



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

## **Y Pwyllgor Cymunedau, Cydraddoldeb a** **Llywodraeth Leol** **The Communities, Equality and Local Government** **Committee**

**Dydd Mercher, 24 Mehefin 2015**  
**Wednesday, 24 June 2015**

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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.

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.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

|                      |  |
|----------------------|--|
| Peter Black          | Democratiaid Rhyddfrydol Cymru<br>Welsh Liberal Democrats                          |
| Christine Chapman    | Llafur (Cadeirydd y Pwyllgor)<br>Labour (Committee Chair)                          |
| Jocelyn Davies       | Plaid Cymru<br>The Party of Wales  |
| Janet Finch-Saunders | Ceidwadwyr Cymreig<br>Welsh Conservatives  |
| John Griffiths       | Llafur (yn dirprwyo ar ran Gwenda Thomas)<br>Labour (substitute for Gwenda Thomas) |
| Mike Hedges          | Llafur<br>Labour   |
| Mark Isherwood       | Ceidwadwyr Cymreig<br>Welsh Conservatives  |
| Sandy Mewies         | Llafur (yn dirprwyo ar ran Alun Davies)<br>Labour (substitute for Alun Davies)     |
| Gwyn R. Price        | Llafur<br>Labour   |
| Rhodri Glyn Thomas   | Plaid Cymru<br>The Party of Wales  |

**Eraill yn bresennol**  
**Others in attendance**

|                  |  |
|------------------|--|
| Leighton Andrews | Aelod Cynulliad, Llafur (y Gweinidog Gwasanaethau<br>Cyhoeddus)<br>Assembly Member, Labour (Minister for Public Services)        |
| Sharon Barry     | Cyfreithiwr, Llywodraeth Cymru<br>Lawyer, Welsh Government   |
| Gareth Thomas    | Ymgynghorydd Polisi, Diwygio Llywodraeth Leol,<br>Llywodraeth Cymru<br>Policy Adviser, Local Government Reform, Welsh Government |

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

|                     |   |
|---------------------|---|
| Chloë Davies        | Dirprwy Glerc<br>Deputy Clerk                       |
| Matthew Richards    | Uwch-gynghorydd Cyfreithiol<br>Senior Legal Adviser |
| Elizabeth Wilkinson | Clerc<br>Clerk                                      |

*Dechreuodd y cyfarfod am 09:01.*  
*The meeting began at 09:01.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon**  
**Introductions, Apologies and Substitutions**

[1] **Christine Chapman:** Good morning, everyone, and welcome to the National Assembly for Wales's Communities, Equality and Local Government Committee. Can I just remind Members that if they have any mobile phones that they are switched to silent? We have received apologies from Gwenda Thomas and Alun Davies, and we have John Griffiths and Sandy Mewies as substitutes. Welcome, both.

09:01

**Bil Llywodraeth Leol (Cymru): Cyfnod 2—Trafod y Gwelliannau**  
**Local Government (Wales) Bill: Stage 2—Consideration of Amendments**

[2] **Christine Chapman:** The purpose of this meeting is to consider amendments to the Local Government (Wales) Bill. I would like to welcome Leighton Andrews AM, Minister for Public Services; and also Sharon Barry, lawyer, Welsh Government; and Gareth Thomas, policy advisor, local government reform, Welsh Government. Welcome to you all.

[3] Before we start the voting, Members should have before them a copy of the Bill, also the marshalled list of amendments, and the groupings of amendments for debate. As agreed by the committee on 4 June, the order in which we consider amendments will be sections 2 to 42, section 1, and then the long title.

[4] The amendments have been grouped to facilitate debate. There will be one debate on each group of amendments, but the order in which amendments will be called and moved for a decision will be dictated by the marshalled list. Only committee members are able to move amendments. In accordance with the convention agreed by the Business Committee, as Chair, I will move the amendments tabled in the name of the Minister. Unless the Minister indicates otherwise, I will assume the Minister wishes me to move all his amendments. Okay.

[5] The debate on each group will follow the same structure. I will invite the proposer of the lead amendment in the group to move and speak to that amendment and the other amendments in the group. I'll then call other Members who wish to speak. Finally, I will call the Member with the lead amendment to reply to the debate. In those groups where the Minister does not have the lead amendment in a group, I will call him as the penultimate speaker.

[6] Following each debate, I will ask the Member who moved the lead amendment to confirm whether they wish to press the amendment to a decision. If not, the Member may seek the agreement of the committee to withdraw the amendment. If it's not withdrawn, I'll put the question on the lead amendment and ask whether any Member objects to the amendment being agreed. If no Member objects, the amendment will be deemed agreed in accordance with Standing Order 17.34. If any Member objects, I will call for a vote by show of hands and the vote will be recorded in the minutes. In accordance with Standing Orders 17.37 and 6.20, if there is a tied vote, I will exercise the casting vote against the amendment. I'll call on the proposers of other amendments in each group to move their amendments at the appropriate time, in accordance with the marshalled list. If you don't wish to move your amendment, you should say so clearly when your amendment is called.

[7] In line with our established practice, advisers to the committee or the Minister are not expected to provide advice on the record. If Members wish to seek legal advice during proceedings, could you do so just by passing a note to the relevant advisor or by requesting an adjournment of proceedings? Are there any questions before we start? Okay. We'll now move to the consideration of amendments under item 2.

**Grŵp 1: Uno Gwirfoddol Awdurdodau Lleol: Ymgynghori (Gwelliannau 2 a 48)**  
**Group 1: Voluntary Mergers of Local Authorities: Consultation (Amendments 2 and 48)**

[8] **Christine Chapman:** Group 1 relates to consultation on voluntary mergers of local authorities. The lead amendment in the group is amendment 2 in the name of the Minister.

*Cynigiwyd gwelliant 2 (Leighton Andrews).*  
*Amendment 2 (Leighton Andrews) moved.*

[9] **Christine Chapman:** As we've agreed, I move amendment 2 and call on the Minister to speak to his amendment and the other amendment in the group. Minister.

[10] **The Minister for Public Services (Leighton Andrews):** Thank you, Chair. The Local Government (Wales) Bill is fundamental to delivering our local government reform agenda and to enabling preparations to be made for the local government mergers and reform. It's important in allowing the Independent Remuneration Panel for Wales and the Local Democracy and Boundary Commission for Wales to begin essential preparatory work and also, importantly, safeguard against inappropriate transactions by existing authorities in the run-up to merger that might prejudice the position of new authorities.

[11] Can I start by placing on record my thanks to all the members of the committee for their scrutiny of the Bill? We have considered every amendment that's been laid; can I give assurance to Members on that? We also found the committee's report from Stage 1 very helpful in shaping our approach to these amendments as well.

[12] The purpose of amendment 2 is to omit the current wording of section 4(1)(g) and replace it with a new provision requiring authorities to consult with any recognised trade unions before making a voluntary merger application. It is consistent with recommendation 3 of the committee's Stage 1 report.

[13] It will be essential for the workforce to be involved in developing a proposal for voluntary merger. In line with our social partnership arrangements, in particular through the workforce partnership council, the appropriate consultation process is with the recognised trade unions.

[14] We do not regard amendment 48 as necessary. Section 4 of the Bill already makes clear that local authorities seeking to merge voluntarily must undertake full consultation as part of the application process. Before an application can be approved, the Welsh Government has to be satisfied that consultation has been undertaken in line with section 4(1) of the Bill.

[15] The prospectus issued last year to local authorities about voluntary mergers required applicants to draw up a comprehensive consultation and engagement plan. Those applications also had to be supported with clear evidence of consultation. The prospectus will have statutory effect as a result of section 5 of the Bill, so the Bill already delivers the key points of amendment 48.

[16] **Christine Chapman:** Thank you, Minister. Janet Finch-Saunders is not here to speak to her amendment. Are there any other Members who wish to speak?

[17] **Mark Isherwood:** I'll speak very quickly, then, to amendment 48. Noting that the Minister stated that section 4 says that local authorities proposing merger must undertake full consultation as part of the application process, all this amendment seeks to do is to ensure that, before an application is made, the principal local authority must publish a report on consultation undertaken under subsection (1) with specified additions accordingly—details of the steps that principal local authorities have undertaken to meet this requirement, details of any consultation undertaken before coming into force, a summary of any consultation responses, and details of how the local authorities have taken account of consultation responses. This, therefore, ensures on the face of the Bill that genuine engagement has been sought and undertaken with those key persons who will be affected by the legislation before the process begins, rather than enabling a consultation to occur in some other form.

[18] **Christine Chapman:** Thank you. Jocelyn.

[19] **Jocelyn Davies:** Yes, thank you. Looking at this amendment, the requirement would be to publish the consultation and the responses, and so on. I heard what the Minister said that there is a backstop in that the Welsh Government would satisfy themselves, before anything was allowed to proceed, that the consultation was done correctly. Would the Minister, in responding to the debate, consider making it a requirement that they are published so that the public then can just easily see what other people thought, apart from themselves, in terms of the consultation? I take some comfort from what the Minister said, but it would be good if these things were published as a matter of course.

[20] **Christine Chapman:** Okay, thank you. No other Members? Minister, then.

[21] **Leighton Andrews:** I'm grateful to Members for their comments, and in response to Jocelyn Davies, can I say that we would expect and encourage local authorities to publish as much of the detail of their application as is realistic? But I hear what she says and I see no reason why we shouldn't expect local authorities to publish all of the responses on their websites unless there are materials of course that would be, for any reason, commercially confidential or relating to employees' terms and conditions or matters such as that. So, I will happily give further consideration to the exact wording of any guidance that we publish.

[22] **Christine Chapman:** Okay. Thank you, Minister. So, do you wish to proceed to a vote on amendment 2?

[23] **Leighton Andrews:** On amendment 2, yes please.

[24] **Christine Chapman:** Okay. The question is then that amendment 2 be agreed. Does any Member object? No. Amendment 2 then is agreed.

*Derbyniwyd gwelliant 2 yn unol â Rheol Sefydlog 17.34.*

*Amendment 2 agreed in accordance with Standing Order 17.34.*

[25] **Christine Chapman:** Janet, do you wish to move amendment 48?

*Cynigiwyd gwelliant 48 (Janet Finch-Saunders, gyda chefnogaeth Peter Black).*

*Amendment 48 (Janet Finch-Saunders, supported by Peter Black) moved.*

[26] **Janet Finch-Saunders:** Yes.

[27] **Christine Chapman:** The question is then that amendment 48 be agreed. Does any Member object? [*Objection.*] Okay. I'll therefore take a vote by show of hands. The question is that amendment 48 be agreed. Those in favour, please raise your hands. Those against. And those abstaining. Okay. So, in relation then to amendment 48, there voted three in favour, five against, and two abstained. Therefore amendment 48 is not agreed.

*Gwelliant 48: O blaid 3, Yn erbyn 5, Ymatal 2.*

*Amendment 48: For 3, Against 5, Abstain 2.*

O blaid:  
For:

Black, Peter  
Isherwood, Mark  
Finch-Saunders, Janet

Yn erbyn:  
Against:

Chapman, Christine  
Griffiths, John  
Hedges, Mike  
Mewies, Sandy  
Price, Gwyn R.

Ymatal:  
Abstain:

Davies, Jocelyn  
Thomas, Rhodri Glyn

*Gwrthodwyd gwelliant 48.  
Amendment 48 not agreed.*

**Grŵp 2: Uno Gwirfoddol Awdurdodau Lleol: Gweithdrefnau'r Cynulliad  
(Gwelliannau 28, 34 a 37)  
Group 2: Voluntary Mergers of Local Authorities: Assembly Procedures  
(Amendments 28, 34 and 37)**

[28] **Christine Chapman:** Okay. We now move on then to group 2, which relates to Assembly procedures for voluntary merger provisions and I call on Peter Black to move amendment 28 and to speak to the amendments in the group.

*Cynigiwyd gwelliant 28 (Peter Black).  
Amendment 28 (Peter Black) moved.*

[29] **Peter Black:** Thank you, Chair. These three amendments are all in line with the recommendations of the Constitutional and Legislative Affairs Committee in relation to regulations and guidance issued under this Bill. I think it's important, and the committee also thought it was important, that, given the significance of merging local authorities and the impact that should have, Assembly Members should be involved at every possible stage and that these issues should be given the opportunity for debate in the Assembly. We believe that the new local authorities arising from the Bill should be founded on the basis of clear principles and that the Assembly has had adequate opportunity to scrutinise their creation, and therefore I hope that the Minister will be able to accept that these procedures are necessary in relation to these particular parts of the Bill.

[30] **Christine Chapman:** Okay. Thank you. Are there any other Members who wish to speak? No. Minister.

[31] **Leighton Andrews:** Chair, thank you. I heard what Peter Black said. However, I'm satisfied that the provision already on the face of the Bill is appropriate. In relation to amendment 28, the timescale for considering any potential voluntary merger applications, and making any merger regulations before the end of this Assembly is, of course, incredibly tight. We issued guidance on voluntary mergers in September 2014 and the principles of that guidance remain valid, albeit the details around timing will be considered if and when authorities come forward. Amendment 28 seeks to introduce a negative resolution procedure to the revision of the guidance. I'm afraid we believe this would lead to delay and uncertainty, which would make it impractical, if not impossible, to deliver any voluntary mergers that local authorities might want within the time frame of this Assembly.

[32] Turning to amendment 34, the power in section 3(1) for the Welsh Ministers to make regulations to amend the date for the submission of voluntary merger applications is an essential contingency power in the event that Royal Assent were to be delayed. The regulation-making power enables Welsh Ministers to do no more than amend the deadline for submitting voluntary merger applications. In my view, that does not warrant the affirmative procedure. The timetable is challenging for voluntary mergers. The 'no procedure' approach will enable us to move swiftly in response to an initiative from local authorities where a later deadline will enable us to deliver the desired voluntary merger. Furthermore, regulations under section 3(1) to change the 30 November 2015 date on the face of the Bill would, of course, need to be made before that date. The regulations could only be laid after Royal Assent, which, subject to the will of the Assembly, is anticipated to be around the middle of November. There would therefore be insufficient time to process regulations via an Assembly procedure.

[33] In respect of amendment 37, this really is an unnecessary amendment, because voluntary merger regulations under section 6 of the Bill are subject to the Assembly's affirmative procedure. The Assembly's Standing Orders already provide for the relevant committee, or indeed, any committee, to consider and report upon a statutory instrument before it is considered by the Assembly in Plenary. Furthermore, amendment 37 would remove the discretion awarded to the Assembly under Standing Order 27.7 to consider the instrument without committee consideration. I therefore urge Members not to support these amendments.

09:15

[34] **Christine Chapman:** Thank you, Minister. Peter to reply.

[35] **Peter Black:** Yes, thank you. I think the Minister's responses underline the problem I have with this Bill, which is that we're talking about the third reorganisation of local government in 40-odd years, and the importance that that reorganisation is a settled one and one that lasts for some time. It does seem to me that the Bill that we're pushing through at the moment would enable some voluntary mergers to take place with undue haste, without ensuring there was proper consent of the entire Assembly, or a consensus of the entire Assembly, in terms of agreeing what the direction of that reorganisation of local government should be.

[36] The Minister has quite rightly said that any full reorganisation of local government should wait until after the May 2016 elections. At that point, that reorganisation will need to get a majority within this Assembly. My concern is that the rushed timetables that are in this particular Bill could enable voluntary mergers to take place before that without the full participation of the Assembly and put us in a situation whereby any full consideration after the May 2016 elections would be pre-empted by some of those voluntary arrangements.

[37] So, it does seem to me, Chair, that whereas, obviously, it is desirable that authorities should merge voluntarily, as opposed to being told what to do by the Minister, that should not happen in isolation of a consensus in Wales as to what the final map should look like and the final outcome in terms of the allocation of responsibilities and powers. The danger is that this Bill, as it is currently set out, will enable that to happen. That's why I believe that not having these procedures in place makes it more likely to happen that voluntary mergers will go ahead, that we will not have a consensus on the final map or the final settlement in terms of powers and services, and that the whole issue would be pre-empted prior to the May 2016 elections. For that reason, if these amendments are not accepted, I will not be able to support this Bill.

[38] **Christine Chapman:** Okay, thank you. Peter, do you wish to proceed to a vote?

[39] **Peter Black:** I do wish to proceed, yes.

[40] **Christine Chapman:** The question is, then, that amendment 28 be agreed. Does any Member object? [*Objection.*] Okay. So, I'll take a vote by show of hands. The question is, then, that amendment 28 be agreed. Those in favour. Those against. No abstentions. As there is a tied vote, I use my casting vote in the negative, so that is against the amendment in accordance with Standing Order 6.20. Therefore, amendment 28 is not agreed.

*Gwelliant 28: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 28: For 5, Against 5, Abstain 0.*

O blaid:  
For:

Yn erbyn:  
Against:

Ymatal:  
Abstain:



Black, Peter  
 Davies, Jocelyn  
 Finch-Saunders, Janet  
 Isherwood, Mark  
 Thomas, Rhodri Glyn

Chapman, Christine  
 Griffiths, John  
 Hedges, Mike  
 Mewies, Sandy  
 Price, Gwyn R.

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 28.  
 Amendment 28 not agreed.*

**Grŵp 3: Uno Gwirfoddol Awdurdodau Lleol: Adfywio Economaidd a'r Defnydd o'r Gymraeg (Gwelliannau 40, 41, 42, 43, 44, 45, 46 a 47)**  
**Group 3: Voluntary Mergers of Local Authorities: Economic Regeneration and Use of the Welsh Language (Amendments 40, 41, 42, 43, 44, 45, 46 and 47)**

[41] **Christine Chapman:** Group 3 relates to voluntary mergers of local authorities and economic regeneration and the use of the Welsh language. The lead amendment in the group is amendment 40 in the name of Rhodri Glyn Thomas and I call on Rhodri to move amendment 40 and speak to the amendments in this group. Rhodri.

