

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol

Lleoliad:
Ystafell Bwyllgora 2 – y Senedd

Dyddiad:
Dydd Iau, 8 Tachwedd 2012

Amser:
09:15

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



I gael rhagor o wybodaeth, cysylltwch â:

Polisi: Marc Wyn Jones
Clerc y Pwyllgor
029 2089 8505 / 029 2089 8120
pwylgor.CCLII@cymru.gov.uk

Agenda

Cyfarfod cyn y prif gyfarfod – 09.15 – 09.30

Sesiwn friffio ar ddeddfwriaeth – 09.30 – 10.00

1. Cyflwyniad, ymddiheuriadau a dirprwyon

2. Y wybodaeth ddiweddaraf am yr adroddiad 'Cynhwysiant Ariannol ac Effaith Addysg Ariannol' – Tachwedd 2010 (10.00 – 10.30)

Canolfan Cydweithredol Cymru

Katija Dew, Cyfarwyddwr y Rhaglen – Cynhwysiant Ariannol

3. Papurau i'w nodi

CELG(4) – 25 – 12 – Papur 1 – Gwybodaeth ychwanegol gan y Gweinidog Llywodraeth Leol a Chymunedau (Tudalennau 1 – 4)

CELG(4) – 25 – 12 – Papur 2 Gwybodaeth ychwanegol gan y Gweinidog yr Amgylchedd a Datblygu Cynaliadwy (Tudalennau 5 – 6)

**CELG(4) – 25 – 12 – Papur 3 and 3A – Gwybodaeth Ychwanegol gan y
Gweinidog Cyllid ac Arweinydd y Tŷ (Tudalennau 7 – 46)**

**CELG(4) – 25 – 12 – Papur 4 – Bil Safleoedd Rheoleiddiedig Cartrefi Symudol
(Cymru) – Ystyriaeth Cyfnod 1 (Tudalennau 47 – 63)**

Carl Sargeant AC / AM
Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities



Llywodraeth Cymru
Welsh Government

Chair of Communities, Equality
and Local Government Committee

22 October 2012

Scrutiny of the Local Government and Communities 2013-14 Draft Budget

Thank you for inviting me to the Scrutiny Committee on the 10th October 2012 to discuss the Local Government and Communities draft budget for 2013-14 to 2014-15.

At that meeting I promised to provide the Committee with further information on the following seven issues:

Results Based Accountability process

The Department for Local Government and Communities is currently in the second year of embedding an outcomes-based approach to the internal business planning of its policy and programme delivery. In order to underpin this focus on improving outcomes for people and communities, the Department has utilised Results Based Accountability (RBA) as a methodology across all LGC Divisional Business Plans, as well as specific policies and programmes, such as Communities First. RBA is a 'common-sense' approach and is widely used by a range of other public sector delivery partners. Using RBA is helping my Department to be clear about the wider outcomes we are looking to achieve for our communities, and the contributions that we can make to deliver these outcomes.

Work is also ongoing to embed RBA within specific areas of policy, such as the new Road Safety Strategy for Wales and the Communities First Programme.

Following consultation in 2011 the Communities First Programme will be a Community Focused Tackling Poverty Programme. The programme now has identified three key areas for work to support the most disadvantaged communities in Wales:

- Prosperous Communities (Economy, Jobs and Employability)
- Learning Communities
- Healthier Communities

Outcomes have been defined for each and indicators, closely aligned to the Programme for Government, have been used to assist Clusters in undertaking an analysis of the key drivers effecting poverty locally. Local Delivery Plans are being developed for each of the new Clusters by the community and the relevant Lead Delivery Body. Communities First is clear that it cannot tackle Poverty on its own but must demonstrate the "added value" it brings by working in our most deprived areas, particularly in ensuring that the most disadvantaged are supported to make sustained change in their lives.

The programme will develop a set of common performance measures so that it can demonstrate nationally the contribution it is making to Tackling Poverty, and equally so that communities can see how they are contributing to making a difference for their local area. The process and subsequent monitoring of the future programme will give a clear line of sight from delivery of projects in local communities to national priorities set by the Welsh Government.

Sustainable Development

You asked me for a definition of Sustainable Development. In our scheme for sustainable development in *One Wales, One Planet* (1999) we provide a clear definition of sustainable development in Wales. This means enhancing the economic, social and environmental wellbeing of people and communities, achieving a better quality of life for our own and future generations in ways which promote social justice and equality of opportunity; and in ways which enhance the natural and cultural environment and respects its limits - using only our fair share of the earth's resources and sustaining our cultural legacy. Sustainable development is the process by which we reach the goal of sustainability.

I have written to the Minister for the Environment and Sustainable Development asking him to write to you to provide the very latest definition for sustainable development as it applies to Wales.

The Financial Regularity Impact Assessment of Bills

During the early policy development phase of Assembly Bills consideration is given to assessing the impact of introducing new legislation. This includes the financial impact for the Welsh Government and, depending on the scope of the legislation, the impact for any delivery partners. The Welsh Government has a formal process in place to ensure that this impact assessment has been carried out and this is set out in the accompanying Explanatory Memorandum for all Assembly Bills. This is published at the same time that a Bill is introduced in the National Assembly.

Funding for Council Tax Benefit

In the 2010 Comprehensive Spending Review the UK Government announced that following the localisation of council tax support, funding would be cut by 10% and would be from AME to DEL funding, meaning that demand will have to be managed within a fixed budget for the first time.

Negotiations are still ongoing with the UK Government regarding the funding that will be transferred to provide council tax support in Wales from 1st April 2013. Provisional figures provided by DWP indicate a transfer of £214m and £215m in 2013/14 and 2014/15 respectively. The transfer for 2013/14 represents a shortfall of at least £29m compared to CTB expenditure outturn figures for 2011/12 - this is before increases in caseload during 2012/13 and expected increases in 2013/14 are factored in.

