



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Cofnod y Trafodion The Record of Proceedings

Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol

The Constitutional and Legislative Affairs Committee

31/10/2016

Agenda'r Cyfarfod

Meeting Agenda

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd. Lle mae cyfranwyr wedi darparu cywiriadau i'w tystiolaeth, nodir y rheini yn y trawsgrifiad.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included. Where contributors have supplied corrections to their evidence, these are noted in the transcript.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Huw Irranca–Davies Llafur (Cadeirydd y Pwyllgor)
[Bywgraffiad](#) | [Biography](#) Labour (Committee Chair)

Dai Lloyd Plaid Cymru
[Bywgraffiad](#) | [Biography](#) The Party of Wales

David Melding Ceidwadwyr Cymreig
[Bywgraffiad](#) | [Biography](#) Welsh Conservatives

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Siân Giddins Dirprwy Glerc
 Deputy Clerk

Gareth Howells Uwch–gynghorydd Cyfreithiol
 Senior Legal Adviser

Naomi Stocks Clerc
 Clerk

Dr Alys Thomas Y Gwasanaeth Ymchwil
 Research Service

Dechreuodd y cyfarfod am 14:30.
The meeting began at 14:30.

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau
Introduction, Apologies, Substitutions and Declarations of Interest

[1] **Huw Irranca–Davies:** Good afternoon, prynhawn da and welcome to this afternoon's session of the Constitutional and Legislative Affairs Committee. Just to remind all committee members and the team that this is now our permanent fixture here in committee room 1, from here on. We have had apologies, under item 1, from our colleague Nathan Gill. We don't have a substitute, but we are quorate. Welcome, Dr Dai Lloyd, to your first meeting as a member of this committee—you're very welcome indeed. I'm sure you'll contribute brilliantly to the work of this committee. Also, I think it's worth

recording our thanks, as a committee—my own, as Chair, but also as a committee as a whole—to your predecessor, Dafydd Elis-Thomas, who did wonderful work in the short term that he was with us here in this session, but also during his membership of the previous committee. So, I put that on record.

[2] We'll move straight ahead to the business. My apologies—I've skipped the important housekeeping remarks on fire alarms and exits, bilingual translation, keeping your mobile devices switched off and all of that, but knowing that we have experienced Members here who will be aware of that already, let's move on to item 2.

14:31

**Offerynnau nad ydynt yn Cynnwys Materion i Gyflwyno Adroddiad
Arnynt o dan Reol Sefydlog 21.2 na 21.3
Instruments that Raise no Reporting Issues under Standing Order 21.2
or 21.3**

[3] **Huw Irranca-Davies:** Item 2 is a statutory instrument with a clear report. It's a negative resolution instrument—SL(5)019, the Local Authorities (Calculation of Council Tax Base) (Wales) (Amendment) Regulations 2016. We've had this circulated in our papers, and my understanding is that, as I look to the side, this is essentially a technical amendment—this is simply updating, by SI, the necessary statutory instrument. So, there are no merit issues and no significant technical issues. Any comments from committee members? No. Thank you very much—we're content, so the SI can be noted.

14:32

**Papurau i'w Nodi
Papers to Note**

[4] **Huw Irranca-Davies:** We then move on to item 3—papers to note. The first item is paper 2 in your pack, which is the correspondence from the Cabinet Secretary for Finance and Local Government. If you remember, that session was quite a detailed one, trying to get to the logic, and the consistency in logic, of the use of affirmative or superaffirmative, or other methods, and he's written to us with some clarification, which I think has been very helpful. We do, however, have one piece of correspondence outstanding. We had written to the Cabinet Secretary subsequent to his

appearance here, and we're waiting for the response to that, but, again, it's to do with those very technical issues on particular use of affirmative, superaffirmative, negative and so on. So, we're waiting on that response. I don't know whether committee members have any comments on his response. Thank you, so we'll note that.

[5] We move on to correspondence from the Llywydd to Welsh peers on 20 October 2016, which is paper 3. Of course, there's a briefing paper accompanying that as well, which is paper 4. My only comment on that, rather than simply noting it, is that it's quite reassuring to see how the work of the committee has been picked up by the Presiding Officer and reflected in some of her comments. Certainly, her office is still very engaged with the matter of improving the Wales Bill as it proceeds, which, obviously, we would commend. It's certainly good to see the work of the committee being reflected there in those comments.

[6] We also have the correspondence, under paper 5, from the First Minister to the Secretary of State for Wales, dated 20 October 2016, where he highlights, as of 20 October 2016, his continuing priorities and the priorities of the Government. I note, without going into the detail of the correspondence, that once again he refers to the work of this committee, but also, in putting forward the Welsh Government's own priorities, there is an interesting part of his letter in which he says—and I don't want to quote him wrongly—in the second paragraph:

[7] 'My expectation is that, following the detailed discussions your officials and mine have pursued over the last four months, the UK Government will bring forward a significant number of amendments to the Bill at Lords Committee and Report stages',

[8] which, I think again, clearly we would welcome and constructive engagement as this proceeds through the House of Lords. Perhaps it gives us some hope there that there will be that engagement as it goes through the Lords. Any comments from colleagues on those items of correspondence?

[9] **David Melding:** I think it shows the relevance of our work, and our report has clearly had an influence. Let's hope that the Bill now does get substantially improved in that way of responding to many of the points that we've raised. Then it would be a much improved Bill and would offer the prospect of being much more enduring anyway.

[10] **Huw Irranca-Davies:** Thank you, David. Thank you very much. That brings us on then to paper No. 6, which is the report by the House of Lords Delegated Powers and Regulatory Reform Committee on the Wales Bill. Members may wish to be aware that the committee scrutiny begins in the House of Lords today.

[11] I believe that is all of the necessary business. I'm just looking to my side to make sure that I haven't missed something here. Okay. Very good.

14:37

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd
o'r Cyfarfod**

**Motion under Standing Order 17.42 to Resolve to Exclude the Public
from the Meeting**

Cynnig:

Motion:

*bod y pwyllgor yn penderfynu that the committee resolves to
gwahardd y cyhoedd o weddill y exclude the public from the
cyfarfod yn unol â Rheol Sefydlog remainder of the meeting in
17.42(ix).*

*accordance with Standing Order
17.42(ix).*

Cynigiwyd y cynnig.

Motion moved.

[12] **Huw Irranca-Davies:** In which case, we can now move into private session, if that has agreement by the committee. Thank you very much. So, we move into private session.

Derbyniwyd y cynnig.

Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 14:37.

The public part of the meeting ended at 14:37.