*Cynigiwyd gwelliant 40 (Rhodri Glyn Thomas, gyda chefnogaeth Peter Black).  
 Amendment 40 (Rhodri Glyn Thomas, supported by Peter Black) moved.*

[42] **Rhodri Glyn Thomas:** Diolch yn fawr iawn, Gadeirydd. Rwy'n cynnig gwelliannau 40 i 47. Fel y mae'r Cadeirydd eisoes wedi awgrymu, maen nhw'n ymwneud â hyrwyddo'r iaith Gymraeg o fewn awdurdodau sydd wedi eu cyfuno. Mae'r Gweinidog, mewn egwyddor, wedi cytuno i hyn mewn gwrandawriad cynharach, ond rŷm ni wedi ceisio gosod y rhain mewn trefn ffurfiol yn y gwelliannau.

**Rhodri Glyn Thomas:** Thank you very much, Chair. I move amendments 40 to 47. As the Chair has already mentioned, they relate to the promotion of the Welsh language within merged authorities. The Minister has, in principle, agreed to this at an earlier stage, but we have attempted to formalise these in the amendments.

[43] Rŷm ni hefyd yn gwahaniaethu rhwng yr ardaloedd sy'n perthyn i arfordir gorllewin Cymru sydd, yn draddodiadol, yn ardaloedd lle mae'r iaith Gymraeg wedi bod yn gryf. Maen nhw hefyd yn ardaloedd lle mae awdurdodau wedi defnyddio'r Gymraeg yn helaeth, yn bennaf yng Ngwynedd, ond hefyd yng Ngheredigion, yng Nghaerfyrddin ac Ynys Môn. Rŷm ni hefyd yn gweld cyfle, wrth gyfuno awdurdodau ar hyd arfordir y gorllewin, i edrych ar y posibilrwydd nid yn unig i hyrwyddo'r iaith Gymraeg, ond i hyrwyddo ac adfywio'r economi lleol hefyd. Byddwn i'n awgrymu, er nad ydy hynny yn y gwelliannau, rhywbeth ar ffurf yr hen fwrdd adfywio cefn gwlad, lle'r oedd yna gydnabyddiaeth gan Lywodraeth yn y fan

We also differentiate between those areas that are on the west coast of Wales, which are, traditionally, areas where the Welsh language has been strong. They are also areas where authorities have used the Welsh language a great deal, mainly in Gwynedd, of course, but also in Ceredigion, Carmarthenshire and the Isle of Anglesey. We also see an opportunity, in merging authorities along the west coast, to look at the possibility not only to promote the Welsh language, but also to promote and regenerate the local economy. I would suggest, although that isn't included in the amendments, something in the form of the old development board for rural Wales, where there was a recognition there that the rural economy did need regeneration and a

hynny fod economi cefn gwlad ag angen adfywio a sefydlu bwrdd i wneud hynny, a'n bod ni'n edrych ar arfordir gorllewin Cymru ac edrych ar y posibiladau yn y fan honno. Wrth gwrs, mae'r ffaith bod yr ardaloedd hynny yn derbyn cefnogaeth o gronfeydd strwythurol yr Undeb Ewropeaidd yn cydnabod y ffaith eu bod nhw'n wan yn economaidd ac yn ei chael hi'n anodd cystadlu yn economaidd, ond gan fod cyfnod y cronfeydd strwythurol hynny yn dod i ben—ac fe fydd yna drefn newydd ar ôl 2020—mae yna gyfle fan hyn i Lywodraeth Cymru edrych ar yr hyn y gellir ei wneud i hyrwyddo'r economi a'r iaith yr un pryd yn yr ardaloedd hynny.

board was required to do that, and that we should look at the west Wales coast and look at the possibilities in those areas. Of course, the fact that those areas receive support from EU structural funds is recognition of the fact that they are economically weak and have difficulty competing in economic terms, but as that structural funding period is coming to an end—and there will be a new regime after 2020—there is an opportunity here for the Welsh Government to look at what can be done to promote the economy and the language simultaneously in those areas.

[44] Rŷm ni hefyd, wrth gwrs, am weld y Gymraeg yn cael ei hyrwyddo yn yr awdurdodau eraill, ond yn cydnabod bod y patrwm ieithyddol ar draws Cymru yn gwahaniaethu, felly dyna pam yr ydym ni'n cyfeirio yn benodol mewn rhai gwelliannau at y siroedd yma lle mae'r Gymraeg yn cael ei defnyddio o ddydd i ddydd, a bod yna gyfle yn y fan honno i edrych ar weinyddiaeth y cynghorau a gweld sut y gellir integreiddio'r Gymraeg yn rhan naturiol o'r weinyddiaeth honno. Felly, rwy'n mawr obeithio y bydd yna gefnogaeth i'r gwelliannau yma.

We also, of course, want to see the Welsh language being promoted within other authorities, but do recognise that the linguistic pattern across Wales varies, and that is why we refer specifically in certain amendments to these counties where the Welsh language is used on a daily basis, and that there is an opportunity there to look at the administration of the authorities to see how the Welsh language could be integrated as a natural language of administration there. So, I very much hope that there will be support for these amendments.

[45] O ran y Gymraeg, yr hyn yr ŷm ni'n ceisio ei gwneud ydy sefydlu patrwm y tu mewn i lywodraeth leol sydd yn debyg i'r patrwm sydd yn bodoli yn yr adeilad yma, lle mae'r ieithoedd swyddogol—y Gymraeg a'r Saesneg—yn cael eu trin yn gyfartal.

In terms of the Welsh language, what we are endeavouring to do is to create a pattern within local government that is similar to the pattern that exists in this building, where the official languages, namely Welsh and English, are treated on the basis of equality.

[46] **Christine Chapman:** Thank you, Rhodri. Any other Members who wish to speak? Peter.

[47] **Peter Black:** Yes, thank you, Chair. I'm happy to support these amendments. I think it's important that any reorganisation of local government has regard to the importance of the Welsh language in these heartland areas—areas where it is, as Rhodri Glyn Thomas has said, used on a daily basis—and, if we can strengthen the Bill by ensuring that the Ministers must have regard to the need to promote the Welsh language in any new principal authorities created by the merger regulations, I think that would be an addition that would be welcome, and one that would be very important in terms of reinforcing the importance of that particular provision, as well, of course, as the economic regeneration that is key to ensuring that the Welsh language survives in these areas, because, if you don't have jobs, people will move out. You need to create jobs to keep Welsh speakers in these areas, which are, after all, the areas where Welsh is most predominant. Although areas like Cardiff have a large number of Welsh speakers, it is not a day-to-day language that is used on the streets, whereas these areas are. So, I think this is very important—the amendments.

[48] **Christine Chapman:** Thank you. Mike.

[49] **Mike Hedges:** I was amazed to see Pembrokeshire. I never thought of south Pembrokeshire as a particularly Welsh speaking area around—

[50] **Rhodri Glyn Thomas:** North Pembrokeshire.

[51] **Mike Hedges:** I think they're the right amendments, wrong local government reorganisation, really, because Preseli would merge with south Pembrokeshire, and when Montgomeryshire was merged with Brecon and Radnorshire, that had an effect, and I think that—. I mean, people know my views, that I would dismantle Powys. It's not a view of the Minister, but I would dismantle Powys, because I think that Montgomeryshire itself is part of Welsh-speaking Wales, whereas Brecon and Radnorshire—. Apart from the southern part, which I'd also move, because I'd move Ystradgynlais into Neath Port Talbot, going into Neath Port Talbot and Swansea, if that's what it ends up as. So, I'm not quite sure why Pembrokeshire is in there. And could I put a plea in that perhaps one of your colleagues would: what about Conwy?

[52] **Christine Chapman:** Okay, Mike. Any other Members? No. Minister.

[53] **Leighton Andrews:** Thank you. Can I start by saying, obviously, I've got great sympathy for the ambitions that Rhodri Glyn sets out in proposing these amendments, and, clearly, we would want to preserve the Welsh language as the language of administration in those areas where it is currently used and seek to extend that where it is feasible to do so. Indeed, I believe that the variations on the map that I published last week would give great strength to that proposition, and I look forward to Rhodri Glyn's support for the map that I've proposed, rather than the proposition that his own party has put forward, which I don't think would actually strengthen the language in the same way—and I suspect he doesn't, either.

[54] Let me say that the reason I don't think the amendments are needed is that all of the issues dealt with in the amendments are actually already caught by the Welsh language standards. The Assembly's approval of the Welsh Language Standards (No. 1) Regulations 2015 means that the standards regime is being rolled out and implemented in respect of Welsh Ministers and the 22 existing local authorities. The Welsh Language Commissioner issued draft compliance notices to the Welsh Ministers and local authorities on 22 June. The consultation period ends on 20 July and the commissioner will issue final compliance notices during September 2015. The Welsh Ministers and local authorities then have six months to comply with those standards. So, the requirements placed on Welsh Ministers in Rhodri Glyn's amendments are actually effectively duplicating the policy-making standards that we expect the Welsh Language Commissioner to impose on Welsh Ministers.

[55] Standards 88, 89 and 90 would require the Welsh Ministers to consider the effects of any policy decision on the Welsh language and the commissioner will also be imposing promotion standards on local authorities, as set out in standards 145 and 146. So, by the time we could be considering any voluntary-merger regulations, Welsh Ministers and local authorities will already be in the throes of applying the standards imposed by the commissioner. And, of course, any merger regulations that we made in respect of voluntary mergers would need to be accompanied by a Welsh language impact assessment, which will be supported by information completed by local authorities as part of their application for voluntary merger.

[56] I know that Rhodri Glyn would agree with me that there are important linguistic issues relevant to all areas of Wales, and there are communities, as he will appreciate, with high percentages of Welsh speakers in Denbighshire, Conwy and many other areas in Wales.

So, the policy-making standards applied by the commissioner will be relevant to every decision involving every area. I think we also feel that amendments 41, 43, 45 and 47 would undermine the regime introduced by the Welsh Language (Wales) Measure 2011 because they actually cut across and undermine the statutory role of the Welsh Language Commissioner. The commissioner's responsibilities include monitoring and enforcing the implementation of Welsh language standards in respect of Welsh Ministers and local authorities. These bodies are under duties to report on their compliance with standards to the commissioner. So, the amendments would introduce a parallel regime, which would be confusing and would also duplicate effort.

[57] Finally, the reference in amendment 40 to promotion of economic regeneration, we think, is unnecessary. We support businesses, growth and jobs right across Wales. Highlighting legislation for specific areas of Wales is not consistent with this approach. There are duties on Welsh Ministers under the Well-being of Future Generations (Wales) Act 2015 in this regard. So, I support the principles that Rhodri Glyn has espoused, I believe that the map I've published will contribute to the strengthening of the Welsh language in areas where it has traditionally been the language of administration, and I regret to say that I think his amendments will cut across the work of the Welsh Language Commissioner.

[58] **Christine Chapman:** Thank you, Minister. Rhodri Glyn, to reply.

[59] **Rhodri Glyn Thomas:** Diolch yn fawr iawn, Gadeirydd. A gaf i ddiolch yn y lle cyntaf i Peter Black am ei gefnogaeth a'r ffaith ei fod e wedi cefnogi'r gwelliannau yma'n ffurfiol wrth i mi eu cyflwyno nhw? Fe wnaeth e bwynt eithriadol o bwysig yng nghyd-destun yr ardaloedd hynny sydd yn cael eu gweld fel ardaloedd traddodiadol Cymraeg eu hiaith—cymunedau naturiol ddwyieithog lle mae'r ddwy iaith yn bodoli ochr yn ochr â'i gilydd, a'r Gymraeg yn cael ei defnyddio'n feunyddiol—os nad ydym yn adfywio'r economi yn yr ardaloedd hynny, rydym yn mynd i golli siaradwyr y Gymraeg o'r ardaloedd hynny ac mae'r Gymraeg ei hunan yn mynd i ddioddef. Os ydych yn edrych ar yr hyn sydd wedi bod yn digwydd yng nghyd-destun y newidiadau o ran demograffeg rydym wedi'u gweld o ddegawd i ddegawd gyda'r cyhoeddiadau yn y cyfrifiad, mae'r newid ieithyddol sydd wedi digwydd, yn arbennig yn sir Gaerfyrddin, yng Ngheredigion ac yng ngogledd Penfro, yn frawychus. Mae'r newidiadau yng Ngwynedd ac ym Môn hefyd yn arwyddocaol, lle'r ydym wedi gweld yr iaith Gymraeg yn mynd o fod yn iaith fwyafrifol mewn cymunedau i fod yn llai arwyddocaol ac, mewn llawer iawn o ardaloedd, yn enwedig yn sir Gaerfyrddin a Cheredigion a Phenfro, yn symud o fod yn iaith fwyafrifol i fod yn iaith leiafrifol.

**Rhodri Glyn Thomas:** Thank you very much, Chair. May I first of all thank Peter Black for his support and the fact that he has formally supported these amendments as I tabled them? He made an exceptionally important point in the context of those areas that are seen as being traditional Welsh-speaking heartlands—naturally bilingual communities where both languages exist side by side, and where the Welsh language is used as a daily language of communication—if we don't regenerate the economy in those areas, then we are going to lose Welsh speakers from those areas, and the language itself is going to suffer. If you look at what's been happening in the context of the demographic change that we have seen from one decade to the next through the census data, the linguistic shift that has happened, particularly in Carmarthenshire, Ceredigion and north Pembrokeshire, is quite frightening. The changes in Gwynedd and Anglesey are also significant, where we have seen the Welsh language going from being a majority language in many communities to being less significant in terms of usage and, in many areas, particularly in Carmarthenshire and Ceredigion and Pembrokeshire, going from being a majority language to being a minority language.

09:30

[60] Felly, mae hynny'n brawf pendant nad yw hyn sydd wedi bod yn digwydd yn ddigonol. O ran iaith gweinyddiaeth yr awdurdodau, rwy'n gobeithio y byddai'r Gweinidog yn cytuno â fi, er bod y Gymraeg a'r Saesneg yn eistedd ochr yn ochr â'i gilydd yn gysurus iawn yng Ngwynedd, yn y siroedd eraill nid yw'r Gymraeg yn cael ei chydabod yn yr un ffordd â'r Saesneg. Yr iaith weinyddol yn yr awdurdodau hynny, er eu bod nhw'n awdurdodau lle mae canran helaeth o'r boblogaeth yn siarad y Gymraeg, yw'r Saesneg. Felly, mae yna waith dybryd i'w wneud yn y fan hyn. Nid yw'r ymdrechion sydd wedi bod yn ddigonol yn hynny o beth. Felly, mae pwyso yn ôl ar y comisiynydd iaith a dweud y bydd Comisiynydd y Gymraeg yn sicrhau bod hyn i gyd yn digwydd—wel, ddigwyddodd hynny ddim gyda Bwrdd yr Iaith Gymraeg, ac nid oes rheswm i feddwl bod un person ac un adran, sef y comisiwn, yn mynd i lwyddo i wyrddroi'r duedd honno. Byddai'n dda gweld y Llywodraeth yn ymrwymo i wneud hynny.

[61] O ran y pwynt yr oedd Mike Hedges yn ei godi, mae sir Benfro yn cael ei chynnwys oherwydd, o fewn unrhyw fath o gyfuno, byddai sir Benfro yn cyfuno â sir lle mae mwyafrif y boblogaeth yn siarad y Gymraeg. Mae gogledd Penfro yn dilyn y drefn honno, ac, yn wir, i raddau helaeth, mae yna adfywiad yn y Gymraeg, pan ydych yn edrych ar addysg trwy gyfrwng y Gymraeg, yn ne Penfro hefyd.

[62] O ran Conwy, mae'n dibynnu ar y cyfuniadau sydd yn deillio o fap y Gweinidog. Rwy'n gosod fy ngwelliannau i ar sail y map y mae'r Gweinidog wedi'i gyhoeddi. Dyna'r Llywodraeth sydd mewn grym ar hyn o bryd ac felly dyna'r map yr ydym yn ei drafod ar hyn o bryd. Mae'n dibynnu, i raddau helaeth, yng nghyd-destun Conwy, a oes yna ddau neu dri awdurdod wedi'u cyfuno yn y gogledd. Os oes yna ddau, fe fyddai rhannau o Gonwy yn cwmpo'n naturiol i mewn gyda Sir Fôn a chyda Gwynedd ac, felly, byddent yn dod o dan yr un gofynion. Os oes yna dri, fe fyddai Conwy a Dinbych, hwyrach, mewn sefyllfa ychydig yn wahanol i'r siroedd eraill yr wyf

Therefore, that is proof positive that what has been done is not sufficient. In terms of the language of administration of the authorities, then I hope that the Minister would agree with me that, although the Welsh language and the English language sit side by side very comfortably in Gwynedd, in the other counties the Welsh language is not recognised in the same way as the English language. The language of administration within those authorities, although they are authorities where a large percentage of the population are Welsh-speaking, is English. Therefore, there is some important work to be done in this area. The efforts made in the past have not been sufficient in that regard. Therefore, referring back to the language commissioner, and saying that the Welsh Language Commissioner will ensure that all of this will happen effectively—well, that wasn't the case with the Welsh Language Board, and there's no reason to think that one person and one department, namely the commissioner's office, is going to succeed in overturning that trend. It would be good to see the Government committing to doing so.

In terms of the point that Mike Hedges made, Pembrokeshire is included because within any kind of merger, Pembrokeshire would merge with a county where the majority of the population are Welsh speaking. North Pembrokeshire does fit into that pattern, and, to a great degree, if you look at Welsh-medium education, there is a great revival in the Welsh language in south Pembrokeshire also.