The funding figures will be finalised as part of the Autumn Statement and we are committed to ensuring that Wales receives a fair transfer that does not represent a reduction of more than the announced 10%, and that also provides adequate funding for the administration and transition costs associated with the new scheme.

We are working closely with local government to use the expertise that exists in Wales to develop a viable and affordable new scheme to provide council tax support and this work has focused on simplifying the existing complex arrangements. A consultation on policy and delivery options was held earlier in the year, and the responses to this along with feedback from local government, and detailed analytical research from the Institute for Fiscal Studies, was developed into an options paper for Cabinet at the end of June. At the same time provisions were secured in the Local Government Finance Bill to create the necessary legal framework to introduce a new scheme in Wales. The necessary regulations to bring the scheme into effect are now being drafted, informed by advice from local government, and the first set is due to be laid at the beginning of November.

The Community First Scheme

As indicated above, I have decided that in future Communities First will be a Community Focussed Tackling Poverty Programme with fewer, larger CF areas, known as Clusters. Eligibility for inclusion in the new programme is based on the Welsh Index of Multiple Deprivation 2011 with each cluster to be based on the most deprived 10% areas according to this Index.

The great majority of existing CF partnerships will be included in one of the new Clusters, but the minority which will not were eligible to apply for Exit Strategy funding up to 31 March 2013. Funding under this arrangement has recently been awarded to 13 partnerships and will be used to sustain the most valuable aspects of their work during this period and support fundraising initiatives for the future.

The CF partnerships leaving the programme are:

- Rural North Flintshire
- Upper Amman Valley, (Cross- Border between Neath Port Talbot and Carmarthenshire)
- North Abergavenny, Monmouthshire
- Tregaron, Ceredigion
- Penparcau, Ceredigion
- Dyfi Valley, Powys
- Oldford Estate, Powys,
- Deri, Caerphilly
- Pen Lynn, Gwynedd
- Bowydd a Rhiw, Gwynedd
- Barmouth, Gwynedd
- South Pwllheli, Gwynedd
- Amlwch, Anglesey

Funding for the Advice Sector

Consequential funding of £967,000 was received last December from HM Treasury to support organisations in the free advice sector affected by reductions in public funding. In January my officials worked with the Chair of the Independent Advice Providers Forum to ascertain which organisations were faced with immediate cuts to their funding and were threatened with closure. Following this exercise, in April a sum of £753,550 was grant aided to Citizens Advice Cymru and is being distributed to advice agencies during 2012/13 that identified funding cuts. There is a balance of £213,450 remaining from the consequential funding and consideration is being given to how this will be best spent this financial year. It is envisaged that 2013-14 will bring significant further challenges to advice providers, in addition to the Welfare Reform impacts, with the end of Legal Aid funding resulting in additional significant funding cuts to the free advice sector. The review of advisory services that is underway will make recommendations on how Welsh Government can best address this funding gap.

Model of funding the Fire and Rescue Services

Fire and Rescue Authorities (FRAs) in Wales are levying authorities. They set their budgets taking account of pressures and commitments and any grants they receive directly along with any income and use of reserves. The FRAs must consult with their constituent local authorities on their budget estimates. The levy is calculated based upon the levels of resident population within each local authority area. Once set, the constituent authorities are obliged to factor the levy into their own budget setting. Constituent local authorities have the ability to influence the levy through their representatives on the FRA.

In England, where the FRA is a precepting authority, they are able to raise the balance of funding required through an element on the council tax bill. In Wales, police authorities are precepting authorities. Unitary authorities are council tax setting and billing authorities.

Yours sincerely,



Carl Sargeant AC / AM
Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities

John Griffiths AC /AM
Gweinidog yr Amgylchedd a Datblygu Cynaliadwy
Minister for Environment and Sustainable Development



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MB/JG/4474/12

Mrs A Jones, Chair to the
Communities, Equality and Local Government Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dee Ann

25 October 2012

Sustainable Development definition

I have been informed by the Minister for Local Government and Communities that during his session with the Committee on 10 October 2012 members asked him to provide a definition of sustainable development. He has explained he will respond to your question himself, but has asked me to write to the Committee on this issue.

Section 79 of the Government of Wales Act 2006 makes provision for Welsh Ministers to promote sustainable development by making a Sustainable Development Scheme. In the Welsh Government's current Sustainable Development Scheme, One Wales: One Planet (2009), we have provided a definition of sustainable development for the purpose of clarity and to enable our partners to work consistently with the Welsh Government's interpretation of it. The definition is as follows:

In Wales, sustainable development means enhancing the economic, social and environmental wellbeing of people and communities, achieving a better quality of life for our own and future generations:

- *In ways which promote social justice and equality of opportunity; and*
- *In ways which enhance the natural and cultural environment and respects its limits - using only our fair share of the earth's resources and sustaining our cultural legacy.*

Sustainable development is the process by which we reach the goal of sustainability.

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Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence: John.Griffiths@wales.gsi.gov.uk

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There are other interpretations of sustainable development, starting initially with the definition of sustainable development initially proposed in the United Nations Brundtland Commission's report, *Our Common Future*, in 1987 which defined sustainable development as:

Development that meets the need of the present without comprising the ability of future generation to meet their own needs

In 2005, the UK Government and the Devolved Administrations set out a similar statement in their shared framework for sustainable development, *One future – different paths*. The goal of sustainable development was to:

Enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of future generations.

A set of guiding principles were set out within *One future – different paths* that formed the basis for sustainable development policy in respect of:

- *Living within environmental limits;*
- *Ensuring a strong, healthy and just society;*
- *Achieve a sustainable economy;*
- *Promoting good governance;*
- *Using sound science responsibly.*

The current Sustainable Development Scheme is consistent with these principles.

