocate for reasonable fees to landlords as well. As the business owner, we'd expect them to pay something if delegating services or paying someone else to manage their business. But it should be reasonable and competitive, as any healthy market would conduct itself.

Further questions

- 28. We would like to know your views on the effects that banning fees charged to tenants would have on the Welsh language, specifically on:**
- i. opportunities for people to use Welsh and**
 - ii. on treating the Welsh language no less favorably than English.**

The three questions on the Welsh language were grouped together in one for our survey.

Most respondents could not see the link between letting agent fees and the Welsh language, with one saying that they could not see any specific effects on Welsh speakers and that “this is about fairness to all renters living in Wales”.

There were two comments on Welsh services specifically:

- “As a Welsh speaker, I am happy to speak in either English or Welsh. I think producing documents in both Welsh and English is viable.”
- “Agents could employ a dedicated member of Welsh speaking staff. They could provide information on their websites etc. in Welsh.”

Another highlighting that they are relocating to Scotland said that they “have had a much better experience and have no fees to pay except the deposit.”

Finally, on Welsh being used by agencies, one remarked: “Adding a second language would no doubt give them cause to ask for money under the guise of there being more paperwork.” Given the array of fees detailed above, this wouldn’t be surprising.

But on principle, Let Down of course supports services being available in the Welsh language, but agency fees cost money in any language.

29. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Renters raised a lot of issues in this section. We attempt to summarise them below.

- **The high fees:** This was the most common issue. Renters did not understand why fees are so high when their services is so poor. They also highlighted the renewal fees and a lack of any consistency as particularly unfair.
- **Lack of mediation and reprisal services:** A common theme was of not having anyone to turn to when problems arise. One said their MP did not help much and had to go to the Energy Ombudsman just to find out who their property’s electric and gas providers were. Another didn’t find Citizens Advice as providing any help with difficult letting agents. One suggests that there should “really be some kind of official body who can make sure [agents] provide a basic level of service such as handling maintenance issues and complaints.” Let Down campaigns for a Housing Ombudsman (like there is in England) or a Housing Tribunal (like there is in Scotland) in order to fulfil this need in Wales.

- **Taking advantage of those who cannot buy:** Multiple renters referred to the inability to save for a deposit to buy a home, with one suggesting that “letting agents along with private owners are filling the housing gap that should be filled by government and are getting away with exorbitant fees.” One highlighted that their generation – being in their early 20s – was forced to rent but being repeatedly “ripped off” made them lose complete faith in it. Let Down has found that renters aren’t against renting per se, but are angry at the current conditions of the rental market. Home ownership is aspired to more so they can get away from renting than to own property themselves.
- **Discrimination against tenants:** Those with mental health issues or disabilities highlighted particularly bad services, with one being refused a tenancy as their partner had a disability and the letting agents “often refuse to let us view property [...] they say a better tenant will come along”. Any advert marked with ‘No DSS’ or ‘No pets’ or ‘No children’ is displaying a form of discrimination, often simply against more working class people.
- **Lack of information about processes:** Tenants express annoyance at having no proof of the credit checks or why they are charging so much for a simple process, such as printing out a new tenancy with the year changed. One describes letting agents as a “*cowboy industry, with little or no regulation and unfair fees are part of this.*” One renter suggested requiring agencies to provide receipts with a breakdown of all costs. This would be a much more transparent way of proving that fees taken from the renter are used as promised.

Several expressed hope that the Welsh Government and the National Assembly for Wales would make things better for their day to day lives and “*ban these fees once and for all*”.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please say.

Our response can be made public but we have not provided the individual survey responses as some wished to remain anonymous. In taking quotes, we have been sure not to identify individual circumstances unless it is a fee amount.

We gathered no information on names, ages, gender or any other demographic information. Let Down has found, through accepting letting agent reviews on our website, that many renters are fearful of retribution if seen criticising their letting agents and landlords.