In terms of Conwy, it depends on the merger combinations that emerge from the Minister's map. I tabled my amendments on the basis of the map that the Minister published. You are the Government in power at present and, therefore, that is the map that we are working to and discussing at present. It depends, to a great extent, in the context of Conwy, as to whether there are two or three merged authorities in north Wales. If there are two, then parts of Conwy would naturally fall with Anglesey and Gwynedd, and would, therefore, come within the same requirements. If there are three, Conwy and Denbighshire might be in a slightly different position to the other counties that I have

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noted in my amendments.

[63] Felly, yr hyn yr ydym yn gofyn amdano yn y gwelliannau yma ydy ymrwymiad gan y Gweinidog i edrych ar y materion yma, o ran defnydd y Gymraeg ac i hyrwyddo'r defnydd hwnnw o ran y cyfleodd sydd ar gael ar hyd arfordir y gorllewin; i adfywio'r economi ochr yn ochr â'r iaith ac i ymrwymo i hynny; ac i adrodd yn ôl i'r Cynulliad ar sail hynny. Felly, nid wyf yn derbyn ein bod ni'n torri ar draws unrhyw fath o weithgaredd arall sy'n bodoli; rydym yn cefnogi ac yn atgyfnerthu'r gweithgaredd hwnnw. Mae'r cyfeiriadau ynglŷn â'r ardaloedd yn ymwneud â'r map y mae'r Gweinidog wedi'i gyhoeddi. Felly, os ydw i'n torri ar draws gweithgareddau cyrff eraill, yna mae'r Gweinidog hefyd yn gwneud hynny wrth gyhoeddi ei fap, oherwydd mae e'n torri ar draws ffiniau byrddau iechyd, mae'n croesi ffiniau consortia addysg ac yn torri ar draws asiantaethau'r priffyrdd. Fe allaf i restru'n hir, Weinidog, y ffordd yr ydych yn torri ar draws ffiniau cyrff eraill, felly rwy'n credu bod honno'n ddadl wan iawn, iawn ar eich rhan chi. Rwy'n gofyn am gefnogaeth, wrth reswm, i'r holl welliannau.

So, what we're seeking in these amendments is a commitment from the Minister to consider these issues, from the point of view of the use of the Welsh language and of promoting that use in terms of the opportunities available along the west coast; to regenerate the economy, alongside the language, and to commit to that; and to report back to the Assembly in terms of the progress made there. So, I don't accept that we are interfering with any other activity that's ongoing; we are supporting and reinforcing that activity. The references to areas relate to the very map that the Minister has published. So, if I am interfering with the activities of other bodies, then the Minister is doing likewise in publishing his map because he is cutting across health board boundaries and crossing the boundaries of education consortia, and is cutting across the boundaries of highways agencies. I could give you long list, Minister, of the way in which you are cutting across the boundaries of other bodies. So, I think that's a very, very weak argument on your part. I seek your support, of course, for all the amendments.

[64] **Christine Chapman:** Rhodri, do you want to proceed to a vote on amendment 40?

[65] **Rhodri Glyn Thomas:** Rwy'n **Rhodri Glyn Thomas:** I propose amendment cynnig gwelliant 40.

[66] **Christine Chapman:** If amendment 40 is not agreed, amendment 41 will fall. So, the question is that amendment 40 be agreed to? Does any Member object? [*Objection.*] Okay, I'll therefore take a vote by show of hands. Amendment 40: those in favour, those against. Any abstentions?

*Gwelliant 40: O blaid 3, Yn erbyn 5, Ymatal 2.*

*Amendment 40: For 3, Against 5, Abstain 2.*

O blaid:  
For:

Black, Peter  
Davies, Jocelyn  
Thomas, Rhodri Glyn

Yn erbyn:  
Against:

Chapman, Christine  
Griffiths, John  
Hedges, Mike  
Mewies, Sandy  
Price, Gwyn R.

Ymatal:  
Abstain:

Finch-Saunders, Janet  
Isherwood, Mark

*Gwrthodwyd gwelliant 40.  
Amendment 40 not agreed.*

*Methodd gwelliant 41.  
Amendment 41 fell.*

[67] **Christine Chapman:** Rhodri, do you wish to move amendment 42?

*Cynigiwyd gwelliant 42 (Rhodri Glyn Thomas, gyda chefnogaeth Peter Black).  
Amendment 42 (Rhodri Glyn Thomas, supported by Peter Black) moved.*

[68] **Rhodri Glyn Thomas:** Ydw. **Rhodri Glyn Thomas:** Yes.

[69] **Christine Chapman:** Okay. If amendment 42 is not agreed, amendment 43 will fall. So, the question is that amendment 42 be agreed. Does any Member object? [*Objection.*] Okay. I'll therefore take a vote by show of hands. So, the question is, then, that amendment 42 be agreed. Those in favour. Those against. Any abstentions? Okay. So, amendment 42: three in favour, five against, two abstentions. Therefore, amendment 42 is not agreed.

*Gwelliant 42: O blaid 3, Yn erbyn 5, Ymatal 2.  
Amendment 42: For 3, Against 5, Abstain 2.*

|   |  |  |
|---|--|--|
| O blaid:<br>For:                                      | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain:                      |
| Black, Peter<br>Davies, Jocelyn<br>Thomas, Rhodi Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. | Finch-Saunders, Janet<br>Isherwood, Mark |

*Gwrthodwyd gwelliant 42.  
Amendment 42 not agreed.*

*Methodd gwelliant 43.  
Amendment 43 fell.*

[70] **Christine Chapman:** Rhodri, do you wish to move amendment 44?

*Cynigiwyd gwelliant 44 (Rhodri Glyn Thomas, gyda chefnogaeth Peter Black).  
Amendment 44 (Rhodri Glyn Thomas, supported by Peter Black) moved.*

[71] **Rhodri Glyn Thomas:** Ydw. **Rhodri Glyn Thomas:** Yes.

[72] **Christine Chapman:** If amendment 44 is not agreed, amendment 45 will fall. So, the question is that amendment 44 be agreed. Does any Member object? [*Objection.*] Okay. I'll therefore take a vote. So, the question is that amendment 44 be agreed. Those in favour. Those against. Any abstentions? Okay. So, amendment 44, then: three in favour, five against, two abstentions. Therefore, 44 is not agreed.

*Gwelliant 44: O blaid 3, Yn erbyn 5, Ymatal 2.  
Amendment 44: For 3, Against 5, Abstain 2.*

|   |  |  |
|---|--|--|
| O blaid:<br>For:                                      | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain:                      |
| Black, Peter<br>Davies, Jocelyn<br>Thomas, Rhodi Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. | Finch-Saunders, Janet<br>Isherwood, Mark |

*Gwrthodwyd gwelliant 44.*

*Amendment 44 not agreed.*

*Methodd gwelliant 45.  
Amendment 45 fell.*

[73] **Christine Chapman:** Rhodri, do you wish to move amendment 46?

*Cynigiwyd gwelliant 46 (Rhodri Glyn Thomas, gyda chefnogaeth Peter Black).  
Amendment 46 (Rhodri Glyn Thomas, supported by Peter Black) moved.*

[74] **Rhodri Glyn Thomas:** Ydw. **Rhodri Glyn Thomas:** Yes.

[75] **Christine Chapman:** If amendment 46 is not agreed, amendment 47 will fall. The question is, then, that amendment 46 be agreed. Does any Member object? [*Objection.*] Okay. I'll therefore take a vote. So, the question is, then, that amendment 46 be agreed. Those in favour. Those against. Any abstentions? Thank you. So, in relation to 46: three in favour, five against, two abstentions. So, 46 is not agreed.

*Gwelliant 46: O blaid 3, Yn erbyn 5, Ymatal 2.  
Amendment 46: For 3, Against 5, Abstain 2.*

|   |  |  |
|---|--|--|
| O blaid:<br>For:                                      | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain:                      |
| Black, Peter<br>Davies, Jocelyn<br>Thomas, Rhodi Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. | Finch-Saunders, Janet<br>Isherwood, Mark |

*Gwrthodwyd gwelliant 46.  
Amendment 46 not agreed.*

*Methodd gwelliant 47.  
Amendment 47 fell.*

#### **Grŵp 4: Diwygiadau i Ddeddf Archwilio Cyhoeddus (Cymru) 2004 (Gwelliannau 49 a 50)**

#### **Group 4: Amendments to the Public Audit (Wales) Act 2004 (Amendments 49 and 50)**

[76] **Christine Chapman:** The amendments in group 4, the next group, are to the Public Audit (Wales) Act 2004. Now, the lead amendment in the group is amendment 49 in the name of Janet Finch Saunders. So, I call on Janet to move amendment 49 and to speak to the other amendment in this group. Janet?

*Cynigiwyd gwelliant 49 (Janet Finch-Saunders, gyda chefnogaeth Peter Black).  
Amendment 49 (Janet Finch-Saunders, supported by Peter Black) moved.*

[77] **Janet Finch-Saunders:** Thank you. I move the amendment. In doing so, I'm actually putting forward one of our committee recommendations, which is to amend the Public Audit (Wales) Act 2004 to add shadow authorities to the list of local government bodies whose accounts are subject to audit by the Auditor General for Wales. In evidence—and we took quite a lot of evidence, as you know, as this was going through the earlier stage—the Auditor General for Wales said that the shadow authorities will need to spend public money and that it would be appropriate to have specific provision for regulations to provide for the audit of their accounts, and he suggested that amending the public audit Act would be the best way of



doing this, and our amendment puts this in place.

[78] **Christine Chapman:** Okay. Thank you. Any other Members?

[79] **Mike Hedges:** It's my understanding—I'm sure somebody will put me right—that the auditor general has the powers to investigate any public body, so I don't see the benefit of throwing this in. I think, if it's a body funded by public money, the auditor general has got the right to go to look at those accounts, and he's actually visited some interesting bodies in different parts of Wales, dealing with a whole range of different things. So, I'm not quite sure about that. The other thing is that shadow authorities don't spend much money. *[Interruption.]* Sorry—you get humour out of ignorance. Shadow authorities cannot spend much money. The only thing they actually will do is employ senior staff, possibly part-time or possibly just to transfer them over, because the pre-merged authorities will actually be doing all the work until such time as the merger takes place. Sorry, I didn't know I had to educate people as well.

[80] **Christine Chapman:** Okay. Right. We've got Peter next.

[81] **Peter Black:** Yes. Thank you, Chair. Having served on a shadow authority, as, of course, Mike did, I agree with him that shadow authorities don't have a huge amount of money in the general scheme of things in which they manage. I also agree with him that the auditor general does have the power to go in and investigate any item of public expenditure in any bodies. But this isn't about that. This amendment is talking about adding it to the list of local government bodies whose accounts are subject to audit. So, it's about the auditing of the account, not an exceptional audit or an investigation in terms of a particular item of expenditure by a shadow authority. It's my view that although the shadow authorities will be in existence for only a year, and although they may have only a small amount of money in relative terms to spend, it's still important that those accounts are properly audited and signed off and that the auditor general does that job properly, and he has the responsibility for doing that. I think it's perfectly appropriate to amend the Public Audit (Wales) Act to add them to the list, as is proposed by this amendment.

[82] **Mike Hedges:** All their money comes from—*[Inaudible.]*—authorities.

[83] **Peter Black:** Well, yes, but they still spend it.

[84] **Christine Chapman:** Right. Are there any other Members, before I bring the Minister and Janet Finch-Saunders in, who want to speak to this? No. Minister.

[85] **Leighton Andrews:** Okay. I understand why Members want to ensure that shadow authorities are subject to proper auditing, and I respect that; however, the reason why I'm opposed to these amendments is that this Bill, of course, does not establish shadow authorities. It's the second Bill that we are proposing to bring forward, the merger and reform Bill, which we will publish in draft in November, which would establish shadow authorities and include the detailed provision as to their functions, including the need for preparing accounts to reflect what Mike Hedges and Peter Black already agreed is limited financial activity. Indeed, should there be voluntary mergers, section 10 of the Bill already enables merger regulations to make any necessary changes to existing legislation should that prove necessary. I certainly accept it's important that there are appropriate governance controls in place for shadow authorities, but as I say, that is a matter for the second Bill. I fully expect the merging authorities to continue to prepare accounts on existing arrangements, and the existing regulations already allow for some flexibility around timing, preparation and publication of merging authorities' financial accounts if required. So, I would say that, at this stage, these amendments are unnecessary, and I would urge Members not to support them.

[86] **Christine Chapman:** Okay. Before I bring Janet in, Peter, you wanted to declare something.

[87] **Peter Black:** Yes. Under the new Standing Orders, I should have declared an interest as I'm a local government councillor. I'm doing that now formally so that everyone is aware of that position.

[88] **Christine Chapman:** Okay. Thank you, Peter. Janet to reply.

[89] **Janet Finch-Saunders:** No. I mean, I move—. I do believe that regardless of whether someone considers it a large amount of money, this is still public money, and I think all public money should be open to the audit process. As I say, it was an actual committee recommendation, and was actually suggested here when we took evidence from the auditor general. So, I still move.

[90] **Christine Chapman:** Okay. So, do you want to proceed to a vote, Janet?

[91] **Janet Finch-Saunders:** Yes, please.

[92] **Christine Chapman:** Okay. So, the question is that amendment 49 be agreed. Does any Member object? [*Objection.*] Okay. I'll therefore take a vote. The question is, then, that amendment 49 be agreed to. So, those in favour. Those against. Any abstentions? Okay. So, on amendment 49, then, three in favour, five against, two abstentions. Therefore, 49 is not agreed.

*Gwelliant 49: O blaid 3, Yn erbyn 5, Ymatal 2.*

*Amendment 49: For 3, Against 5, Abstain 2.*

O blaid:  
For:

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark

Yn erbyn:  
Against:

Chapman, Christine  
Griffiths, John  
Hedges, Mike  
Mewies, Sandy  
Price, Gwyn R.

Ymatal:  
Abstain:

Davies, Jocelyn  
Thomas, Rhodri Glyn

*Gwrthodwyd gwelliant 49.*

*Amendment 49 not agreed.*

[93] **Christine Chapman:** Janet, do you wish to move amendment 50?

*Cynigiwyd gwelliant 50 (Janet Finch-Saunders, gyda chefnogaeth Peter Black).*  
*Amendment 50 (Janet Finch-Saunders, supported by Peter Black) moved.*

[94] **Janet Finch-Saunders:** Yes, certainly. Thank you, Chair.

[95] **Christine Chapman:** So, the question is, then, that amendment 50 be agreed to. Does any Member object? [*Objection.*] Okay. I'll therefore take a vote. So, on amendment 50, then, those in favour. Those against. Any abstentions? Okay. So, on amendment 50, three in favour, five against, two abstentions. Therefore, amendment 50 is not agreed.

*Gwelliant 50: O blaid 3, Yn erbyn 5, Ymatal 2.*

*Amendment 50: For 3, Against 5, Abstain 2.*

O blaid:

Yn erbyn:

Ymatal:

For:

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark

Against:

Chapman, Christine  
Griffiths, John  
Hedges, Mike  
Mewies, Sandy  
Price, Gwyn R.

Abstain:

Davies, Jocelyn  
Thomas, Rhodri Glyn

*Gwrthodwyd gwelliant 50.  
Amendment 50 not agreed.*

09:43

**Grŵp 5: Trefniadau Etholiadol ar gyfer Prif Ardaloedd Newydd: Etholiadau  
(Gwelliannau 51, 32, 33 a 56)**

**Group 5: Electoral Arrangements for New Principal Areas: Elections (Amendments 51,  
32, 33 and 56)**

[96] **Christine Chapman:** We'll move on now to group 5. The amendments in group 5 relate to elections for new principal areas. The lead amendment in the group is amendment 51, in the name of Janet Finch-Saunders. I call on Janet to move amendment 51 and to speak to the other amendments in the group. Janet.

*Cynigiwyd gwelliant 51 (Janet Finch-Saunders, gyda chefnogaeth Peter Black).  
Amendment 51 (Janet Finch-Saunders, supported by Peter Black) moved.*

[97] **Janet Finch-Saunders:** This is about the length of time for councillors to serve. Clearly, there's been some ambiguity as to whether there will be delayed election dates. This amendment ensures that an ordinary election wouldn't be cancelled if it means councillors serving a term of office of more than five years. With the prospect of reform delaying elections it is crucial that councillors aren't left serving more time—you know, considerably more time—than they were democratically elected to do. As I previously said, transparency and democratic accountability are crucial to any reform process, and councillors serving, you know, very long times without being re-elected are an affront to any such process. Furthermore, Minister, following your original Government's consultation proposal to limit terms of councillors, I'm sure you would welcome any amendment to ensure that local government elections are held at regular intervals to ensure that residents can hold their councillors accountable for their term in office.

09:45

[98] **Christine Chapman:** Thank you. Peter.

[99] **Peter Black:** Thank you, Chair. Just in terms of 51, although I'm not sure that it's entirely necessary, I'm happy to support that, though I think it's unlikely now that the 2017 local council elections will be postponed. It does seem that the Minister's timetable will ensure that—. I think there are elections in 2020, so there may well be a three-year term for the next set of councillors.

[100] In terms of the other amendments in this grouping under my name, first of all I would just say that proportional representation is not the only thing I'm concerned about in terms of local government, but I do think it's a very important part of the mix. It does seem to me, if you're going to create larger authorities, authorities with fewer councillors, authorities which hopefully will have more responsibilities, that when you come to elect those authorities, the outcome of those elections should reflect the way that people voted. In doing so, you get a more transparent, more accountable local authority, and as a result of that, services are more

efficient and more effectively delivered, simply because councillors are more accountable for the decisions that they take, and of course are more representative of the communities that they represent.