As part of the current legislative programme we have committed to bring forward a Sustainable Development Bill. The Bill will make sustainable development the central organising principle of the Welsh Government and public bodies in Wales and create an independent sustainable development body for Wales. As part of our consultation on the proposals for a Sustainable Development Bill we have sought views on defining sustainable development. We intend to publish details of our proposals for the Bill in a White Paper in late autumn.

Best wishes,



John Griffiths AC / AM

Gweinidog yr Amgylchedd a Datblygu Cynaliadwy
Minister for Environment and Sustainable Development

Jane Hutt AC / AM
Y Gweinidog Cyllid ac Arweinydd y Ty
Minister for Finance and Leader of the House



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref SF/JH/3319/12

Ann Jones AM
Chair of the Communities, Equality and
Local Government Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

20 October 2012

Dear Ann,

**Actions arising from Communities, Equality & Local Government Committee
10th October 2012**

During my session at the Communities, Equality & Local Government Committee, I agreed to provide you with the following which I attach for your dissemination to committee members.

- The Template used for assessing Equality Impact and the guidance which will be launched internally for Welsh Government officials around mid November; and
- A list of organisations that have been in receipt of funding from Welsh Government Advancing Equality Fund and Inclusion Grant for the past three years.

As explained to committee members on 10 October, the EIA template and guidance is draft. Both documents have received very positive feedback from pilots with a number of departments and a few minor changes will be made before the final version is launched in November 2012.

Best wishes,
Jane

Jane Hutt AC / AM
Y Gweinidog Cyllid ac Arweinydd y Ty
Minister for Finance and Leader of the House

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Equality Impact Assessment (EIA) Template – Part 1

Please use this template to help determine whether a full equality impact assessment (EIA) is required (screening assessment).

Policy title:	
Name of official:	
Department:	
Date:	
Signature:	

1. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?

2. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?

It is important to note any opportunities you have identified that could advance or promote equality.

Impact

Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010 (refer to the EIA guidance document for more information).

Lack of evidence is not a reason for *not* progressing to the EIA report stage. Please highlight any gaps in evidence that you have identified and explain how you intend to fill these gaps.

5.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?

Age	Positive	Negative	None	Reasons for your decision (including evidence) / How might it impact?
Younger people <i>(Children and young people, up to 18)</i>				
People 18-50				
Older people (50+)				

5.2 Because they are disabled?

Impairment	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
Visual impairment				
Hearing impairment				
Physically disabled				
Learning disability				
Mental health problem				
Other impairments issues				

5.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None	Reason for your decision (including evidence)/ How might it impact?
Male				
Female				

5.4 Because they are transgender?

Transgender	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?

5.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None	Reason for your decision (including evidence)/ How might it impact?
Marriage				
Civil Partnership				

5.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
Pregnancy				
Maternity (the period after birth)				

5.7 Because of their race?

Race	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,				
National Origin (e.g. Welsh, English)				
Asylum Seeker and Refugees				
Gypsies and Travellers				
Migrants				
Others				

5.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists,				

Hindus, Others (please specify)				
Belief e.g. Humanists				
Non-belief				

5.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None	Reason for your decision (including evidence)/ How might it impact?
Gay men				
Lesbians				
Bi-sexual				

5. 10 Do you think that this policy will have a positive or negative impact on people's human rights and freedoms? Please refer to point 1.4 of the EIA Guidance for further information about Human Rights.

Human Rights	Positive	Negative	None	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions				

**6.0 Building on the evidence you have gathered, can you identify
(a) any potential opportunities to advance / promote equality and
(b) whether there is a positive or negative impact on fostering good
relations?**

7.0 Is a full Equality Impact Assessment required?

Yes / No

If 'Yes' you must progress to Part 2 of the template

**If 'No' please provide full reasons and go to the declaration at
section 5 to sign off the form, which should then be returned to
EDID.**

Equality Impact Assessment (EIA) Template – Part 2 (Full EIA)

An EIA has four possible outcomes and more than one may apply to a policy:

Outcome 1: No major change

The EIA demonstrates the policy is robust; there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken.

Outcome 2: Adjust the policy

The EIA identifies potential problems or missed opportunities. Adjust the policy to remove barriers or promote equality.

Outcome 3: Continue the policy (and justify why)

The EIA identifies the potential for adverse impact or missed opportunities to promote equality. Clearly set out the justifications for continuing with it. The justification should be included in the EIA and must be in line with the duty to have due regard. For the most important relevant policies, compelling reasons will be needed.

Outcome 4: Stop and remove the policy

The policy shows actual or potential unlawful discrimination. It must be stopped and removed or changed.

1. Building on the evidence you gathered and considered at the screening stage, please consider the following:

How could, or does, the policy help advance / promote equality of opportunity?

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?

Consider whether this will have any impact will on advancing / promoting good relations and wider community cohesion? If so, what?

2. Strengthening the policy

If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or community cohesion, what are the reasons for this?

What practical changes could help reduce any negative impacts identified for at the screening stage?

Consider (for example) changes in communication methods, providing language support, collecting data or engagement activities

3. Making a decision

Summarise your findings and give an overview of whether the policy will meet the Welsh Government's responsibilities in relation to equality and human rights.

What practical actions do you recommend to remove or mitigate any negative / adverse impact?

If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.

4. Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy?

Please include the date the policy will be reviewed.

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

Give details of how the results of the impact assessment will be published, including consultation results and monitoring information if applicable.

The results of all impact assessments will be published on the Welsh Government's website.

5. Declaration

***Please delete as appropriate:**

The policy *does / does not have a significant impact upon equality issues and therefore *does / does not require an EIA.