The sample can be assumed to be representative of renters from Wales, although it was self-selecting as we targeted at people in Wales, of a 'rental demographic' through a social media advert.

We cannot help but point out that this consultation would have greatly benefited from a workshop or other outreach methods to find renters, rather than a voluntary campaigner paying money to advertise a Welsh Government consultation and spending time making it more simple to use by creating a SurveyMonkey page. There is a serious problem with renter engagement if the renters' responses to this are vastly outweighed by landlord and letting agent responses.



The Rt Hon David Davis MP
Secretary of State for Exiting the European Union
9 Downing Street
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24th October 2017

Dear Minister,

Re: Gender-blind negotiations surrounding the United Kingdom's withdrawal from the European Union.

We write in our capacity as members of the United Kingdom (UK) Joint Committee on Women, which is the UK's national co-ordination to the European Women's Lobby and as organisations engaged with advancing women's equality and rights. We write to identify our concerns that women and gender as a topic of concern are absent from the Brexit negotiations.

As you will know, equality policies are among the most developed areas of social policy in Europe, and equality is foundational to the European Union. Equal pay for equal work was one of the founding principles in 1957 and it was, and continues to be, embedded in EU Treaties and Directives. Over the last 50 years, EU laws have been underpinned by the principles of equality and non-discrimination, which have promoted and protected women's rights in several areas, including the rights of part-time workers, the rights of pregnant women, and protections for women and girls who experience violence.

As the UK moves forward with its withdrawal from the EU, we grow increasingly concerned about the absence of women's voices and what that means for the erosion of women's rights in the UK. While we were encouraged to learn of gender parity in the Department for Exiting the EU, we are concerned that the commitment to gender balance is not extended to the UK negotiating team. The UK negotiating team biographies, as published by your Department, include only one woman among its nine members. While women represent 51 percent of the population and 32 percent of the UK Parliament, women form only 11 percent of the UK's negotiating team.

In June 2017, Catherine West MP raised a question about the gender composition of the negotiating team. Steve Baker MP responded and noted that the first round of negotiations, held on 19 June 2017, included 12 members, two of whom were women. Mr. Baker further wrote that the Department for Exiting the European Union was "drawing together expertise from a wide range of departments where there is specific relevant knowledge". Given the over-

representation of men on negotiating teams, it would be helpful if your department could set out its plans to ensure that women's lived experience forms part of negotiations. The UK Government has demonstrated its commitment to delivering 'a deal that works in the best interests of all citizens', a commitment which resonates well with us. It is difficult to understand, however, how this can be achieved when the voices of half of the UK's population are not represented at the negotiating table.

We urge your department to draw on the expertise of statutory equality bodies and civil society. It is vital that the two UK equality bodies, the Equality and Human Rights Commission and Equality Commission Northern Ireland, are substantively engaged as the negotiations proceed. Women's organisations in all of four nations are keen to work with the UK Government to provide informed support to ensure women's rights are protected. In the absence of a gender balanced negotiating team, and without statutory or third sector equalities experts involved in the work of the Department for Exiting the EU, we remain unconvinced that the rights of women will be adequately protected following the UK withdrawal from the EU. It is our concern that the current structures for exiting the EU will leave women both simultaneously exposed and invisible.

Our concerns for women's equality are particularly relevant in Northern Ireland, where there is currently no Executive and women have no channels through which to engage with your Department. Women in Northern Ireland are likely to be disproportionately affected including in respect of life, work, trade and conflict resolution and around the border across the island of Ireland.

In February 2017, the Women and Equalities Committee published its report 'Ensuring strong equalities legislation after the EU exit'. Among its findings, the Committee noted that 'ensuring that equality protections are maintained is not simply a matter of transposing existing EU law'. Civil society organisations across the UK have supported these findings and have made representations urging the Government to be cognisant of them in planning and negotiating the exiting arrangements. Despite the Committee's findings, as well as support for the findings by civil society organisations, the European Union (Withdrawal) Bill proposes to end the supremacy of EU law and to convert EU law into UK domestic law.