[101] For that reason, I wanted to lay down a marker straight away by moving these amendments in this Bill. Of course, if I do survive the Assembly elections, I'll be moving similar amendments in a subsequent Bill, but I do think it's important that we do put in place at the earliest opportunity the principle that any new authorities—larger authorities with greater powers, greater responsibilities, greater geographical areas of responsibility—are elected on a proportional basis and are representative of the communities that they represent. Having done that, I'll just make the caveat, of course, that I understand that these amendments are not complete amendments, because there will be consequential amendments that will need to be moved with regard to this. So, at this stage, this is just testing the water. If these amendments are passed, then I would hope the Minister would bring forward the consequential amendments at Stage 3. If they're not passed, I will bring forward the full set of amendments with all the consequential amendments at Stage 3 myself. Therefore, I would ask the committee to support these amendments as they're laid in front of us.

[102] **Christine Chapman:** Thank you. I've got Mike and then Rhodri Glyn. Mike.

[103] **Mike Hedges:** Two quick points. The first one is that I think that PR in local government would be disastrous. I think one of the great strengths of local government is that local councillors are known in the area they represent—they're relatively small areas—and they can build up local popularity. I think if you brought STV in, of five members, which I think is one of the things the Liberal Democrats have moved in the past, then in the proposed plan being put forward for local government at the moment, you'd have a place like Blaenau Gwent having two areas, and I think that would talk away the 'local' from local democracy.

[104] Can I just say, I know I blame the Tories for lots of things, but the whole of this is their fault? If we'd stayed with four-year elections—. If the parliaments Act had kept the parliamentary elections at four years, then the Assembly elections would have been every four years, and the council elections would be every four years. I think five years stretches the rubber band of democracy, and I think that going back to everybody being elected every four years—. I know it would have meant a very nervous March and April this year as opposed to having a very nervous March and April next year, but I think that the reality is that five years is too long for everybody.

[105] The other thing, as Peter Black said, is the likelihood is that this will not be surrendered again, but I hope, if we're going to have fixed-term parliaments, it needs to be four so we can be four here and councils can be four.

[106] **Christine Chapman:** Thank you. Rhodri Glyn.

[107] **Rhodri Glyn Thomas:** Diolch yn fawr iawn, Gadeirydd. Roeddwn yn gwrandio â diddordeb ar yr hyn roedd Mike Hedges yn ei ddweud. Nid wyf yn siŵr beth oedd hynny i wneud gyda'r gwelliannau sydd dan sylw, ond roedd yn ddiddorol iawn.

**Rhodri Glyn Thomas:** Thank you, Chair. I was listening with interest to what Mike Hedges was saying. I'm not sure what it had to do with the amendments that we're discussing, but it was very interesting.

[108] A gaf i ddweud y byddwn ni'n cefnogi gwelliannau Peter Black yn y grŵp yma? Er fy mod i'n deall cymhelliad Janet Finch-Saunders wrth gyflwyno'r gwelliant yma, mae gennyf ofn ei fod e'n codi nifer o

May I say that we will be supporting Peter Black's amendments in this group? Although I understand Janet Finch-Saunders's motive in introducing this amendment, I'm afraid that it raises a number of questions, in my

gwestiynau, yn fy mhen i, a'i fod e'n llawer iawn rhy 'prescriptive', mewn gwirionedd. Fe allai greu problemau ymarferol petai yna newidiadau'n digwydd. Rwy'n credu bod cadw'r hyblygrwydd o sicrhau bod modd gohirio etholiadau am flwyddyn, neu hyd yn oed dwy flynedd, os oes rhaid, yn gwneud synnwyr mewn rhai amgylchiadau, er y byddem i gyd am gadw at yr egwyddor o gyfnod penodedig o bum mlynedd, ar hyn o bryd, neu bedair blynedd. Rwy'n ofni bod y gwelliant yma gan Janet Finch-Saunders yn llawer iawn rhy 'prescriptive' ac yn creu problemau ymarferol. Felly, byddwn yn atal ein pleidlais ar hwnnw.

mind, and that it is much too prescriptive, in reality. It could create practical problems if there were changes. I think that keeping the flexibility of ensuring that there is a way of postponing elections for a year, or even two years, if necessary, does make sense in some circumstances, even though we would all want to keep to the principle of a specific period of five years, at the moment, or four years. But I'm afraid that this amendment by Janet Finch-Saunders is much too prescriptive, and creates practical problems. Therefore, we will be abstaining on that.

[109] **Christine Chapman:** Thank you, Rhodri. Minister.

[110] **Leighton Andrews:** Thank you, Chair. Obviously, I've listened carefully to what Members have had to say, and Mike Hedges and Peter Black are both right in that our expectation is that the next set of local government elections would be in May 2017, in general, and we have no plans to extend the life of existing authorities.

[111] The effect, I'm afraid, I think, of amendment 51 would be to create uncertainty and distraction in the period running up to merger. The amendment would require either there to be a final set of elections in the soon-to-be abolished authorities in May 2017, where they were merging voluntarily, or that vesting day for the new merged authority would be brought forward to April 2017, to avoid the need for final elections. I'm not sure, in the first instance, that holding elections in 2017 for a final term lasting less than a year, given that we couldn't really, practically, create voluntarily merged authorities until 2018, is going to be helpful. I think it'll be a needless cost and distraction. The other alternative of bringing forward vesting day for newly merged, voluntarily merged, authorities to 1 April 2017 is not feasible. The timetable we've devised, involving the cancellation of elections in 2017 for voluntarily merging authorities, gives the existing authorities a clear path through to vesting day in April 2018. That's the most practical and responsible arrangement, I think.

[112] In respect of the amendments from Peter Black, this Welsh Labour Government was elected on a platform of opposition to changing the electoral system for local government. So, our position is very clear. Our view remains that voters showed in the referendum in 2011 their opposition to changing the voting system, and I think that others have made the case around this table. I would be very disappointed, of course, if Peter Black himself were the victim of a proportional representation system next year.

[113] **Christine Chapman:** Janet to reply.

[114] **Janet Finch-Saunders:** No, I move.

[115] **Christine Chapman:** Okay, so do you want to proceed to a vote?

[116] **Janet Finch-Saunders:** Yes, please.

[117] **Christine Chapman:** Okay. Amendment 51. The question is, then, that amendment 51 be agreed to. Does any Member object? [*Objection.*] Okay. I'll take a vote. So, on amendment 51, those in favour. Those against. Any abstentions? So, for amendment 51, there are three in favour, five against, and two abstentions. Therefore, amendment 51 is not agreed.

*Gwelliant 51: O blaid 3, Yn erbyn 5, Ymatal 2.  
Amendment 51: For 3, Against 5, Abstain 2.*

|  |  |  |
|--|--|--|
| O blaid:<br>For:   | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain:                    |
| Black, Peter<br>Finch-Saunders, Janet<br>Isherwood, Mark | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. | Davies, Jocelyn<br>Thomas, Rhodri Glyn |

*Gwrthodwyd gwelliant 51.  
Amendment 51 not agreed.*

**Grŵp 6: Uno Gwirfoddol Awdurdodau Lleol: Darpariaeth Ganlyniadol (Gwelliannau 3 a 4)**  
**Group 6: Voluntary Mergers of Local Authorities: Consequential Provision (Amendments 3 and 4)**

[118] **Christine Chapman:** We'll now move on to group 6. The amendments in group 6 relate to consequential provisions relating to voluntary mergers. The lead amendment in the group is amendment 3 in the name of the Minister.

*Cynigiwyd gwelliant 3 (Leighton Andrews).  
Amendment 3 (Leighton Andrews) moved.*

[119] **Christine Chapman:** I move amendment 3 and call on the Minister to speak to his amendments. Minister.

[120] **Leighton Andrews:** Members may want to bear with me on this one, because I may need to explain the nature of some of these amendments.

[121] Amendment 3 adds charter trustees to the list of matters in section 10(4) about which supplementary, incidental, consequential, transitional or saving provision may be made in voluntary merger regulations.

[122] **Rhodri Glyn Thomas:** That's clear, then. [*Laughter.*]

[123] **Leighton Andrews:** To explain: if there is a voluntary merger involving one of the three existing principal authorities that have city status—that is, Swansea, Cardiff and Newport—this amendment would enable the Welsh Ministers to make regulations to create charter trustees to preserve the rights that are attached to the charters that granted city status. City status is bestowed by Her Majesty the Queen by letters patent and cannot be transferred by legislation. In all previous reorganisations, the successor authority to that which had city status was required to make a fresh application to the Queen for re-conferral. City status may well be re-conferred on the new area, as happened in respect of Swansea and Cardiff last time. However, if the proposed new area is significantly bigger geographically, there may be reservations about re-conferring city status on the whole of the new area, particularly if it contains towns or rural areas with distinct identities of their own. In certain cases in England, for example—in Bath, Chester and Durham—these issues have arisen, and the convention is for Ministers to establish charter trustees for the area corresponding to the area of the city within the proposed new authority. Charter trustees are responsible only for exercising the privileges and dignities bestowed on the re-conferred city by way of the new royal charter. For example, one of their number would be elected mayor or lord mayor, and the trustees may

bestow any freedoms of the city that the city is entitled to grant. Creating charter trustees does not in itself re-confer city status. Only the Queen may do that, and the successor authorities must themselves make application to her for that re-conferral. Should the need arise, amendment 3 will also enable the Welsh Ministers to consider an appropriate funding mechanism for charter trustees.

[124] Amendment 4 makes clear that the meaning of ‘enactment’ in section 10(8) of the Bill includes any historic charter that may have been granted to an area being merged, or part of that area. As a result, regulations made under sections 6 and 10 will be able to make any necessary provision to transfer privileges and dignities that have been bestowed on an area by way of historic charters, such as those granting the right to hold a market, as a consequence of a voluntary merger. Existing local authorities will often have inherited certain rights, privileges and, it says here, ‘dignities’ from predecessor authorities, which were originally granted to ancient boroughs through charters from the Crown or Marcher lords. These can include ceremonial matters, such as the privilege of being able to grant freedoms of the borough, or more practical issues, such as the right to hold a market within the boundaries of the ancient borough. If a voluntary merger involves a modern authority that has inherited privileges by way of a charter, this amendment would enable the merger regulations or any consequential regulations to provide for the charter to be interpreted as bestowing the privilege on the successor authority or, if appropriate, on charter trustees. I trust Members will support these amendments tabled in my name.

[125] **Christine Chapman:** Okay. Thank you. Peter?

[126] **Peter Black:** Thank you, Chair. As I say, as an Assembly Member representing one of these cities and also as a member of the City and County of Swansea, I very much support these amendments. I think it’s important. I just have some questions for the Minister, which I hope he’ll be able to answer. First of all, in terms of the actual appointment of charter trustees, is it likely that they will be the councillors representing areas within the city boundaries, but not outside those boundaries? So, to take as an example the merger of Swansea and Neath Port Talbot, just the former City and County of Swansea councillors would be charter trustees, but those not within Neath Port Talbot council boundary would be charter trustees. Following on from that, would, therefore, the election of a lord mayor for, say, Swansea or, indeed, Cardiff, only be from amongst those charter trustees, or would, for example, a councillor from Neath Port Talbot be able to be a lord mayor of the City and County of Swansea in that regard?

[127] Finally, in relation to freemen—or freepersons, I think as we now refer to them—what is the status of those particular people in regard to this issue? What is the status of hereditary freemen, which I think Cardiff still have, and maybe Swansea do, too—I know at least one in Cardiff, anyway—in terms of this particular provision?

[128] **Christine Chapman:** Okay, well, hold your response, Minister. I’ll bring Mike in, and then I’ll come back to you, Minister. Mike?

[129] **Mike Hedges:** Since city status was given to Swansea, it’s had two reorganisations, which have brought in other areas. It first merged with the Gower Rural District Council to create Swansea City Council, as it then was. It then, following the last reorganisation, merged with the southern part of the Lliw valley to become the City and County of Swansea. At that time, Peter and I were told that we had to have the term ‘City of Swansea’ in there in order to create the position of lord mayor, and as long as we had that, then we could apply to continue to have a lord mayor and apply to continue to have city status for the enlarged body. Was that true, and is it true now?

[130] **Christine Chapman:** Now, are there any other Members who wish to speak? No?

Right, Mark.

[131] **Mark Isherwood:** We've heard reference to parts of south Wales. Obviously, you referred to the possible implications in north Wales, particularly north-east Wales, if Wrexham in the future were to succeed in its ambition to become a city, given your map and the wider, similar questions that would arise from that.

[132] **Christine Chapman:** Okay, thank you. Minister, to reply.

10:00

[133] **Leighton Andrews:** Okay, very helpful questions. Can I say to Peter Black that the answers to his questions are 'yes', 'no', and 'if invested in the authority already', but should you want me to elaborate, what I mean is, councillors would have to come from within the existing Swansea area. You would not have a councillor from the Afan valley suddenly appearing as a charter trustee for Swansea, and nor would you have a councillor from the Afan valley suddenly becoming a lord mayor or mayor of Swansea. That would not apply. If the rights to grant hereditary freeman status had existed in the previous authority, they would be continued, is our understanding of the situation.

[134] In respect of what Mike Hedges said, my understanding is that what he has suggested is right. We will check that, though, and if there are any issues we need to raise, we will come back to him.

[135] In respect of Wrexham, I don't think the position of Wrexham is altered by this. I wondered if somebody would raise the question of Wrexham. I understand the strong civic identity of Wrexham and the desire, over many years, for Wrexham to become a city, but that is not the case at the present time. Clearly, changes in the status of Wrexham would not be a matter for us.

[136] **Christine Chapman:** Okay? Right, Minister, do you wish to proceed to a vote, then, on amendment 3?

[137] **Leighton Andrews:** I do.

[138] **Christine Chapman:** Yes, okay. The question is, then, that amendment 3 be agreed. Does any Member object? No? Then, amendment 3 is agreed.

*Derbyniwyd gwelliant 3 yn unol â Rheol Sefydlog 17.34.  
Amendment 3 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 4 (Leighton Andrews).  
Amendment 4 (Leighton Andrews) moved.*

[139] **Christine Chapman:** I move amendment 4 in the name of the Minister. The question is that amendment 4 be agreed. Does any Member object? No? Then, amendment 4 is agreed.

*Derbyniwyd gwelliant 4 yn unol â Rheol Sefydlog 17.34.  
Amendment 4 agreed in accordance with Standing Order 17.34.*



**Grŵp 7: Uno Gwirfoddol Awdurdodau Lleol: Dyletswyddau ar Weinidogion Cymru i Adrodd (Gwelliannau 52 a 53)**  
**Group 7: Voluntary Mergers of Local Authorities: Duties on Welsh Ministers to Report (Amendments 52 and 53)**

[140] **Christine Chapman:** Amendments in group 7 relate to duties on Welsh Ministers to report in respect of voluntary mergers. The lead amendment in the group is amendment 52 in the name of Janet Finch-Saunders. I call on Janet to move amendment 52 and to speak to the amendments in this group. Janet?

*Cynigiwyd gwelliant 52 (Janet Finch-Saunders, gyda chefnogaeth Peter Black).*  
*Amendment 52 (Janet Finch-Saunders, supported by Peter Black) moved.*

[141] **Janet Finch-Saunders:** Thank you. This is about a duty to report on merger costs. This amendment requires Ministers to lay before the Assembly a report detailing the cost of mergers made under merger regulations, and how the costs have been, or will be, met. The purpose of this amendment is to ensure that the financial aspects of local government mergers are clear and transparent and can be effectively scrutinised.

[142] In response to committee scrutiny of the Bill, the WLGA and SOLACE said that the total predicted cost of the merger programme is contested, and it remains unclear how, and by whom, any mergers will be funded. A report commissioned by the WLGA in November 2014 estimated that the merger programme could cost between £160 million and £268 million, and I've even heard even larger figures for that—some are even saying £400 million—which would create a huge burden on local authorities at a time when their budgets are under increasing pressure. Significant costs imposed on local authorities have the potential to result in cuts to local services, which would greatly disadvantage communities across Wales. It is fair to also say that, when we've been going through this process, I have raised several questions with the Minister of finance and yourself, and it's unclear who is funding any potential mergers. The Minister does need to provide further detail on how he envisages merging authorities will meet the cost of the merger. Our amendment enables this to happen.

[143] On collaborative arrangements, this amendment will place a requirement on Ministers to publish a report on collaborative arrangements between two or more local authorities. A number of local authorities still work in collaboration to provide services. One example of this is Conwy and Denbighshire, and there are other good models across Wales. We need to ensure that these services are not hampered as a consequence of the merger of local authorities. Our amendment aims to mitigate any impact on collaborative working arrangements by ensuring Ministers fully assess current arrangements and put measures in place for the continuation of jointly run services. I would just use another example: if you look at Flintshire, where they, in particular, work a lot over the border, and Wrexham. The maps that you've produced thus far are very sort of inclusive to Wales, and I think these amendments will put some responsibility on you and also provide the opportunity for authorities that still work, as I say, cross-border, for that to be able to continue.

[144] **Christine Chapman:** Any other Members who want to speak? Mike.

[145] **Mike Hedges:** It's going to be very difficult to calculate merger costs before the mergers themselves. There are two issues there. You won't know the early retirement or voluntary redundancy costs of the individuals who are leaving—or any pension costs—until people have left.

[146] The second one is much more complicated. If you create a new merged Neath Port Talbot Swansea, I don't know where the headquarters are going to be, so what will be the travel costs for people whose place of work is somewhere different? The cost of that, as we

know from the Welsh Government's cost of moving people out to Merthyr, can be relatively substantial over a long period of time. We won't know that until they've picked their headquarters. We won't know that until they decide on area working—if they have area working or if they don't have area working. So, it's going to be very difficult to work out the cost prior to the mergers actually taking place. A lot of the merger costs are going to be themselves dependent upon how the new local authority is run.

[147] **Christine Chapman:** Okay. Mark?