Official completing the EIA
Name:
Department:
Date:
Signature:
Head of Division (Sign-off)
Name:
Job title and department:
Date:
Signature:

**Organisations who have received 1 to 3 years funding through the
Advancing Equality Fund and Inclusion Grant during 2010 – 2013**

1	Age Cymru Swansea Bay
2	All Wales Ethnic Minority Association
3	Barnardo's Cymru
4	British Red Cross
5	Cardiff, The Vale and Valleys Institute for the Blind
6	Cardiff Gypsy and Traveller Project
7	Disability Powys
8	Disability Wales
9	Displaced People In Action
10	National Federation of Women's Institutes
11	Platform 51
12	Polish Welsh Mutual Association
13	Rhondda Cynon Taff People First
14	Save The Children
15	Somali Integration Society
16	Stonewall Cymru
17	Supporting Others through Volunteer Action, Wales
18	The Women's Workshop (Cardiff)
19	Torfaen People First
20	Wales Migration Partnership
21	Welsh Refugee Council
22	Women's Equality Network Wales
23	Women Connect First

Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol

Bil Safleoedd Rheoleiddiedig Cartrefi Symudol (Cymru) – Ystyriaeth Cyfnod 1

At: Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol
Gan: Y Swyddfa Ddeddfwriaeth
Dyddiad: 8 Tachwedd 2012

Diben

1. Gwahodd y Pwyllgor i nodi ffordd ymlaen ar gyfer gwaith craffu Cyfnod 1 ar y Bil Safleoedd Rheoleiddiedig Cartrefi Symudol (Cymru) ('y Bil') a'r fframwaith ar ei gyfer.

Cefndir

2. Ar 23 Hydref 2012, cyfeiriodd y Pwyllgor Busnes y Bil at y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol ('y Pwyllgor'), gyda 22 Chwefror 2013 fel dyddiad cau ar gyfer cyflwyno adroddiad arno.

Mae'r amserlen eglurhol a gytunwyd gan y Pwyllgor Busnes ar gael yn Atodiad A.

3. Ar 24 Hydref 2012, cyflwynodd Peter Black AC y Bil a'r Memorandwm Esboniadol.

4. Bu'r Pwyllgor yn ystyried ei ddull o ran gwaith craffu Cyfnod 1 a chytunodd ar y dull hwn y tu allan i'w gyfarfodydd pwyllgor.

Rôl y Pwyllgor

5. Rôl y Pwyllgor yng Nghyfnod 1 yw *ystyried egwyddorion cyffredinol y Bil a chyflwyno adroddiad arnynt* (Rheol Sefydlog 26.10). Nid oes unrhyw ofynion penodol mewn Rheolau Sefydlog sy'n llywodraethu'r ffordd y mae'r Pwyllgor yn gwneud y gwaith craffu hwn.

6. Ar ôl i'r Pwyllgor gyflwyno adroddiad, bydd dadl Cyfnod 1 yn y Cyfarfod Llawn er mwyn i'r Cynulliad gytuno ar egwyddorion cyffredinol y Bil. Os cytunir ar yr egwyddorion cyffredinol, bydd Cyfnod 2 y broses yn golygu bod y Pwyllgor yn ystyried y Bil yn fanwl, gan gynnwys gwaredu gwelliannau (bwriedir i Gyfnod 2 ddigwydd yn ystod mis Ebrill a Mai 2013 ar hyn o bryd).

Fframwaith awgrymedig

7. Wrth graffu ar egwyddorion cyffredinol y Bil yng Nghyfnod 1, awgrymir bod y Pwyllgor yn gweithio o fewn y fframwaith canlynol:

Ystyried argymhelliad y Pwyllgor i'r Cynulliad o ran a ddylai gymerdawyo egwyddorion cyffredinol y Bil, gan ystyried:

1. a oes angen Bil i sefydlu cyfundrefn drwyddedu ar gyfer safleoedd cartrefi symudol yng Nghymru, a gwneud darpariaeth mewn perthynas â rheoli a gweithredu safleoedd o'r fath;
2. a yw'r Bil, fel y'i drafftwyd ar hyn o bryd, yn cyflawni'r nodau a ddatganwyd ynddo;
3. prif ddarpariaethau'r Bil, ac a ydynt yn briodol i gyflawni ei ddibenion;
4. a oes unrhyw rwystrau posibl o ran rhoi darpariaethau'r Bil ar waith, ac os felly, a yw'r Bil yn rhoi ystyriaeth ddigonol iddynt;
5. a oes unrhyw ganlyniadau anfwriadol yn deillio o'r Bil fel y'i drafftwyd ar hyn o bryd;
6. a oes cydbwysedd rhesymol rhwng y pwerau ar wyneb y Bil a'r pwerau a roddir i Weinidogion Cymru wneud is-ddeddfwriaeth; a
7. barn rhanddeiliaid yr effeithir arnynt gan y Bil, gan gynnwys, ond heb fod yn gyfyngedig i, berchenogion tai symudol, perchenogion a gweithredwyr parciau cartrefi symudol, awdurdodau lleol fel awdurdodau trwyddedu safleoedd a'r Tribiwnlys Eiddo Preswyl.

Agwedd y Pwyllgor tuag at waith craffu Cyfnod

8. Yn unol â'r dyddiad cau a nodwyd gan y Pwyllgor Busnes, bydd angen i'r pwyllgor gwblhau ei waith craffu ar y Bil a gosod ei adroddiad gerbron erbyn 22 Chwefror 2013 fan bellaf.

9. Mae'r dyddiad cau ar gyfer cyflwyno adroddiad yn caniatáu un ar ddeg wythnos o amser cyfarfod y Cynulliad i wneud y gwaith hwn.