For 50 years, the EU has promoted gender equality and non-discrimination in policy and practice, and has consistently reaffirmed a commitment to promote and respect women's rights. The absence of the EU legal framework, coupled by an unclear direction of the UK on its review of domestic legislation post-Brexit, puts the rights of women and girls in the UK in a precarious position. As it stands, the European Union (Withdrawal) Bill will do exactly what equality experts have warned would be detrimental to women's equality and rights in the UK. To protect and promote women's rights, we strongly urge the UK Government to build a gender-balanced negotiating team, reflective of the UK's population. We call on you to commit to women's equality and women's rights as priorities for the UK-EU negotiating agenda and for the future post-Brexit UK.

We look forward to your response.

Yours sincerely,

Carwen Howells

Carwen Howells, Chair, UK Joint Committee on Women

Barbara Cleary, Vice Chair, National Association of Women's Organisations
Catherine Fookes, Director, Women's Equality Network Wales
Emma Johnston, Board Member / European Representative, Northern Ireland Women's European Platform - NIWEP
Emma Ritch, Executive Director, Engender
Jeanette Thornton, President, BPW Northern Ireland
Lynn Carvill, Chief Executive Officer, WOMEN'STEC
Anne McVicker, Director, Women's Resource & Development Agency – WRDA
Jan Melia, Chief Executive Officer, Women's Aid Federation Northern Ireland
Sandy Brindley, Chief Executive, Rape Crisis Scotland
Bill Scott, Director of Policy, Inclusion Scotland
Tressa Burke, Chief Executive, Glasgow Disability Alliance
Talat Yaqoob, Chair, Women 50:50
Anna Ritchie Allan, Executive Director, Close the Gap
Ian Welsh OBE, Chief Executive, Health and Social Care Alliance Scotland (the ALLIANCE)
Marsha Scott, Chief Executive, Scottish Women's Aid
Evelyn Fraser, Development Manager, Scottish Women's Convention
Fergus McMillan, Chief Executive, LGBT Youth Scotland
Tim Hopkins, Director, Equality Network
Katy Mathieson, Co-ordinator, Scottish Women's Rights Centre
Jackie Jones, Chair, Wales Assembly of Women
Lesley Abdela MBE, Senior Partner, Shevolution
Ahlam Akram, Director, BASIRA
Tanya Barron, CEO, Plan International UK
Dr Juliet Colman, Director, SecurityWomen
Britt Gustawsson, Risk Manager, Zonta Club London II
Annette Lawson, Chair, The Judith Trust/NAWO Ambassador
Eleanor Lisney, Co Director, Sisters of Frida
Lynda Dearlove, Chief Executive Officer, Women @ the Well
Eleri Butler, CEO, Welsh Women's Aid

c.c.:

The Rt Hon Justine Greening MP, Secretary of State for Education, UK Government
The Rt Hon James Brokenshire MP, Secretary of State for Northern Ireland, UK Government
The Rt Hon David Mundell MP, Secretary of State for Scotland, UK Government

The Rt Hon Alun Cairns MP, Secretary of State for Wales, UK Government
Michael Russell MSP, Minister for UK Negotiations on Scotland's Place in Europe, Scottish Government
Christina McKelvie MSP, Convener, Equality and Human Rights Committee, Scottish Parliament
Joan McAlpine MSP, Convener, Culture, Tourism, Europe and External Relations Committee, Scottish Parliament
Carl Sargeant AM, Cabinet Secretary for Communities and Children, Welsh Government
John Griffiths AM, Chair, Equality, Local Government and Communities Committee, Welsh Assembly
David Rees AM, Chair, External Affairs and Additional Legislation Committee, Welsh Assembly
The Rt Hon Maria Miller MP, Chair, Women and Equalities Committee, UK Parliament