[148] **Mark Isherwood:** On the costs point, I spoke to members of five different authorities last weekend. All of them, unbidden, raised the issue of costs and the need to carry out a full cost evaluation before progress is made, and they consider that they'd be in breach of their duties were they to do otherwise. These are duties that would apply if a council was conducting its normal business and considering whether to deliver services with any other council or body. I know the Minister has referred, and may in his response refer, to matters he's referred to recently: the KPMG report on management cost ratios. Not only do we not know the individual circumstances, but there are councils with very, apparently, low cost ratios. The proposals apply to the whole of Wales irrespective of whether they have low or high cost ratios—unless the Minister's proposing that they somehow pool their efficiencies in an all-Wales fund for some to draw upon, and I struggle to see how that could work.

[149] Similarly, where he's referred to reserves and uncommitted reserves, again, that's a very differential picture across Wales. Those local authorities I've spoken to, which appear to be at the higher end of reserves, have nonetheless explained in detail why those reserves are held, and although uncommitted, how, effectively, they are committed not only to pipeline projects, but also to what the Minister in the past has referred to as 'rainy day money'. There are stories to be told in each case, usually compelling and often prudent stories, but even if we accept the Minister's arguments, they only apply differentially to certain councils and could not be looked upon as a solution across the whole of Wales.

[150] **Christine Chapman:** Okay. Minister?

[151] **Leighton Andrews:** Can I just respond to some of the general points that have been made initially before going on to the detail of the amendments? I can tell Mark Isherwood that I spoke to rather more than five local authorities last week at the WLGA conference and got a variety of different views.

[152] I'm very grateful to Janet Finch-Saunders for wanting to extend my responsibilities and powers beyond the boundaries of Wales. I look forward to that opportunity, obviously.

[153] Mike Hedges rightly raised the question of what happens in terms of headquarters arrangements and local area arrangements for new authorities. It's my own view that I wouldn't want to see merging authorities moving to business-as-usual authority headquarters when, in the digital age, it is quite possible to see considerably more remote working. The ability to decentralise using technology, I think, is there for new authorities to consider as they plan their arrangements going forward. I very much would hope that we would see creative approaches to local authority mergers.

[154] Amendment 52. Let me say the financial implications of each voluntary merger will be considered and set out fully in the regulatory impact assessment, which must be laid alongside any specific regulations giving effect to a voluntary merger. Of course, merger regulations are subject to the prior approval of the Assembly through the affirmative resolution procedure. There will, therefore, be an opportunity for Members to consider the regulatory impact assessment as part of that process. In submitting an application for voluntary merger, the applicant authorities are required by the prospectus issued last year, and

which is given statutory effect by virtue of section 5, to undertake a full cost-benefit analysis and present its findings as part of the application. We would expect and encourage local authorities to publish the detail of their application including the cost-benefit analysis. Requiring a further report on costs no later than six months after the making of merger regulations is unnecessary and would not anything of value to the information already available.

[155] I think we need to put the cost of reform in context. Local government in Wales spends almost £8 billion a year. There is going to be a cost of reform. Janet Finch-Saunders referred to a figure of £400 million. This was, of course, what the Welsh Local Government Association was saying at the time of the publication of the Williams commission report in January 2014. By the publication of the Chartered Institute of Public Finance and Accountancy study, in, I think, November 2014, they had brought that estimate down to £268 million at the outside. As I've said repeatedly, and colleagues have heard me say this, we don't accept a number of the items within that, and we think the overall cost will be less.

[156] However, of course, there is a significant cost to doing nothing in the current financial climate, and that has been borne out by the publication of the KPMG report 10 days ago, which illustrated the scope for potential savings of up to £151 million per year if all authorities in Wales were operating on the basis of the best practice that is available elsewhere in the UK. And there is significant difference, even within Wales, as Mark Isherwood acknowledged: Rhondda Cynon Taf and Conwy are operating on administration costs of around 4 per cent, compared to other authorities operating on almost as much as a third higher. So, there are significant savings that can result. Clearly, in the context of mergers, we will be expecting local authorities to merge on the basis of the best practice that is available, not the worst practice that is available.

[157] Cuts in local services, of course, are already under way as a result of the cuts in the Welsh budget that have been imposed, first, by the former UK coalition Government and now by George Osborne in his statement a couple of weeks ago, which took away £50 million from the Welsh budget within this financial year.

[158] Finally, let me say, on reserves, I've had some conversations with local authority elected councillors, cabinet members and leaders who have, as a result of what I have said over this last nine months in respect of reserves, started to challenge their own officers with perhaps more thoroughness than had been done before, and that is turning up some interesting opportunities for them within their own authorities.

[159] Turning to amendment 53, a report prepared by the Welsh Ministers providing details of the impact of a merger on collaborative arrangements is also unnecessary. Local authorities will have to give consideration and regard to the implications of a voluntary merger upon existing collaborative arrangements, and the guidance will, as I have stated previously, be given statutory force by section 5(3) of the Bill, and will require that existing structures and relationships in the merging authorities are considered in the management and organisation of the merger transition. Furthermore, section 4(1)(h) of the Bill requires that pre-application consultation is undertaken with any other party or persons that the principal local authorities consider may be affected by the merger. This of course will include any parties not covered by the merger but who form a partnership collaboration.

[160] In the first instance, it is the responsibility of the applicant authorities to make the case for voluntary merger, and we've made it clear that they must set out in the application what the full range of impacts will be. Neither of these amendments, therefore, adds value to the information that is already going to be provided in support of voluntary merger applications.

[161] **Christine Chapman:** Okay. Thank you, Minister. Janet to reply.

[162] **Janet Finch-Saunders:** Proceed to the vote.

[163] **Christine Chapman:** Okay. So, the question is then that amendment 52 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. So, 52, then. Those in favour. Those against. As there is a tied vote, I use my casting vote in the negative. So, 52, then, is not agreed.

*Gwelliant 52: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 52: For 5, Against 5, Abstain 0.*

|                       |                    |          |
|-----------------------|--------------------|----------|
| O blaid:              | Yn erbyn:          | Ymatal:  |
| For:                  | Against:           | Abstain: |
| Black, Peter          | Chapman, Christine |          |
| Davies, Jocelyn       | Griffiths, John    |          |
| Finch-Saunders, Janet | Hedges, Mike       |          |
| Isherwood, Mark       | Mewies, Sandy      |          |
| Thomas, Rhodri Glyn   | Price, Gwyn R.     |          |

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 52.  
Amendment 52 not agreed.*

[164] **Christine Chapman:** Janet, do you wish to move amendment 53? Yes?

*Cynigiwyd gwelliant 53 (Janet Finch-Saunders, gyda chefnogaeth Peter Black).  
Amendment 53 (Janet Finch-Saunders, supported by Peter Black) moved.*

[165] **Janet Finch-Saunders:** I move.

[166] **Christine Chapman:** So the question is that amendment 53 be agreed. Does any Member object? [*Objection.*] Okay. I'll take a vote by show of hands. Those in favour. Those against. There is a tied vote, so I'll use my casting vote in the negative. So, that is against the amendment. Therefore, amendment 53 is not agreed.

*Gwelliant 53: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 53: For 5, Against 5, Abstain 0.*

|                       |                    |          |
|-----------------------|--------------------|----------|
| O blaid:              | Yn erbyn:          | Ymatal:  |
| For:                  | Against:           | Abstain: |
| Black, Peter          | Chapman, Christine |          |
| Davies, Jocelyn       | Griffiths, John    |          |
| Finch-Saunders, Janet | Hedges, Mike       |          |
| Isherwood, Mark       | Mewies, Sandy      |          |
| Thomas, Rhodri Glyn   | Price, Gwyn R.     |          |

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 53.  
Amendment 53 not agreed.*

**Grŵp 8: Technegol a Drafftio (Gwelliannau 20 a 5)  
Group 8: Technical and Drafting (Amendments 20 and 5)**

[167] **Christine Chapman:** We're going to move on now to group 8, and then we're going to take a very, very short break. So, I'll do group 8 first. Now, group 8 contains technical or drafting amendments. The lead amendment in the group is amendment 20 in the name of the Minister.

*Cynigiwyd gwelliant 20 (Leighton Andrews).  
Amendment 20 (Leighton Andrews) moved.*

[168] **Christine Chapman:** So, I move amendment 20 and call on the Minister to speak to his amendments. Minister.

[169] **Leighton Andrews:** Thank you, Chair. Concern was expressed by the committee, among others, at Stage 1 that the absence of a definition of the term 'chief officer' in section 28 of the Bill could lead to inconsistent application of these provisions. Clearly, this would be undesirable. Therefore, as a direct response to this committee's recommendation 8, I've tabled amendment 5.

10:15

[170] Section 28 requires a shadow authority to prepare and approve a pay policy statement along the same lines as is already required of an existing authority under the Localism Act 2011. Section 28(4) provides that no chief officers may be appointed by a shadow authority for a new principal authority until the pay policy statement has been approved.

[171] Section 28 also applies specific provisions from the Localism Act in relation to the procedures for preparing and approving a pay policy statement and, as such, the definition of chief officers within the Localism Act 2011 applies to the duty it placed upon shadow authorities within section 28(3) to prepare those statements. However, there is no clear application of the provision in the Localism Act that defines 'chief officer' for the purpose of section 28(4) of the Bill. So, this amendment corrects that omission. By using the definition in the Localism Act, we capture the head of paid service, the monitoring officer, the chief finance officer, statutory chief officers, such as those for education and social services, non-statutory chief officers, and anyone who reports directly to any of the statutory or non-statutory chief officers. It is highly unlikely that any senior officer would not be captured within this definition. I will provide a full description of the officers covered by the definition in the accompanying explanatory note for this provision.

[172] Amendment 20 is an amendment to the Welsh version of the Bill only. We've been reflecting on the choice of wording in the Welsh version and have concluded that '*ddyfernir*' is a more appropriate translation than the original word '*bennir*' for the word 'determined' in section 15(2) of the Welsh version of that section. I hope that Members will support these amendments.

[173] **Christine Chapman:** Are there any Members who wish to speak? No. Okay, so, Minister, do you wish to proceed to a vote?

[174] **Leighton Andrews:** I do.

[175] **Christine Chapman:** Okay. So, the question is that amendment 20 be agreed to.

Does any Member object? No. So, amendment 20 is agreed.

*Derbyniwyd gwelliant 20 yn unol â Rheol Sefydlog 17.34.  
Amendment 20 agreed in accordance with Standing Order 17.34.*

[176] The committee will now break and reconvene at 10:25.

*Gohiriwyd y cyfarfod rhwng 10:17 a 10:27.  
The meeting adjourned between 10:17 and 10:27.*

**Grŵp 9: Trefniadau Etholiadol ar gyfer Prif Ardaloedd Newydd: Gweithdrefnau'r  
Cynulliad (Gwelliannau 29, 30, 31, 35, 38 a 39)  
Group 9: Electoral Arrangements for New Principal Areas: Assembly Procedures  
(Amendments 29, 30, 31, 35, 38 and 39)**

[177] **Christine Chapman:** Okay. We move on now then to group 9. The ninth group of amendments relate to Assembly procedures for provisions on electoral arrangements. So, the lead amendment in the group is amendment 29 in the name of Peter Black. So, Peter.

*Cynigiwyd gwelliant 29 (Peter Black).  
Amendment 29 (Peter Black) moved.*

[178] **Peter Black:** Thank you, Chair. These are, again, a whole set of amendments relating to the recommendation of the Constitutional and Legislative Affairs Committee, again reflecting the view I expressed previously that if we are going to have a limited reorganisation based on voluntary arrangements, with a limited timetable and very little time to do it in, we should ensure that there are procedures applied to all the regulations and guidance, so that we can ensure that those changes are properly scrutinised by the Assembly. Therefore, these amendments are brought forward in the spirit of that particular point.

[179] **Christine Chapman:** Okay. Any other Members? No. Minister.

[180] **Leighton Andrews:** Chair, I cannot support these amendments.

[181] **Peter Black:** What a surprise.

[182] **Leighton Andrews:** Starting with amendments 29, 30 and 31, the issuing of specific and general directions to the commission and the absence of an Assembly procedure for these directions mirrors the position for electoral arrangements reviews currently undertaken by the commission under the Local Government (Democracy) (Wales) Act 2013, as previously approved by the National Assembly.

[183] Directions under 16(1) simply initiate the electoral arrangements review process, based on the new principal areas. I published our preference last week and we invited views on that. In giving evidence to the committee at Stage 1, the commission stressed the importance of directions being given as soon as possible after Royal Assent. With this in mind, I intend to consult on draft directions to be issued under sections 16 and 17 over the summer. This will provide an opportunity for all to contribute their views. Adopting an Assembly procedure could delay the issuing of directions to the commission, which will adversely affect its ability to meet what is already a challenging timetable.

[184] The direction-making power under 17(3) enables Welsh Ministers to give general directions on practical matters to facilitate timely reviews, including matters such as the order in which reviews should be undertaken. This will facilitate the completion of reviews to enable elections to voluntarily merged authorities to be held in 2018, and to enable elections

to all compulsorily merged authorities to be held in 2019 in advance of the coming into effect of the new authorities in 2020. We've also now signalled our intention to remove the current cap of 75 members on the size of councils, and we will consult on what should be the appropriate maximum number.

10:30

[185] The adoption of the affirmative procedure for guidance issued under section 17(8) is, in my view, inappropriate. Guidance under this section is discretionary and, given the breadth of the commission's experience in undertaking electoral reviews, I do not currently anticipate these powers being utilised, but if guidance were necessary, it would be likely that the Welsh Ministers would need to react swiftly.

[186] Turning to amendments 35 and 39, section 24 of the Bill enables Welsh Ministers, through regulations, to do no more than reset the start date for the ordinary 10-year electoral arrangements review cycle by the commission, once the local government reform programme has been completed and the new merged authorities are in place. This is simply a necessary technical change that has no bearing on the policy to have 10-year review cycles, as was approved by the Assembly by way of the Local Government (Democracy) (Wales) Act 2013. It is for the Local Democracy and Boundary Commission for Wales to determine the order in which the next set of electoral arrangements reviews might be undertaken once the date for the start of that review period has been reset. As such, we remain of the view that the negative procedure is appropriate.

[187] Turning to amendment 38, regulations, or Orders as they are termed under existing legislation, which make electoral arrangements in relation to local government areas, have been regarded as local instruments since they first appeared in the Local Government Act 1972. As such, they have never been subject to an Assembly procedure. Section 23 provides a fallback power for the Welsh Ministers to make regulations for a proposed area in the unlikely event that the boundary commission does not submit a report and recommendations of its initial review by the date specified by the Welsh Ministers. There are safeguards in place in the event that the Welsh Ministers are required to make regulations in such circumstances. The boundary commission will be required to provide the Welsh Ministers with any information it has gathered as part of the review process.

[188] The Bill also requires the commission to conduct a review of the electoral arrangements in any authorities in respect of which the Welsh Ministers have made regulations under section 23, as soon as practicable after the first elections. We are likely to need to move swiftly in the absence of any final recommendations from the commission, given the challenging timetable for the reviews. Applying the negative procedure could jeopardise the timely implementation of the regulations.

[189] So, the amendments are unnecessary and, if approved, could jeopardise the ability of the commission to deliver its recommendations within the timetable given, and would therefore impact adversely upon the timetable for local government elections in 2018 and 2019.

[190] **Christine Chapman:** Thank you, Minister. Peter to reply.

[191] **Peter Black:** Yes, thank you, Chair. I listened very carefully to what the Minister's had to say and I think it can be summed up, effectively, by saying that we need to rush this through as quickly as possible and within the timetables that we have available to us. It just seems to me that the priority here should be getting it right, and that means that we should have proper and adequate scrutiny of all the processes. If you don't have that proper scrutiny in terms of getting it right, then you'll get it wrong and we will have to redo this again in 10,

20 or 30 years' time. It seems to me that if we're going to have another reorganisation, it should be a lasting reorganisation. My concern is that trying to meet timetables, as opposed to getting it right, will mean that it'll go wrong.

[192] **Christine Chapman:** Okay. Thank you, Peter. Do you want to proceed to a vote, then, on amendment 29?

[193] **Peter Black:** Yes.

[194] **Christine Chapman:** Okay. The question is that amendment 29 be agreed. Does any Member object? [*Objection.*] Okay. I'll therefore take a vote. So, amendment 29: those in favour; those against; any abstentions? No. Well, as there's a tied vote, I use my casting vote in the negative. Therefore, amendment 29 is not agreed.

*Gwelliant 29: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 29: For 5, Against 5, Abstain 0.*

|  |  |                     |
|--|--|---------------------|
| O blaid:<br>For:   | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain: |
| Black, Peter<br>Davies, Jocelyn<br>Finch-Saunders, Janet<br>Isherwood, Mark<br>Thomas, Rhodri Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. |                     |

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 29.  
Amendment 29 not agreed.*

[195] **Christine Chapman:** Peter, do you want to move amendment 30?

*Cynigiwyd gwelliant 30 (Peter Black)  
Amendment 30 (Peter Black) moved.*

[196] **Peter Black:** I move.

[197] **Christine Chapman:** Okay. So, the question is that amendment 30 be agreed. Does any Member object? [*Objection.*] Okay. We'll take a vote, then. For amendment 30, those in favour. Those against. Any abstentions? As there's a tied vote, I use my casting vote in the negative—that is against the amendment. Therefore, amendment 30 is not agreed.

*Gwelliant 30: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 30: For 5, Against 5, Abstain 0.*

|  |  |                     |
|--|--|---------------------|
| O blaid:<br>For:   | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain: |
| Black, Peter<br>Davies, Jocelyn<br>Finch-Saunders, Janet<br>Isherwood, Mark<br>Thomas, Rhodri Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. |                     |



*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 30.*

*Amendment 30 not agreed.*

[198] **Christine Chapman:** Peter, do you want to move amendment 31?