10. Mae'r Pwyllgor wedi cytuno ar y dull a ganlyn:

- **Galwad gyffredinol am dystiolaeth**

Cyhoeddi galwad gyffredinol am dystiolaeth, a fyddai'n cael ei hysbysu i'r cyfryngau yng Nghymru a'i chyhoeddi ar wefan y Cynulliad. Ceir copi o'r llythyr ymgynghori a rhestr o'r cwestiynau ymgynghori drafft yn [Atodiad B](#). Mae'r dyddiad cau

ar gyfer cyflwyno adroddiad yn caniatáu cyfnod ymgynghori o ychydig dros bump wythnos, rhwng 5 Tachwedd a 7 Rhagfyr.

- **Gofyn am gyflwyniadau ysgrifenedig**
Gofyn am gyflwyniadau ysgrifenedig gan sefydliadau ac unigolion a ddewiswyd. Ceir rhestr o'r ymgynghoreion yn [Atodiad C](#).
- **Tystiolaeth lafar**
Gwahodd rhanddeiliaid allweddol i roi tystiolaeth lafar mewn cyfarfodydd yn y dyfodol (ochr yn ochr â'r ymarfer ymgynghori). Ceir rhestr o'r tystion ac amlinelliad o'r rhaglen waith yn [Atodiad D](#).

Pwyllgorau eraill

11. Er gwybodaeth, mae'r Rheolau Sefydlog yn galluogi'r Pwyllgor Cyllid a'r Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol i gyflwyno adroddiad ar yr agweddau perthnasol ar y Bil. Tynnwyd sylw'r ddau bwyllgor at y Bil, a bydd y clerc yn sicrhau bod y Pwyllgor yn cael y wybodaeth ddiweddaraf petai'r naill bwyllgor neu'r llall yn dewis craffu ar y Bil.

Themâu allweddol

12. Mae'r Bil, fel y'i drafftwyd, yn cynnwys nifer o themâu allweddol, sydd wedi'u nodi fel a ganlyn:

- egwyddorion cyffredinol;
- gweinyddu'r gwaith o drwyddedu;
- gorfodi trwyddedau;
- rheoli safleoedd;
- y berthynas gytundebol rhwng gweithredwyr safleoedd a pherchenogion cartrefi.

13. Mae'r Pwyllgor wedi cytuno i barhau â'i arfer blaenorol o ddsbarthu themâu i aelodau unigol o'r Pwyllgor, gyda'r bwriad o alluogi iddynt ddatblygu arbenigedd mewn perthynas â'r gwaith o graffu ar y Bil.

Cam i'w gymryd

14. Gwahoddir aelodau'r Pwyllgor i nodi'r dull y cytunwyd arno a nodi'r fframwaith ar gyfer y gwaith o graffu ar Fil Safleoedd Rheoleiddiedig Cartrefi Symudol (Cymru) yn ystod Cyfnod 1.

Amserlen

Bil Safleoedd Rheoleiddiedig Cartrefi Symudol (Cymru)

Carreg Filltir	Dyddiadau
1. Cyflwynwyd y Bil / Gosodwyd y Bil	25 Hydref 2012 (dydd Iau)
2. Dyddiad cau i'r Pwyllgor ystyried y Bil yng Nghyfnod 1	22 Chwefror 2013
3. <i>Cyfnod 1 yn dod i ben - Dadl ar yr egwyddorion cyffredinol yn y Cyfarfod Llawn</i>	6 Mawrth 2013
4. <i>Cyfnod 2 yn dechrau</i>	7 Mawrth 2013
5. <i>Dyddiad cynharaf posibl ar gyfer ystyried y Bil yng Nghyfnod 2</i>	17 Ebrill 2013
6. <i>Cyfnod 2 yn dod i ben - Dyddiad cau ar gyfer y pwyllgor yng Nghyfnod 2</i>	10 Mai 2013
7. <i>Cyfnod 3 yn dechrau</i>	13 Mai 2013
8. <i>Cyfnod 3 a Chyfnod 4 yn y Cyfarfod Llawn</i>	12 Mehefin 2013
9. <i>Cydsyniad Brenhinol</i>	<i>Gorffennaf 2012</i>

Nodiadau

2 Mae hyn yn caniatáu 11 wythnos eistedd ar gyfer trafodion Cyfnod 1 yn y pwyllgor.

Toriad mis Hydref: 29 Hydref 2012 – 4 Tachwedd 2012

Toriad y Nadolig: 10 Rhagfyr 2012 – 7 Ionawr 2013

4 Mae Cyfnod 2 yn dechrau ar y diwrnod gwaith cyntaf ar ôl i Gyfnod 1 ddod i ben.

Toriad y Pasg: 25 Mawrth 2013 – 12 Ebrill 2013

5 Rhaid i 15 diwrnod gwaith o leiaf fynd heibio rhwng dechrau Cyfnod 2 a'r cyfarfod pwyllgor cyntaf.

6 Mae tri chyfarfod posibl wedi eu caniatáu ar gyfer trafodion Cyfnod 2.

7 Mae Cyfnod 3 yn dechrau ar y diwrnod gwaith cyntaf ar ôl i Gyfnod 2 ddod i ben.

8 Rhaid i 15 diwrnod gwaith o leiaf fynd heibio rhwng dechrau Cyfnod 3 a dyddiad cyfarfod cyntaf y Cynulliad sy'n ystyried trafodion Cyfnod 3.

9 Mae'r dyddiad hwn yn dibynnu ar y cyfnod cyfeirio ac ymyrryd o bedair wythnos, ac wedi hynny, a yw Ei Mawrhydi ar gael i roi Cydsyniad Brenhinol.



Annwyl Syr/Madam

**Ymgynghoriad ar Fil Safleoedd Rheoleiddiedig Cartrefi Symudol
(Cymru)**

Beth yw Bil?

Cyfraith ddrafft yw Bil. Ar ôl i'r Cynulliad ystyried a phasio Bil, a chael Cydsyniad Brenhinol gan y Frenhines, mae'n dod yn 'Ddeddf y Cynulliad.'

Mae pedwar cyfnod i'r broses o ystyried Bil. Mae Cyfnod 1 yn golygu cael pwyllgor i ystyried egwyddorion cyffredinol y Bil (sy'n cynnwys cymryd tystiolaeth ysgrifenedig ac ar lafar gan rai sydd â diddordeb a chan randdeiliaid), a chael chytundeb y Cynulliad i'r egwyddorion cyffredinol hynny.

Beth mae'r Bil hwn yn gobeithio ei gyflawni?

Mae'r Memorandwm Esboniadol sy'n cyd-fynd â'r Bil yn datgan:

"Mae i'r Bil hwn nifer o amcanion. Yn gyntaf, cyflwyno cyfundrefn drwyddedu newydd ar gyfer safleoedd cartrefi symudol a rhoi pwerau digonol i'r awdurdodau lleol i orfodi'r gyfundrefn honno. Bydd hyn yn cynnwys sicrhau bod perchnogion a rheolwyr safleoedd yn pasio prawf person addas a phriodol [...] Bydd y Bil hefyd yn rhoi pwerau i Weinidogion Cymru i gymeradwyo cod ymarfer o ran rheoli safleoedd yn ogystal â phwerau i wneud rheoliadau rheoli. Ar ben hyn, mae'r Bil yn ceisio moderneiddio nifer o agweddau ar y berthynas gontractiol

rhwng perchnogion cartrefi symudol a gweithredwyr safleoedd, gan gynnwys newid y broses ar gyfer prynu a gwerthu cartrefi."

"Nid yw'r Bil yn effeithio ar y gyfraith sy'n ymwneud â safleoedd carafannau gwyliau neu garafannau teithiol, er y bydd yn effeithio ar safleoedd dibenion cymysg [...] o ran y rhannau preswyl."

Beth yw rôl y Pwyllgor?

Rôl y Pwyllgor yw ystyried egwyddorion cyffredinol y Bil a chyflwyno adroddiad arnynt. Wrth wneud hyn, mae'r Pwyllgor wedi cytuno i weithio o fewn y fframwaith a ganlyn:

Ystyried a ddylai'r Pwyllgor argymhell bod y Cynulliad yn cymerdawyo egwyddorion cyffredinol y Bil, gan ystyried:

1. a oes angen Bil i sefydlu cyfundrefn drwyddedu ar gyfer safleoedd cartrefi symudol yng Nghymru, a gwneud darpariaeth mewn perthynas â rheoli a gweithredu safleoedd o'r fath;
2. a yw'r Bil, fel y'i drafftwyd ar hyn o bryd, yn cyflawni'r nodau a ddatganwyd ynddo;
3. prif ddarpariaethau'r Bil, ac a ydynt yn briodol i gyflawni ei ddibenion;
4. a oes unrhyw rwystrau posibl o ran rhoi darpariaethau'r Bil ar waith, ac os felly, a yw'r Bil yn rhoi ystyriaeth ddigonol iddynt;
5. a oes unrhyw ganlyniadau anfwriadol yn deillio o'r Bil fel y'i drafftwyd ar hyn o bryd;
6. a oes cydbwysedd rhesymol rhwng y pwerau ar wyneb y Bil a'r pwerau a roddir i Weinidogion Cymru wneud is-ddeddfwriaeth; a
7. barn rhanddeiliaid yr effeithir arnynt gan y Bil, gan gynnwys, ond heb fod yn gyfyngedig i, berchenogion tai symudol, perchnogion a gweithredwyr parciau cartrefi symudol, awdurdodau lleol fel awdurdodau trwyddedu safleoedd a'r Tribiwnlys Eiddo Preswyl.

Gwahoddiad i gymryd rhan yn yr ymchwiliad

Rydym yn gwerthfawrogi y caswoch, efallai, wahoddiad yn ddiweddar i ymateb i ymarferiad ymgynghorol gan Peter Black AC, a oedd yn gofyn am eich barn am ystod o gynigion polisi er mwyn bod yn sail i ddrafftio'r Bil.

Hoffai'r Pwyllgor eich gwahodd i gyflwyno tystiolaeth ysgrifenedig er mwyn ein cynorthwyo ni â'r gwaith o graffu ar y Bil, ac felly yn gofyn

am eich barn ar nodau ac amcanion y Bil fel y'i draffitwyd, ac o ran yr effaith y bydd y Bil yn ei chael. **Yn benodol, byddem yn croesawu eich sylwadau ar y cwestiynau a restrir yn Atodiad 1.**

Sut i gyfrannu

Mae amryw o ffyrdd o gyflwyno tystiolaeth, ond rhaid i bob cyflwyniad ein cyrraedd erbyn **7 Rhagfyr 2012**. Efallai na fydd yn bosibl inni ystyried unrhyw ymateb a ddaw i law ar ôl y dyddiad hwn.

E-bost

Os hoffech gyflwyno tystiolaeth ar e-bost, anfonwch gopi electronig o'ch cyflwyniad at pwylgor.CCLl@cymru.gov.uk, gan roi "Ymgynghoriad – Bil Safleoedd Rheoleiddiedig Cartrefi Symudol (Cymru)" yn llinell pwnc y neges e-bost.

Ar-lein

Os hoffech gyflwyno eich tystiolaeth ar-lein, mae cwestiynau'r ymgynghoriad ar gael yn <https://www.surveymonkey.com/s/Bil-Safleoedd-Rheoleiddiedig-Cartrefi-Symudol>.