*Cynigiwyd gwelliant 31 (Peter Black)*

*Amendment 31 (Peter Black) moved.*

[199] **Peter Black:** I move.

[200] **Christine Chapman:** Okay. So, the question is that amendment 31 be agreed. Does any Member object? [*Objection.*] Okay. We'll take a vote. So, those in favour. Those against. Any abstentions? No. So, as there's a tied vote, I use my casting vote in the negative. So, amendment 31 is not agreed.

*Gwelliant 31: O blaid 5, Yn erbyn 5, Ymatal 0.*

*Amendment 31: For 5, Against 5, Abstain 0.*

O blaid:

For:

Black, Peter  
Davies, Jocelyn  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn

Yn erbyn:

Against:

Chapman, Christine  
Griffiths, John  
Hedges, Mike  
Mewies, Sandy  
Price, Gwyn R.

Ymatal:

Abstain:

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 31.*

*Amendment 31 not agreed.*

**Grŵp 10: Trefniadau Etholiadol ar gyfer Prif Ardaloedd Newydd: Adolygiad  
Cychwynnol (Gwelliannau 21, 22, 23, 24 a 25)**

**Group 10: Electoral Arrangements for New Principal Areas: Initial Review  
(Amendments 21, 22, 23, 24 and 25)**

[201] **Christine Chapman:** The tenth group of amendments relates to initial reviews in respect of electoral arrangements. The lead amendment in the group is amendment 21 in the name of the Minister.

*Cynigiwyd gwelliant 21 (Leighton Andrews).*

*Amendment 21 (Leighton Andrews) moved.*

[202] **Christine Chapman:** I move amendment 21 and call on the Minister to speak to his amendment.

[203] **Leighton Andrews:** Thank you, Chair. The substantive amendment, amendment 21,

removes the requirement in section 20(1)(a) of the Bill for the Local Democracy and Boundary Commission for Wales to undertake an initial consultation before making its initial proposals for electoral arrangements for a new principal area. This will ensure the timely conduct of reviews by the boundary commission, which will still be required to bring the review to the attention of the mandatory consultees specified in the Bill and other relevant persons.

[204] The requirement in section 20 for the commission to publicise and consult widely on its initial proposals also remains. This means it will have to consult widely on its draft proposals for electoral arrangements and take these responses into account before making recommendations to Welsh Ministers.

[205] We brought these amendments forward because, of course, the commission made clear in its evidence to the committee that having to consult before a review begins rarely brings forward any meaningful responses; these come in once people have seen the detail of the commission's proposals. They also noted how the procedures for parliamentary reviews carried out by the Boundary Commission for Wales under the Parliamentary Voting System and Constituencies Act 2011 do not require an initial consultation stage, allowing the commission to take an initial independent, objective view of arrangements.

[206] Let me make it clear that this does not remove the ability of anyone who so wishes to make representations on the commission's reviews. As I've said, the commission will still need to inform all relevant persons of the forthcoming review and these persons will also still have the opportunity to comment on the draft proposals for each area during the commission's consultation on these proposals. Furthermore, there is another opportunity once the commission's final proposals have been submitted to the Welsh Ministers for any views to be sent directly to the Welsh Ministers. We consider this to be a prudent step, given the specific challenges presented by the scale of this reform.

[207] Amendments 22, 23, 24 and 25 are consequential upon amendment 21. Amendment 22 removes what becomes a redundant reference to consultation in section 20(2). Sections 20(3)(d) and (e) as introduced, make reference to the initial consultation in section 20(1)(a), which will be removed by amendment 21. Amendment 23 therefore amends section 20(3)(d) to require the commission to bring its report and initial election proposals to the attention of all persons considered appropriate. Amendment 24 amends section 20(3)(e) to require the commission to invite representations on its report and initial electoral arrangements proposals. Amendment 25 removes what becomes a redundant reference to the initial consultation under section 20 from section 23(3)(a).

[208] I reiterate: we brought these proposals forward because of the evidence from the Local Government Democracy and Boundary Commission for Wales when it was giving evidence to the committee. That's the only reason we've decided that we should bring these amendments forward. We think it fulfils the reality of the situation as painted by the commission when it gave evidence to your committee.

[209] **Christine Chapman:** Thank you, Minister. Are there any other Members who wish to speak? No, So, Minister, do you wish to proceed to a vote on amendment 21, then?

[210] **Leighton Andrews:** Yes, please.

[211] **Christine Chapman:** The question is, then, that amendment 21 be agreed. Does any Member object? [*Objection.*] Okay, so I'll take a vote, then. So, amendment 21: those in favour; those against; any abstentions? Therefore, for amendment 21, eight in favour and two against. So 21, then, is agreed.

*Gwelliant 21: O blaid 8, Yn erbyn 2, Ymatal 0.  
Amendment 21: For 8, Against 2, Abstain 0.*

|                     |                       |          |
|---------------------|-----------------------|----------|
| O blaid:            | Yn erbyn:             | Ymatal:  |
| For:                | Against:              | Abstain: |
| Black, Peter        | Finch-Saunders, Janet |          |
| Chapman, Christine  | Isherwood, Mark       |          |
| Davies, Jocelyn     |                       |          |
| Griffiths, John     |                       |          |
| Hedges, Mike        |                       |          |
| Mewies, Sandy       |                       |          |
| Price, Gwyn R.      |                       |          |
| Thomas, Rhodri Glyn |                       |          |

*Derbyniwyd gwelliant 21.  
Amendment 21 agreed.*

*Cynigiwyd gwelliant 22 (Leighton Andrews).  
Amendment 22 (Leighton Andrews) moved.*

[212] **Christine Chapman:** I move amendment 22 in the name of the Minister. The question is, then, that amendment 22 be agreed. Does any Member object? [*Objection.*] Okay, I'll take a vote, then. So, amendment 22: those in favour; those against; any abstentions? No. So, for amendment 22, then, eight in favour and two against. Therefore, amendment 22 is agreed.

*Gwelliant 22: O blaid 8, Yn erbyn 2, Ymatal 0.  
Amendment 22: For 8, Against 2, Abstain 0.*

|                     |                       |          |
|---------------------|-----------------------|----------|
| O blaid:            | Yn erbyn:             | Ymatal:  |
| For:                | Against:              | Abstain: |
| Black, Peter        | Finch-Saunders, Janet |          |
| Chapman, Christine  | Isherwood, Mark       |          |
| Davies, Jocelyn     |                       |          |
| Griffiths, John     |                       |          |
| Hedges, Mike        |                       |          |
| Mewies, Sandy       |                       |          |
| Price, Gwyn R.      |                       |          |
| Thomas, Rhodri Glyn |                       |          |

*Derbyniwyd gwelliant 22.  
Amendment 22 agreed.*

*Cynigiwyd gwelliant 23 (Leighton Andrews).  
Amendment 23 (Leighton Andrews) moved.*

[213] **Christine Chapman:** I move amendment 23 in the name of the Minister. The question is that amendment 23 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. So, amendment 23, then: those in favour; those against; any abstentions? No. So, for amendment 23, eight in favour and two against. Amendment 23 is agreed.

*Gwelliant 23: O blaid 8, Yn erbyn 2, Ymatal 0.  
Amendment 23: For 8, Against 2, Abstain 0.*

|          |           |          |
|----------|-----------|----------|
| O blaid: | Yn erbyn: | Ymatal:  |
| For:     | Against:  | Abstain: |

Black, Peter  
 Chapman, Christine  
 Davies, Jocelyn  
 Griffiths, John  
 Hedges, Mike  
 Mewies, Sandy  
 Price, Gwyn R.  
 Thomas, Rhodri Glyn

Finch-Saunders, Janet  
 Isherwood, Mark

*Derbyniwyd gwelliant 23.  
 Amendment 23 agreed.*

*Cynigiwyd gwelliant 24 (Leighton Andrews).  
 Amendment 24 (Leighton Andrews) moved.*

[214] **Christine Chapman:** I move amendment 24 in the name of the Minister. The question is, then, that 24 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote. So, those in favour. Those against. Any abstentions? No. So, 24, then: eight in favour, two against, and 24 is agreed.

*Gwelliant 24: O blaid 8, Yn erbyn 2, Ymatal 0.  
 Amendment 24: For 8, Against 2, Abstain 0.*

O blaid:  
 For:

Yn erbyn:  
 Against:

Ymatal:  
 Abstain:

Black, Peter  
 Chapman, Christine  
 Davies, Jocelyn  
 Griffiths, John  
 Hedges, Mike  
 Mewies, Sandy  
 Price, Gwyn R.  
 Thomas, Rhodri Glyn

Isherwood, Mark  
 Finch-Saunders, Janet

*Derbyniwyd gwelliant 24  
 Amendment 24 agreed.*

*Cynigiwyd gwelliant 25 (Leighton Andrews).  
 Amendment 25 (Leighton Andrews) moved.*

[215] **Christine Chapman:** I move amendment 25 in the name of the Minister. So, the question is that 25 be agreed. Does any Member object? [*Objection.*] Okay. So, we will take a vote. So, those in favour of 25. Those against. Any abstentions? No. Amendment 25, then, is agreed.

*Gwelliant 25: O blaid 8, Yn erbyn 2, Ymatal 0.  
 Amendment 25: For 8, Against 2, Abstain 0.*

O blaid:  
 For:

Yn erbyn:  
 Against:

Ymatal:  
 Abstain:

Black, Peter  
 Chapman, Christine  
 Davies, Jocelyn  
 Griffiths, John  
 Hedges, Mike  
 Mewies, Sandy  
 Price, Gwyn R.  
 Thomas, Rhodri Glyn

Isherwood, Mark  
 Finch-Saunders, Janet

*Derbyniwyd gwelliant 25.  
Amendment 25 agreed.*

[216] **Christine Chapman:** Peter, do you wish to move amendment 32?

*Cynigiwyd gwelliant 32 (Peter Black, gyda chefnogaeth Rhodri Glyn Thomas).  
Amendment 32 (Peter Black, supported by Rhodri Glyn Thomas) moved.*

[217] **Peter Black:** I move, yes.

[218] **Christine Chapman:** Okay. If amendment 32 is not agreed, amendments 33 and 56 will fall. So, the question is that amendment 32 be agreed. Does any Member object? [*Objection.*] Okay. We'll take a vote. So, amendment 32: those in favour; those against; any abstentions? Okay. So, for 32 then, three in favour and seven against. Therefore, amendment 32 is not agreed.

*Gwelliant 32: O blaid 3, Yn erbyn 7, Ymatal 0.  
Amendment 32: For 3, Against 7, Abstain 0.*

|  |  |                     |
|--|--|---------------------|
| O blaid:<br>For:                                       | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain: |
| Black, Peter<br>Davies, Jocelyn<br>Thomas, Rhodri Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Isherwood, Mark<br>Mewies, Sandy<br>Price, Gwyn R.<br>Saunders-Finch, Janet |                     |

*Gwrthodwyd gwelliant 32.  
Amendment 32 not agreed.*

*Methodd gwelliannau 33 a 56.  
Amendments 33 and 56 fell.*

*Cynigiwyd gwelliant 5 (Leighton Andrews).  
Amendment 5 (Leighton Andrews) moved.*

[219] **Christine Chapman:** I move amendment 5 in the name of the Minister. The question is that amendment 5 be agreed. Does any Member object? No. Therefore, amendment 5 is agreed.

*Derbyniwyd gwelliant 5 yn unol â Rheol Sefydlog 17.34.  
Amendment 5 agreed in accordance with Standing Order 17.34*

**Grŵp 11: Cyfyngiadau ar Drafodion Awdurdodau sy'n Uno (Gwelliannau 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 36, 17 ac 1)**  
**Group 11: Restraints on Transactions by Merging Authorities (Amendments 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 36, 17 and 1)**

[220] **Christine Chapman:** The eleventh group of amendments relates to restraints on transactions of merging authorities. The lead amendment in the group is amendment 6 in the name of the Minister.

*Cynigiwyd gwelliant 6 (Leighton Andrews).*

*Amendment 6 (Leighton Andrews) moved.*

[221] **Christine Chapman:** So, I move amendment 6 and call on the Minister to speak to the amendments in this group. Minister.

[222] **Leighton Andrews:** Thank you, Chair. I was encouraged at Stage 1 that these provisions received such support from members of the committee and that the aim of the provisions—to safeguard against any potential negative and damaging behaviour—was acknowledged and welcomed, and, indeed, I was encouraged to be even more rigorous in the application of measures to prevent negative behaviour. Amendment 6, together with amendments 7 to 17, respond therefore to a number of Stage 1 recommendations from the committee, namely recommendations 9 and 10, as well as recommendation 4 of the Finance Committee. Let me just explain them, and I will ask Members to bear with me.

[223] The effect of Government's amendments 6 to 17 is to build upon the transactions regime, making it more comprehensive, more flexible and more responsive to local circumstances. The enhanced regime would cover all the transactions listed in the existing sections 29(1)(a) and 30(1)(a), but will be extended to cover further activities where we consider restrictions may also be needed in the run-up to merger. The additional activities to be covered by restrictions concern the possibility of a merging authority proposing to include an amount of financial reserves in setting its budget and a merging authority starting the process of recruiting chief officers in the run-up to merger.

[224] The new section inserted by amendment 6 provides the Welsh Ministers with the power to issue directions that will initiate the transactions regime for merging authorities. The directions will enable the Welsh Ministers to require a merging authority to obtain and consider the opinion, or obtain the consent, of a specified person or persons before carrying out a restricted activity. The specified persons could be a transition committee, a shadow authority or the Welsh Ministers in appropriate circumstances. Initiating the regime by directions means different persons can be specified for different types or levels of transactions at different stages in the merger timeline. So, at the outset, the directions could require a merging authority to seek the opinion of the relevant transition committee on the transactions specified in the direction. The direction could also stipulate that once a shadow authority has been established, the specified transactions are to be subject to written consent of the shadow authority. Over and above these arrangements, the direction could also stipulate that transactions above a specified amount of a lengthy duration or a certain type require written consent of the Welsh Ministers. A merging authority that intends to carry out a restricted activity will be required to provide the person or persons specified in the direction with details of the proposed restricted activity for the purpose of giving an opinion or consent. The amendment also has the effect of requiring the merging authority, where it goes against the opinion of the person specified in the direction, to publish the reasons for that direction.

10:45

[225] Amendment 6 also seeks to introduce a restriction around the use of reserves, to ensure that a merging authority is not tempted to commit its reserves to expenditure inappropriately in setting its budget in the run-up to abolition of the authority. The new restrictions on the recruiting of chief officers in the run-up to merger addresses concerns that merging authorities might seek to fill vacancies or create new senior officer posts perhaps to reward long-serving officers, as was seen in the 1990s, allegedly, and so placing unnecessary burdens on the successor authorities that could inherit such staff. In establishing restrictions in connection with the appointment of chief officers, the amendment has to make a distinction between those posts that are statutory and which have to be filled, such as head of paid service and the directors of social services or education, and those that are not. In the case of statutory posts, the direction power will enable the Welsh Ministers to impose requirements

on the authority in connection with the recruitment process—for example, in connection with the level of pay to be offered. In connection with the appointment of non-statutory officers, the person specified in the direction will be enabled to impose requirements about the appointment or even veto the appointment if appropriate. It would not be appropriate or practical to have such a veto in relation to statutory posts, because legislation obviously requires that they must be filled.

[226] The new amendment also disapplies section 143A(1)(b) and 143A(3) of the Local Government (Wales) Measure 2011, which concerns recommendations by the Independent Remuneration Panel for Wales in connection with proposed changes in the salary of chief officers. This amendment removes the need for a merging authority to seek a recommendation from the panel in cases where the Welsh Ministers have issued a direction under the restraints regime.

[227] Amendments 7 through to 13 insert new sections in the Bill, consequential upon the introduction of the new section. Amendment 7 outlines the parameters of directions that may be issued under the new section to be inserted by amendment 6 in respect of restricted activities. A direction may be given to a single or several merging authorities, or to merging authorities of a particular description. A direction may specify that the person whose opinion or consent is required may include the Welsh Ministers, a transition committee, a shadow authority or such other authority or person as the Welsh Ministers consider appropriate. A direction may specify different persons in terms of who is to give consent or provide an opinion, different requirements in terms of opinions or consents for transactions of different values, different requirements in terms of opinions or consents in respect of proposals to recruit non-statutory chief officers, depending on the different levels of proposed remuneration, or the different descriptions the recruitment would relate to. An opinion or consent may be given for a particular transaction or class of transactions, and consent may be subject to conditions.

[228] Amendment 8 has the effect that a direction issued under the new section about the use of reserves by a merging authority in setting its budget calculation may permit the use of reserves not exceeding a certain amount, or of a certain description, as part of that calculation. This gives us the power to ensure that any contribution a merging authority wishes to make from reserves will be considered a reasonable amount. The provision recognises that a merging authority needs to be able to use reserves as a tool for planning and setting its budgets ahead of mergers, but it's intended to prevent an authority from seeking to use reserves inappropriately on financing short-term decisions that are not in the longer term interests of the merged authorities.

[229] Amendment 9 supports amendment 6 in setting the parameters for directions that can be issued relating to the appointment of the head of paid service, the monitoring officer or the statutory chief officers, and this could include the level of remuneration for such officers and the duration of any appointment.

[230] Amendment 10 sets out on the face of the Bill the consequences of a merging authority failing to comply with a direction issued under the new section inserted by amendment 6. Any acquisition or disposal made in contravention of a direction will be void. Any contract—including a contract for employment—or agreement entered into in contravention of a direction will be unenforceable. Any grant, financial assistance or loan made in contravention of a direction will be repayable. And an authority that includes any reserves in its budget calculation in contravention of a direction will be treated as not having made its budget calculation, and thus will not be able to collect its council tax.