Llythyr

Os hoffech ysgrifennu atom, dyma'r cyfeiriad:

Helen Finlayson
Clerc
Y Swyddfa Ddeddfwriaeth
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

Wrth baratoi eich cyflwyniad, cadwch y canlynol mewn cof:

- dylai eich ymateb gyfeirio at y materion sydd gerbron y Pwyllgor;
- bydd y Cynulliad Cenedlaethol fel rheol yn sicrhau bod ymatebion i ymgynghoriad cyhoeddus ar gael yn gyhoeddus, ac efallai y cânt eu gweld a'u trafod gan Aelodau'r Cynulliad mewn cyfarfodydd pwyllgor. Os nad ydych am i'ch ymateb na'ch enw gael eu cyhoeddi, mae'n bwysig eich bod yn nodi hynny'n glir wrth gyflwyno'r dystiolaeth;

- nodwch ai ymateb fel unigolyn neu ar ran sefydliad yr ydych; a
- nodwch a fydddech yn barod i roi tystiolaeth lafar i'r Pwyllgor.

Mae'r Pwyllgor yn croesawu cyfraniadau yn Gymraeg ac yn Saesneg a gofynnwn i sefydliadau sydd â chynlluniau/polisiau laith Gymraeg ddarparu cyflwyniadau dwyieithog, yn unol â'u polisiau ar ddarparu gwybodaeth i'r cyhoedd. Bydd y Pwyllgor yn ystyried yr ymatebion i'r ymgynghoriad ac yn cynnal sesiynau tystiolaeth lafar yn ystod tymor yr hydref a thymor y gwanwyn.

Er gwybodaeth, mae'r Pwyllgor yn gwahodd ymatebion gan y rhai a enwyd ar y rhestr atodedig (gweler Atodiad 2). Byddai'r Pwyllgor yn ddiolchgar petaech yn gallu anfon copi o'r llythyr at unrhyw unigolion neu sefydliadau nad ydynt wedi'u cynnwys ar y rhestr hon, ond a hoffai gyfrannu at yr ymchwiliad. Mae copi o'r llythyr hwn wedi'i roi ar wefan y Cynulliad ynghyd â gwahoddiad agored i gyflwyno sylwadau.

Datgelu gwybodaeth

Mae'n arferol i'r Cynulliad Cenedlaethol gyhoeddi tystiolaeth a ddarperir i bwyllgor. O ganlyniad, efallai y bydd eich ymateb yn ymddangos mewn adroddiad neu mewn tystiolaeth ategol sy'n rhan o adroddiad. Ni fydd y Cynulliad Cenedlaethol yn cyhoeddi gwybodaeth a ystyrir yn ddata personol.

Os ceir cais am wybodaeth a gyflwynwyd o dan ddeddfwriaeth y DU, efallai y bydd angen datgelu'r wybodaeth a ddarperir gennych. Gall hyn gynnwys gwybodaeth a ddilëwyd cyn hynny gan y Cynulliad Cenedlaethol at ddibenion cyhoeddi.

Os byddwch yn darparu unrhyw wybodaeth, ac eithrio data personol, nad yw'n addas i'w datgelu i'r cyhoedd yn eich barn chi, eich penderfyniad chi yw nodi pa rannau na ddylid eu cyhoeddi a rhoi dadl resymol dros hyn. Bydd y Cynulliad Cenedlaethol yn ystyried hyn wrth gyhoeddi gwybodaeth neu wrth ymateb i geisiadau am wybodaeth.

Os oes gennych unrhyw gwestiynau, cysylltwch â Helen Finlayson, Clerc y Pwyllgor, ar 029 2089 8600 neu drwy e-bost, Helen.Finlayson@wales.gov.uk.

Yn gywir



Ann Jones AC / AM
Cadeirydd / Chair

Cwestiynau'r ymgynghoriad

Cyffredinol

1. A oes angen am Fil i ddiwygio'r trefniadau ar gyfer trwyddedu safleoedd rheoleiddiedig cartrefi symudol yng Nghymru a gwneud darpariaeth ar gyfer eu rheoli a'u gweithredu? Esboniwch eich ateb.
2. A ydych yn credu bod y Bil, fel y'i drafftwyd, yn bodloni'r amcanion sydd wedi'u nodi yn y Memorandwm Esboniadol? Esboniwch eich ateb.
3. Yn eich barn chi, a fydd y gyfundrefn drwyddedu a gorfodi y mae'r Bil yn ei sefydlu yn addas? Os na fydd, ym mha ffordd y dylid newid y Bil?
4. A yw cynigion y Bil o ran prawf person addas a phriodol ar gyfer perchenogion a gweithredwyr safleoedd yn briodol a beth fydd y goblygiadau?
5. A yw'r gwelliannau i'r berthynas gytundebol rhwng perchenogion cartrefi symudol a pherchenogion safleoedd a fyddai'n cael eu gwneud yn sgîl y Bil yn berthnasol? Os nad ydynt, ym mha ffordd y dylid newid y Bil?
6. Yn eich barn chi, sut fydd y Bil yn newid y gofynion ar berchenogion a gweithredwyr y safleoedd hyn, a beth fydd effaith y newidiadau hyn, os o gwbl?
7. A ydych yn cytuno y dylai'r Tribiwnlys Eiddo Preswyl fod â'r awdurdodaeth i ymdrin â'r holl achosion o anghydfod sy'n ymwneud â'r Bil hwn, ar wahân i erlyniadau troseddol? Rhowch resymau, os gwelwch yn dda.
8. Beth yw'r rhwystrau posibl i roi darpariaethau'r Bil ar waith (os ydynt yn bodoli), ac a yw'r Bil yn rhoi ystyriaeth ddigonol iddynt?

Pwerau i wneud is-ddeddfwriaeth

9. Beth yw eich barn am y pwerau yn y Bil i Weinidogion Cymru wneud is-ddeddfwriaeth (hynny yw, offerynau statudol, gan gynnwys rheoliadau, gorchmynion a chyfarwyddiadau)?

Yn eich ateb i'r cwestiwn hwn, mae'n bosibl y byddwch am ystyried Adran 5 o'r Memorandwm Esboniadol, sy'n cynnwys tabl yn

crynhoi'r pwerau a fydd yn cael eu rhoi i Weinidogion Cymru yn y Bil.

Goblygiadau ariannol

10. Yn eich barn chi, beth yw goblygiadau ariannol y Bil? Dylech ystyried graddfa'r goblygiadau ariannol a'r ffordd y maent wedi cael eu dosbarthu.

Wrth ateb y cwestiwn hwn, mae'n bosibl y byddwch am ystyried Rhan 2 o'r Memorandwm Esboniadol (yr Aseiad Effaith Rheoleiddiol) sy'n cynnwys amcangyfrif o'r costau a'r buddion sy'n gysylltiedig â rhoi'r Bil ar waith.

Sylwadau eraill

11. A oes unrhyw sylwadau eraill yr hoffech eu gwneud am rannau penodol o'r Bil?

Rhestr o'r ymgygoreion

Categori	Sefydliad/Enw
	Tribiwnlys Eiddo Preswyl Cymru
	Huw Lewis AC (Y Gweinidog Treftadaeth, Adfywio a Thai)
Awdurdodau lleol	Pob awdurdod lleol yng Nghymru
	Cymdeithas Llywodraeth Leol Cymru
Yr heddlu	Cymdeithas Prif Swyddogion yr Heddlu
Senedd y DU	Pwyllgor Dethol Tŷ'r Cyffredin ar Gymunedau a Llywodraeth Leol
	Mark Prisk AS (Gweinidog dros Dai)
	Peter Aldous AS (Bil Aelod Preifat)
	Grŵp Trawsbleidiol ar Gartrefi Symudol
Yr Alban	Grŵp Trawsbleidiol ar Gartrefi mewn Parciau
	Llywodraeth yr Alban
Perchenogion cartrefi symudol	Cymdeithas Genedlaethol Preswylwyr Cartrefi mewn Parciau
	Ymgyrch Gyfiawnder Perchenogion Cartrefi mewn Parciau
	Cynghrair Gweithredu Preswylwyr Cartrefi mewn Parciau
Perchenogion safleoedd cartrefi symudol	Perchenogion safleoedd
	Cymdeithas Parciau Gwyliau a Pharciau Cartrefi Prydain

Categori	Sefydliad/Enw
	Urdd y Landlordiaid Preswyl
	Wyldecrest Parks
	Cymdeithas Tir a Busnesau Cefn Gwlad
	Cyngor Carafanau Cenedlaethol
Cyrff cynghori	Gwasanaeth Ymgynghori Annibynnol ar Gartrefi mewn Parciau
	Rhwydwaith Cenedlaethol Cefnogi Pobl
	Gwasanaeth Ymgynghorol Cyfranogiad Tenantiaid Cymru
	Cyngor ar Bopeth
	Llais Defnyddwyr Cymru
Sefydliadau busnes	CBI Cymru
	Ffederasiwn Busnesau Bach Cymru
	Yr Awdurdod Gwasanaethau Ariannol (FSA)
	Urdd Gwasanaethau Cartrefi mewn Parciau
Academyddion	Prifysgol Caerdydd, y Sefydliad Adfywio
	Prifysgol Efrog, Canolfan Polisi Tai
	Prifysgol Sheffield, yr Adran Cynllunio Trefol a Rhanbarthol
	Arsyllfa Wledig Cymru
	Prifysgol Fetropolitan Caerdydd, Ysgol Gwyddorau Iechyd Caerdydd (Tai)
	Canolfan Llywodraethiant Cymru
Sefydliadau Tai	Caer Las Cymru

Categori	Sefydliad/Enw
	Gofal a Thrwsio Cymru
	Sefydliad Tai Siartredig Cymru
	Cartrefi Cymunedol Cymru
	Cymorth Cymru
	Cymuned
	Rhwydwaith Tai Amlfeddiannaeth
	Cymdeithas Genedlaethol yr Asiantau Tai
	Ffederasiwn Cenedlaethol yr Adeiladwyr
	Rhwydwaith Digartrefedd Cenedlaethol
	Cymdeithas Genedlaethol Landlordiaid Cymru
	Ffederasiwn Tenantiaid Cymru
	Cymdeithas Landlordiaid Preswyl
	Sefydliad Brenhinol y Syrfewyr Siartredig
	Shelter Cymru
Arall	Y Comisiwn Cydraddoldeb a Hawliau Dynol
	Sefydliad Joseph Rowntree
	NACRO
	Stonewall Cymru
	Eglwys Bresbyteraidd Cymru
	The Wallich
	Y Comisiynydd Pobl Hŷn
	Age Cymru

Rhaglen waith amlinellol

Dyddiad	Gweithgaredd a argymhellir
Wythnos yn dechrau 5 Tachwedd	Ymgynghoriad yn agor
14 Tachwedd	Peter Black AC Llais Defnyddwyr Cymru
22 Tachwedd	Y Tribiwnlys Eiddo Preswyl Awdurdodau Lleol
28 Tachwedd	Cynrychiolwyr perchenogion/gweithredwyr safleoedd cartrefi symudol Cynrychiolwyr perchenogion cartrefi symudol
6 Rhagfyr	Huw Lewis AC, y Gweinidog Tai, Adfywio a Threftadaeth
7 Rhagfyr	Yr ymgynghoriad yn dod i ben
Toriad y Nadolig (rhwng 10 Rhagfyr a 4 Ionawr)	
9 Ionawr	Peter Black AC Trafodaeth ar y materion allweddol
17 Ionawr	Trafodaeth bellach ar y materion allweddol yn bosibl os yw'n ofynnol
6 Chwefror	Ystyried yr adroddiad drafft
Toriad hanner tymor (rhwng 11 a 15 Chwefror)	
22 Chwefror	Dyddiad cau ar gyfer cyflwyno adroddiad ar Gyfnod 1
6 Mawrth	Dadl ar Gyfnod 1