[231] Amendment 11 restates the interpretation provisions of section 31 of the Bill as introduced, but recasts them slightly in terms of the enhanced regime that will now be

initiated by way of ministerial directions. It defines key terms used in the new sections, such as ‘relevant contract or agreement’, and sets the minimum financial thresholds and other criteria, such as length of contract or agreement period, for restricted activities above which the Welsh Ministers may give directions.

[232] Amendment 12 in effect restates the provisions in section 32 of the Bill as it was introduced as to the matters to be taken into account in determining whether a financial limit for the various restricted transactions is exceeded, but recasts the original provisions to fit into the enhanced regime. It also enables Welsh Ministers to substitute different financial thresholds by regulations.

[233] Amendment 13 restates and clarifies the powers of Welsh Ministers in section 32(5) of the Bill to issue statutory guidance to which merging authorities and specified persons must have regard.

[234] Amendments 14 to 16 are consequential on the introduction of the new sections and remove what would then be redundant provisions from the Bill. Amendment 14 removes section 30 of the Bill, relating to the role of the shadow authority in restraining transactions. I want to assure Members, however, that the responsibilities vested in shadow authorities by section 30 of the Bill, as introduced, will be covered by the restructured transactions regime. It is the intention that the role of the shadow authority will remain substantially the same. Amendment 15 omits the existing section 31, which is a consequential amendment. Amendment 16 is a further consequential amendment.

[235] Amendment 17 amends section 39(3) so that any regulations made to amend the thresholds for initiating the enhanced transactions regime continue to be subject to the negative procedure. The reference in section 39 to a statutory instrument made under section 32(4) will need to be amended to reflect the eventual section number of the new section inserted by amendment 12. Finally, amendment 1 is a consequential amendment to section 1, on the overview, so that it reflects the modifications to the restraints provisions brought about by the other Government amendments in this group. I move.

[236] **Christine Chapman:** Okay, thank you. Peter.

[237] **Peter Black:** Thank you, Chair. Listening to the Minister outline the wide-ranging powers that these amendments will be giving to him, there was a sense of foreboding that came across me, in terms of whether we are going to have any local democracy at all, or whether the Minister is just going to run all this stuff from Cardiff bay. I am concerned about amendment 6, as it happens. I do think that that goes beyond the committee’s original recommendation in its report, and I do think that it gives powers that are possibly too wide to the Minister. I will obviously listen to the Minister’s response on that, but, at this stage, I’m not inclined to support that particular amendment.

[238] I want to speak in relation to amendment 36, which is an amendment I’ve tabled. Again, it follows the amendments of the Constitutional and Legislative Affairs Committee, taking account, of course, of the Welsh Minister’s own amendments 12 and 17 as part of that, and, again, the principle that, if we are to do this properly, we need to have the most thorough scrutiny of any changes and make sure that our procedures attach to a whole range of different directions, regulations and guidance that the Minister has the power to impose as a part of this Bill. That’s the reason for tabling amendment 36.

[239] **Christine Chapman:** Okay. Thank you, Peter. The Minister to reply—oh, sorry Mike.

[240] **Mike Hedges:** I welcome these regulations, almost all of which will not be used, but



their existence will make sure that things that shouldn't happen won't happen. I lived through the last local government reorganisation—I lived through the last two reorganisations, actually. West Glamorgan County Council started in 1973—so I'm reliably informed; I was in school at the time—without a penny, because the old Glamorgan County Council had spent all its money at the end of its life. The number of reserves that it started with was zero. I saw what happened with the last reorganisation, where some authorities spent an awful lot of money building a whole range of things, and it was only a late intervention that stopped a second bolthole from being built in the lower Lliw valley area. I think this is really important here. Otherwise, the new authority is going to start off in a very weak position. I don't think much of this will ever be used; it's the fact it's there will stop what shouldn't happen from happening.

[241] **Christine Chapman:** Okay. Rhodri.

[242] **Rhodri Glyn Thomas:** Rwy'n rhannu, i raddau, bryderon Peter Black ynglŷn â'r holl bwerau sy'n mynd i'r Gweinidog yng nghyd-destun gwelliant 6, ond rydym yn gwybod, o hanes yr hyn a ddigwyddodd y tro diwethaf, fod yn rhaid diogelu yn erbyn camwariant mewn sefyllfa fel hyn. Felly, rwy'n hapus i weld y pwerau hyn yn cael eu priodoli i'r Gweinidog er mwyn sicrhau y gallwn ni amddiffyn yr etholwyr yn erbyn y math yma o gamwariant.

**Rhodri Glyn Thomas:** I, to some extent, share Peter Black's concerns about all of the powers transferred to the Minister in the context of amendment 6, but we know, from the history of what happened last time, that we must provide safeguards against mis-expenditure in situations such as this. So, I am happy to see these powers being appropriated to the Minister in order to ensure that we can defend constituents against this kind of issue.

[243] **Christine Chapman:** Okay, thanks. Minister.

[244] **Leighton Andrews:** Well, I'm grateful to Members who've expressed their support. I think Members do understand that these amendments have been brought forward in response to concerns that have been expressed at this committee and, indeed, the Finance Committee. It is in the spirit of the discussions that we had at previous committees that we have brought these proposals forward. I think that Mike Hedges is right to say that they are likely to be powers that will not need to be used. So, I think they will have a deterrent effect; at least, I hope so. But I think it will send a very clear signal as to the seriousness with which not only the Welsh Government, but the Assembly as a whole, takes the future process for organisation and the desire collectively to avoid any inappropriate behaviour. If I can just turn to Peter Black's amendment 36, which would require the affirmative procedure, I think this is inappropriate for technical changes, which would only be made in the light of experience operating the transaction regime. So, I would urge the committee to support our amendment 17, which imposes the negative procedure and reject Peter Black's amendment 36.

[245] **Christine Chapman:** Okay, thank you, Minister. Do you wish to proceed to a vote on amendment 6?

[246] **Leighton Andrews:** Yes, please.

[247] **Christine Chapman:** Okay. If amendment 6 is not agreed, amendments 7, 8, 9 and 10 will fall. So, the question is then that amendment 6 be agreed. Does any Member object? [Objection.] Okay, I'll take a vote then. So, those in favour of amendment 6. Those against. Any abstentions? No. So, nine in favour, one against. Therefore, amendment 6 is agreed.

*Gwelliant 6: O blaid 9, Yn erbyn 1, Ymatal 0.  
Amendment 6: For 9, Against 1, Abstain 0.*

O blaid:  
For:

Yn erbyn:  
Against:

Ymatal:  
Abstain:

Chapman, Christine  
Davies, Jocelyn  
Finch-Saunders, Janet  
Griffiths, John  
Hedges, Mike  
Isherwood, Mark  
Mewies, Sandy  
Price, Gwyn R.  
Thomas, Rhodri Glyn

Black, Peter

*Derbyniwyd gwelliant 6.  
Amendment 6 agreed.*

*Cynigiwyd gwelliant 7 (Leighton Andrews).  
Amendment 7 (Leighton Andrews) moved.*

[248] **Christine Chapman:** I move amendment 7 in the name of the Minister. The question is then that amendment 7 be agreed. Does any Member object? No. Amendment 7 is agreed then.

*Derbyniwyd gwelliant 7 yn unol â Rheol Sefydlog 17.34.  
Amendment 7 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 8 (Leighton Andrews).  
Amendment 8 (Leighton Andrews) moved.*

[249] **Christine Chapman:** I move amendment 8 in the name of the Minister. The question is that 8 be agreed. Does any Member object? No. Amendment 8 is agreed.

*Derbyniwyd gwelliant 8 yn unol â Rheol Sefydlog 17.34.  
Amendment 8 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 9 (Leighton Andrews).  
Amendment 9 (Leighton Andrews) moved.*

[250] **Christine Chapman:** I move amendment 9 in the name of the Minister. The question is that amendment 9 be agreed. Does any Member object? No. Amendment 9 then is agreed.

*Derbyniwyd gwelliant 9 yn unol â Rheol Sefydlog 17.34.  
Amendment 9 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 10 (Leighton Andrews).  
Amendment 10 (Leighton Andrews) moved.*

[251] **Christine Chapman:** I move amendment 10 in the name of the Minister. The question is then that amendment 10 be agreed. Does any Member object? No. Amendment 10 is agreed.

*Derbyniwyd gwelliant 10 yn unol â Rheol Sefydlog 17.34.  
Amendment 10 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 11 (Leighton Andrews).  
Amendment 11 (Leighton Andrews) moved.*

[252] **Christine Chapman:** I move amendment 11 in the name of the Minister. If amendment 11 is not agreed, amendments 12, 13, 36, 17 and 1 will fall. So, the question is—. What did I say? Seventeen and 1 will fall. The question is then that amendment 11 be agreed. Does any Member object? No. Amendment 11 is agreed.

*Derbyniwyd gwelliant 11 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 11 agreed in accordance with Standing Order 17.34.*

[253] **Christine Chapman:** If amendment 12 is not agreed, amendments 36 and 17 will fall.

*Cynigiwyd gwelliant 12 (Leighton Andrews).*  
*Amendment 12 (Leighton Andrews) moved.*

[254] **Christine Chapman:** I move amendment 12 in the name of the Minister. The question is then that amendment 12 be agreed. Does any Member object? Amendment 12 then is agreed.

*Derbyniwyd gwelliant 12 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 12 agreed in accordance with Standing Order 17.34.*

[255] **Christine Chapman:** If amendment 13 is not agreed, amendment 1 will fall.

*Cynigiwyd gwelliant 13 (Leighton Andrews).*  
*Amendment 13 (Leighton Andrews) moved.*

[256] **Christine Chapman:** So, I move amendment 13 in the name of the Minister. The question is that amendment 13 be agreed. Does any Member object? Okay, so amendment 13 then is agreed.

*Derbyniwyd gwelliant 13 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 13 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 14 (Leighton Andrews).*  
*Amendment 14 (Leighton Andrews) moved.*

[257] **Christine Chapman:** I move amendment 14 in the name of the Minister. The question is that amendment 14 be agreed. Does any Member object? No. Amendment 14 then is agreed.

*Derbyniwyd gwelliant 14 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 14 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 15 (Leighton Andrews).*  
*Amendment 15 (Leighton Andrews) moved.*

[258] **Christine Chapman:** I move amendment 15 in the name of the Minister. The question is that amendment 15 be agreed. Does any Member object? No. So, amendment 15 is agreed.

*Derbyniwyd gwelliant 15 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 15 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 16 (Leighton Andrews).*  
*Amendment 16 (Leighton Andrews) moved.*

[259] **Christine Chapman:** I move amendment 16 in the name of the Minister. So, the question is that amendment 16 be agreed. Does any Member object? No. Amendment 16 then is agreed.

*Derbyniwyd gwelliant 16 yn unol â Rheol Sefydlog 17.34.  
Amendment 16 agreed in accordance with Standing Order 17.34.*

**Grŵp 12: Diwygiad i Deddf Cyllid Llywodraeth Leol 1992 (Gwelliant 54)**  
**Group 12: Amendment to the Local Government Finance Act 1992 (Amendment 54)**

[260] **Christine Chapman:** Group 12 relates to the Local Government Finance Act 1992. The only amendment in this group is amendment 54 in the name of Janet Finch-Saunders. I call on Janet to move and speak to amendment 54.

*Cynigiwyd gwelliant 54 (Janet Finch-Saunders, gyda chefnogaeth Peter Black).  
Amendment 54 (Janet Finch-Saunders, supported by Peter Black) moved.*

[261] **Janet Finch-Saunders:** Thank you. Council tax harmonisation—this amendment requires that Ministers make regulations to ensure that council tax payers are not disadvantaged as a consequence of the local authority within which they live merging with a neighbouring authority. As the WLGA pointed out, the local government White Paper was silent on the issues of council tax harmonisation, but this is a significant issue. We know that Ministers already have the power, under section 13 of the Local Government Finance Act 1992, to ensure that local authorities can charge different council tax levels in different parts of their authority. However, our amendment will strengthen this by ensuring that councils or residents are not left out of pocket as a consequence of changes in council tax levels.

[262] **Christine Chapman:** Okay, thank you. Any other Members? Rhodri, then Peter. Rhodri Glyn.

11:00

[263] **Rhodri Glyn Thomas:** Diolch yn fawr iawn, Gadeirydd. Unwaith yn rhagor, rwy'n ofni bod y gwelliant yma yn rhy *prescriptive* ac fe allai greu problemau ymarferol. Wrth reswm, rwy'n credu, gydag unrhyw gyfuno fe fydd yna ystyriaeth yn cael ei rhoi i'r dreth gyngor flaenorol yr oedd pobl yn ei thalu, ond mae'n rhaid caniatáu rhyw gymaint o hyblygrwydd yn hyn o beth oherwydd, wrth gwrs, mae'r dreth gyngor yn adlewyrchu'r gwasanaethau hefyd sy'n cael eu cyflwyno a'u darparu gan yr awdurdod lleol. Felly, os oes yna elfennau o gynnydd yn y gwasanaethau, mae hynny'n cael ei adlewyrchu yn y dreth gyngor ac rwy'n ofni bod yna oblygiadau anfwriadol, hwyrach, i'r gwelliant yma. Felly, fe fyddwn ni yn gwrthwynebu ac yn pleidleisio yn erbyn.

**Rhodri Glyn Thomas:** Thank you very much, Chair. Once again, I'm afraid this amendment is too prescriptive and it could create practical problems. Naturally, I think, with any merger there will be consideration of the previous council tax that people paid, but we must allow some degree of flexibility in this because, of course, the council tax reflects the services that are also being provided by the local authority. Therefore, if there are elements of an increase in services, that is reflected in the council tax and I'm afraid that there are unintended consequences to this amendment. Therefore, we will be voting against it.

[264] **Christine Chapman:** Thank you, Rhodri. Peter.

[265] **Peter Black:** Yes, thank you, Chair. I think after the last set of amendments I don't

think anyone can really object to prescription again. I think they were very prescriptive in terms of what we've just passed. But, I think in terms of this one, I agree to an extent with what Rhodri Glyn says. I think there are unintended consequences and there is an element of prescription here. But, the amendment does reflect some very serious concerns in terms of how the—well, certainly, in the next Bill anyway—proposed map or proposed mergers will impact upon council tax in council areas. I've already done a rough calculation to show that Swansea and Neath Port Talbot will see Swansea council tax payers have a 10 per cent increase in council tax if the council tax rates were to be harmonised immediately.

[266] I understand the Minister does have powers to have different rates of council tax in different parts of a new authority. The question that then arises is how sustainable that is and over what sort of period you could keep that sort of differential going, to what extent would you need to move towards a harmonisation and in what sort of period would you move towards harmonisation. In terms of the new authorities that were created in 1995, I'm not quite sure if we have reached harmonisation of council house rents yet. I think we've just about done it, but it's taken a significant period of time. I do think that if you maintain different levels of taxation in different parts of a new authority for a significant period of time, you will be in a position whereby resentment will grow in those parts that are paying more than other parts in terms of the same services. That in itself is unsustainable for that reason.

[267] I think this amendment really talks about clarity and transparency in terms of these arrangements. So, for that reason, at this point, I'm happy to vote for it, but accepting that there are consequences to it and that most probably it would not be advisable to have it in the final Bill. But, at this point, it is important, I think, to highlight the need for some transparency and clarity as to where we're going in terms of council tax harmonisation.

[268] **Christine Chapman:** Okay, thank you. Minister.

[269] **Leighton Andrews:** I am grateful to the Members for their comments, but I can't support this amendment. I agree very much with what Rhodri Glyn said about the likelihood of this adding further prescription. I do think that the issue of council tax rates being harmonised is being used as a bit of a stick at the moment in the debate around the map. I'm not saying there are not genuine issues to be considered here but I think opponents of reform will use any measure that they can to oppose reform. I accept that Peter Black is not necessarily an opponent of reform, although I am still trying to work out what his preferred option for the future is. But, I think that, ultimately, council tax arrangements for the new authorities will be a key consideration for the transition committees and the shadow authorities as they plan ahead and we will work with them throughout this merger process. I take the Welsh Government's responsibility to protect council tax payers from excessive increases very seriously and we're prepared to use capping powers that are available if necessary. I think we have sufficient powers in place. I think some of these issues will be clarified in more detail as we move forward on the subsequent Bill.

[270] **Christine Chapman:** Okay. Thank you, Minister. Janet to reply.

[271] **Janet Finch-Saunders:** I'll move.

[272] **Christine Chapman:** Okay. So, you want to proceed to a vote on amendment 54. So, the question is, then, that amendment 54 be agreed to. Does any Member object? [*Objection.*] Okay. We'll take a vote, then. Amendment 54—those in favour. Those against. Any abstentions? So, for 54, then—three in favour, seven against. Therefore, 54 is not agreed.

*Gwelliant 54: O blaid 3, Yn erbyn 7, Ymatal 0.  
Amendment 54: For 3, Against 7, Abstain 0.*

O blaid:  
For:

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark

Yn erbyn:  
Against:

Chapman, Christine  
Davies, Jocelyn  
Griffiths, John  
Hedges, Mike  
Mewies, Sandy  
Price, Gwyn R.  
Thomas, Rhodri Glyn

Ymatal:  
Abstain:

*Gwrthodwyd gwelliant 54.  
Amendment 54 not agreed.*

**Grŵp 13: Cod Ymarfer ar Faterion yn ymwneud â'r Gweithlu (Gwelliant 55)**  
**Group 13: Code of Practice on Workforce Matters (Amendment 55)**

[273] **Christine Chapman:** Group 13 relates to the code of practice on workforce matters. The only amendment in this group is amendment 55 and I call on Janet Finch-Saunders to move and speak to amendment 55.

*Cynigiwyd gwelliant 55 (Janet Finch-Saunders, gyda chefnogaeth Peter Black).  
Amendment 55 (Janet Finch-Saunders, supported by Peter Black) moved.*

[274] **Janet Finch-Saunders:** This amendment implements recommendation 7 of the committee report and will ensure that local authorities must comply with the code of practice on workplace matters issued by the Welsh Ministers. The code of practice offers protection for our employees who provide local authority services that have been outsourced. However, there is currently no statutory requirement on local government to follow the code. As the outsourcing of services may become more likely as a result of the mergers, this is an area the committee identified that needs to be addressed.

[275] **Christine Chapman:** Thank you. Are there any Members who wish to speak? No. Minister.

[276] **Leighton Andrews:** Chair, thank you. I could take this amendment more seriously if it wasn't being moved by the Welsh Conservatives.

[277] I'm very clear that we should seek to avoid a two-tier workforce. A strongly engaged, motivated and harmonised workforce is more productive, we think capable of producing better work and less distracted by a range of issues associated with inequalities and disparities in terms and conditions. That's why, of course, we have the two-tier code in Wales. A revised and strengthened code of practice on workforce matters was issued last year.

[278] The principal local authorities were one of the public bodies covered by the code around a statutory duty to have regard to it in accordance with section 19(4) of the Local Government Act 1999. But I do find it ironic that the Member who would seek to bring forward this amendment is a member of the Welsh Conservatives, when, Eric Pickles, the Secretary of State in the previous UK coalition Government, withdrew the two-tier code for local government in England in March 2011.

[279] The monitoring arrangements we put in place when we issued the refreshed code generally demonstrate that our local authorities are having regard to the code and are using it in respect of contracts let. A report from the monitoring exercise that we've undertaken will be discussed at our workforce partnership council on 2 July. That discussion will inform

further consideration of the current arrangements.

[280] **Christine Chapman:** Thank you. Janet to reply.

[281] **Janet Finch-Saunders:** I'll proceed to the vote, but I understand that Plaid Cymru and the Lib Dems will be supporting us on this.

[282] **Rhodri Glyn Thomas:** So, why are you opposed to it?

[283] **Leighton Andrews:** [*Inaudible.*]—that's why.

[284] **Christine Chapman:** Okay. Janet, do you want to proceed to a vote?

[285] **Janet Finch-Saunders:** Yes. Proceed to the vote.

[286] **Christine Chapman:** Okay. The question is, then, that amendment 55 be agreed to. Does any Member object? [*Objection.*] Okay. We'll take a vote, then. So, amendment 55—those in favour. Those against. Any abstentions? No. As there is a tied vote, I use my casting vote in the negative—that is, against the amendment—therefore amendment 55 is not agreed.

*Gwelliant 55: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 55: For 5, Against 5, Abstain 0.*

| O blaid:<br>For:      | Yn erbyn:<br>Against: | Ymatal:<br>Abstain: |
|-----------------------|-----------------------|---------------------|
| Black, Peter          | Chapman, Christine    |                     |
| Davies, Jocelyn       | Griffiths, John       |                     |
| Finch-Saunders, Janet | Hedges, Mike          |                     |
| Isherwood, Mark       | Mewies, Sandy         |                     |
| Thomas, Rhodri Glyn   | Price, Gwyn R.        |                     |

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 55.  
Amendment 55 not agreed.*

#### **Grŵp 14: Panel Annibynnol Cymru ar Gydnabyddiaeth Ariannol (Gwelliannau 26, 27, 18 ac 19)**

#### **Group 14: Independent Remuneration Panel for Wales (Amendments 26, 27, 18 and 19)**

[287] **Christine Chapman:** Group 14, the final group of amendments, relates to the Independent Remuneration Panel for Wales. The lead amendment in the group is amendment 26 in the name of the Minister.

*Cynigiwyd gwelliant 26 (Leighton Andrews).  
Amendment 26 (Leighton Andrews moved).*

[288] **Christine Chapman:** I move amendment 26 and call on the Minister to speak to the amendments in the group. Minister.

[289] **Leighton Andrews:** Thank you, Chair. The amendments in this group make significant changes to provisions in the Bill in respect of the independent remuneration panel.

Dealing with amendment 26 first, this amendment inserts a new section into the Bill, which, in turn, amends the provisions in section 143A of the Local Government (Wales) Measure 2011 in respect of the functions of the IRP relating to the salaries of heads of paid service.

[290] The amendment addresses an anomaly in the 2011 Measure that currently prevents an authority from reducing the salary payable to a head of paid service in the period before receiving a recommendation from the panel, in exercise of its functions under the 2011 Measure.

[291] In accordance with the amendment, an appointing authority would not be required to wait for a recommendation from the IRP before giving effect to a proposed salary reduction. This is to ensure that the situation that arose, for example in Pembrokeshire, where the council reduced the salary payable to the head of paid service after the departure of the previous incumbent, prior to receiving a recommendation of the proposed new salary from the IRP, is made acceptable. Otherwise, an authority would have to keep on paying the previous rate until the panel made a recommendation.

[292] However, the amendment also requires an authority to consider the amount of salary payable following receipt of the panel's recommendation. The local authority can only take advantage of this provision where the contract under which the salary is payable does not prevent a subsequent change in salary. The authority is also required to inform the panel and Welsh Ministers of its responses to any recommendations from the panel. The amendment also enables Welsh Ministers to direct an authority to reconsider any decision to pay a salary that we consider is inconsistent with the recommendation from the panel.

[293] Section 35 of the Bill already temporarily extends the functions of the panel under section 143A of the 2011 Measure, to all chief officers of local authorities in the run-up to merger. Amendment 26 would, therefore, also have effect during the run-up period in respect of all chief officers, not just heads of paid service.

[294] Amendment 27 implements the Constitutional and Legislative Affairs Committee's recommendation 8 to remove section 46 of this Bill, which increases the number of members of the independent remuneration panel from five to six and enables the Welsh Minister to vary that number through regulations, and inserts a new section. The new section amends Schedule 2 to the Local Government (Wales) Measure 2011 so that the number of persons who may be appointed by the Welsh Ministers as members of the panel must be in the range of three to seven. This provides flexibility for varying the membership within the range set by the National Assembly.

[295] Amendment 27 also amends the 2011 Measure with the effect of adding serving local authority officers to the list of persons disqualified from being a member of the panel. This is to prevent any conflict of interest arising from the panel's functions relating to salary of heads of paid service and, in the run-up to merger, of other chief officers.

[296] Amendments 18 and 19 are consequential amendments and amend the overview section of the Bill to reflect the new sections.

[297] **Christine Chapman:** Thank you, Minister. Rhodri Glyn.

[298] **Rhodri Glyn Thomas:** Diolch yn fawr iawn, Gadeirydd. A gaf i groesawu'n fawr iawn y gwelliannau yma gan y Gweinidog, yn arbennig gwelliant 26? Bydd y Gweinidog yn ymwybodol fy mod i wedi bod yn dadlau'r achos yma yn gryf iawn am  
**Rhodri Glyn Thomas:** Thank you very much, Chair. May I warmly welcome these amendments in the name of the Minister, particularly amendment 26? The Minister will be aware that I've been making this case very strongly over a period of years, and that



rai blynyddoedd, a fy mod i'n grediniol fod cyflogau uwch swyddogion a phrif weithredwyr awdurdodau lleol wedi mynd allan o reolaeth yn gyfan gwbl, a'i bod hi'n eithriadol o bwysig i gael bwrdd taliadau annibynnol. Ac os oes yna unrhyw gyngor neu awdurdod yn dymuno talu mwy na hynny, yna mae'n rhaid iddyn nhw gyfiawnhau hynny, felly, i'w etholwyr, ond o leiaf fe fydd yr etholwyr yn ymwybodol bod yna fwrdd annibynnol wedi ystyried yr achos ac wedi clustnodi cyflog sydd yn briodol i'r swydd honno. Hwyrach ei bod hi'n bryd hefyd i'r Cynulliad ystyried bod angen y math yma o reolaeth o fewn rhai sectorau eraill o'r gwasanaeth cyhoeddus, ond o leiaf mae'n gam cyntaf eithriadol o bwysig o ran awdurdodau lleol.

I am convinced that the salaries of senior officers and chief executives of local authorities have gone utterly out of control, and that it's exceptionally important that we have an independent remuneration panel. And if any council or authority wishes to pay more than that, then they would have to justify that to their constituents, but at least constituents would be aware that an independent panel would have considered the case and would have decided upon a salary that is appropriate to that post. Perhaps it's also time for the Assembly to consider that this kind of control may be required in other sectors of public service also, but at least it's an exceptionally first step in terms of local authorities.

[299] **Christine Chapman:** Mike.

[300] **Mike Hedges:** As somebody who has been making a fuss about this for even longer than Rhodri Glyn Thomas, I'm also very pleased to see it. I think that the old joint commissioning committees did an incredibly job of moving from that, which was the Conservative policy in the 1980s, because you wanted competition and to get the best people, and all these great people were going to come from the private sector. What we've actually seen is the same people doing the same job but getting paid substantially more, and it's a ratcheting up of salary that has taken place and they'd say, 'Well, you're paying £120,000 down the road there; clearly, our authority's bigger—you need to increase my salary by £20,000'. With a moving average, which we discussed in the Public Accounts Committee some time ago—a continual moving average—means that salaries are inevitably going to increase. So, I very much warmly welcome it and it's been something I've been arguing about for a very long time.

[301] **Christine Chapman:** Minister—*[Interruption.]* Hang on, wait a minute. Jocelyn.

[302] **Jocelyn Davies:** No, no, I just wanted to congratulate Mike on the success of his campaign after all these years.

[303] **Christine Chapman:** Okay. Minister.

[304] **Leighton Andrews:** I'm grateful to Members.

[305] **Christine Chapman:** Right. Okay. Do you wish to proceed to a vote, then, Minister, on amendment 26?

[306] **Leighton Andrews:** Yes, please.

[307] **Christine Chapman:** If amendment 26 is not agreed, amendment 18 will fall. The question is, then, that amendment 26 be agreed to. Does any Member object? No. So, amendment 26, then, is agreed.

*Derbyniwyd gwelliant 26 yn unol â Rheol Sefydlog 17.34.  
Amendment 26 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 27 (Leighton Andrews).*  
*Amendment 27 (Leighton Andrews) moved.*

[308] **Christine Chapman:** If amendment 27 is not agreed, amendment 19 will fall. So, I move amendment 27 in the name of the Minister. The question is then that 27 be agreed to. Does any Member object? No. Amendment 27 is agreed.

*Derbyniwyd gwelliant 27 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 27 agreed in accordance with Standing Order 17.34.*

[309] **Christine Chapman:** Peter, do you wish to move amendment 34?

*Cynigiwyd gwelliant 34 (Peter Black).*  
*Amendment 34 (Peter Black) moved.*

[310] **Peter Black:** I do.

[311] **Christine Chapman:** Okay, so the question is that amendment 34 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote. So, amendment 34, then—those in favour. Those against. Any abstentions? No. So, as there is a tied vote, then, I use my casting vote in the negative. Therefore, amendment 34 is not agreed.

*Gwelliant 34: O blaid 5, Yn erbyn 5, Ymatal 0.*  
*Amendment 34: For 5, Against 5, Abstain 0.*

| O blaid:<br>For:      | Yn erbyn:<br>Against: | Ymatal:<br>Abstain: |
|-----------------------|-----------------------|---------------------|
| Black, Peter          | Chapman, Christine    |                     |
| Davies, Jocelyn       | Griffiths, John       |                     |
| Finch-Saunders, Janet | Hedges, Mike          |                     |
| Isherwood, Mark       | Mewies, Sandy         |                     |
| Thomas, Rhodri Glyn   | Price, Gwyn R.        |                     |

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*  
*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 34.*  
*Amendment 34 not agreed.*

[312] **Christine Chapman:** Peter, do you wish to move amendment 35?

*Cynigiwyd gwelliant 35 (Peter Black).*  
*Amendment 35 (Peter Black) moved.*

[313] **Peter Black:** I move.

[314] **Christine Chapman:** Okay. So, the question is, then, that amendment 35 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. So, amendment 35—those in favour. Those against. Any abstentions? No. As there is a tied vote, I use my casting vote. Therefore, 35 is not agreed.

*Gwelliant 35: O blaid 5, Yn erbyn 5, Ymatal 0.*  
*Amendment 35: For 5, Against 5, Abstain 0.*

|  |  |                     |
|--|--|---------------------|
| O blaid:<br>For:   | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain: |
| Black, Peter<br>Davies, Jocelyn<br>Finch-Saunders, Janet<br>Isherwood, Mark<br>Thomas, Rhodri Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. |                     |

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 35.  
Amendment 35 not agreed.*

[315] **Christine Chapman:** Peter, do you wish to move amendment 36?

*Cynigiwyd gwelliant 36 (Peter Black).  
Amendment 36 (Peter Black) moved.*

[316] **Peter Black:** I move amendment 36.

[317] **Christine Chapman:** If amendment 36 is agreed, amendment 17 will fall, so the question is, then, that amendment 36 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. So, amendment 36: those in favour; those against; any abstentions? No. As there is a tied vote, I use my casting vote. Therefore, 36 is not agreed.

*Gwelliant 36: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 36: For 5, Against 5, Abstain 0.*

|  |  |                     |
|--|--|---------------------|
| O blaid:<br>For:   | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain: |
| Black, Peter<br>Davies, Jocelyn<br>Finch-Saunders, Janet<br>Isherwood, Mark<br>Thomas, Rhodri Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. |                     |

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 36.  
Amendment 36 not agreed.*

*Methodd gwelliant 39.  
Amendment 39 fell.*

[318] **Christine Chapman:** Peter, do you wish to move amendment 37?

*Cynigiwyd gwelliant 37 (Peter Black).  
Amendment 37 (Peter Black) moved.*

[319] **Peter Black:** I move.

[320] **Christine Chapman:** The question is that 37 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. So, 37: those in favour; those against; any abstentions? No. So, there's a tied vote, so I'll use my casting vote. So, 37 is not agreed.

*Gwelliant 37: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 37: For 5, Against 5, Abstain 0.*

|  |  |                     |
|--|--|---------------------|
| O blaid:<br>For:   | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain: |
| Black, Peter<br>Davies, Jocelyn<br>Finch-Saunders, Janet<br>Isherwood, Mark<br>Thomas, Rhodri Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. |                     |

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 37.  
Amendment 37 not agreed.*

[321] **Christine Chapman:** Peter, do you wish to move amendment 38?

*Cynigiwyd gwelliant 38 (Peter Black).  
Amendment 38 (Peter Black) moved.*

[322] **Peter Black:** I move.

[323] **Christine Chapman:** The question is, then, that amendment 38 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. Amendment 38: those in favour; those against; any abstentions? No. So, there's a tied vote, so I use my casting vote, then. So amendment 38, then, is not agreed.

*Gwelliant 38: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 38: For 5, Against 5, Abstain 0.*

|  |  |                     |
|--|--|---------------------|
| O blaid:<br>For:   | Yn erbyn:<br>Against:  | Ymatal:<br>Abstain: |
| Black, Peter<br>Davies, Jocelyn<br>Finch-Saunders, Janet<br>Isherwood, Mark<br>Thomas, Rhodri Glyn | Chapman, Christine<br>Griffiths, John<br>Hedges, Mike<br>Mewies, Sandy<br>Price, Gwyn R. |                     |

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).*

*Gwrthodwyd gwelliant 38.  
Amendment 38 not agreed.*

[324] **Christine Chapman:** Peter, do you wish to move amendment 39?

[325] **Peter Black:** No.

[326] **Christine Chapman:** No. Right, okay.

*Cynigiwyd gwelliant 17 (Leighton Andrews).*  
*Amendment 17 (Leighton Andrews) moved.*

[327] **Christine Chapman:** I move amendment 17 in the name of the Minister. The question is that amendment 17 be agreed. Does any Member object? No? So, amendment 17 is agreed.

*Derbyniwyd gwelliant 17 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 17 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 1 (Leighton Andrews).*  
*Amendment 1 (Leighton Andrews) moved.*

[328] **Christine Chapman:** I move amendment 1 in the name of the Minister. So, the question is that 1 be agreed. Does any Member object? No? So, amendment 1 is agreed.

*Derbyniwyd gwelliant 1 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 1 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 18 (Leighton Andrews).*  
*Amendment 18 (Leighton Andrews) moved.*

[329] **Christine Chapman:** I move amendment 18 in the name of the Minister. The question is that 18 be agreed. Does any Member object? No. Amendment 18, then, is agreed.

*Derbyniwyd gwelliant 18 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 18 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 19 (Leighton Andrews).*  
*Amendment 19 (Leighton Andrews) moved.*

[330] **Christine Chapman:** I move amendment 19 in the name of the Minister. So, the question is that 19 be agreed. Does any Member object? No? So, amendment 19 is agreed.

*Derbyniwyd gwelliant 19 yn unol â Rheol Sefydlog 17.34.*  
*Amendment 19 agreed in accordance with Standing Order 17.34.*

[331] **Christine Chapman:** First of all, could I thank the Minister and his officials for their attendance? Obviously, we will send you a transcript of the meeting so that you can check for factual accuracy. Now, this completes Stage 2 proceedings. Stage 3 begins tomorrow. The relevant dates for Stage 3 proceedings will be published in due course.

[332] Before we finish, Standing Orders make provision for the Minister to prepare a revised explanatory memorandum taking account of the amendments agreed today. The revised memorandum will be laid at least five working days before Stage 3 proceedings. Again, can I thank the Minister and his officials and all the Members for today?

11:18

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

[333] **Christine Chapman:** There are a number of papers to note, so if you can note those. I would now like to close the meeting. Thank you very much.

*Daeth y cyfarfod i ben am 11:18.*  
*The meeting ended at 11:18.*