



**Cynulliad Cenedlaethol Cymru
(Y Cofnod Swyddogol)**

**The National Assembly for Wales
(The Official Record)**

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Tuesday 20 June 2000

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Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynndi yn y Siambr.
Yn y golofn dde, cynhwyswyd cyfieithiad o'r areithiau hynny.

In the left-hand column, the proceedings are recorded in the language in which they were spoken in the Chamber. In the right-hand column, a translation of those speeches has been included.

*Cyfarfu'r Cynulliad am 2 p.m. gyda'r Llywydd yn y Gadair.
The Assembly met at 2 p.m. with the Presiding Officer in the Chair.*

Datganiad gan y Llywydd Statement by the Presiding Officer

Y Llywydd: Ddoe, mynychais gyfarfod o grŵp llywio corff rhyng-seneddol Prydain ac Iwerddon yn Llundain gyda Syr David Steel o Senedd yr Alban, cynrychiolwyr o Gynulliad Gogledd Iwerddon, y Tynwald, a chyrrff deddfwriaethol Jersey a Guernsey. Hwn yw'r tro cyntaf i gynrychiolwyr o sefydliadau eraill y DU gael eu cynnwys er mwyn galluogi'r corff i addasu i newidiadau cyfansoddiadol yr ynysoedd hyn ac i'w alluogi i ddatblygu cysylltiadau seneddol ochr yn ochr â'r rhai sydd yn cael eu sefydlu gan y gwahanol weithrediaethau drwy gyfrwng Cyngor Prydain—Iwerddon. Rhoddais fy nghefnogaeth, mewn egwyddor, i Gynulliad Cenedlaethol Cymru fod yn rhan o'r corff rhyng-seneddol hwn ac i Aelodau o'r Cynulliad hwn fynychu cyfarfod llawn o'r Corff yn Galway yng ngorllewin Iwerddon fis Hydref. Byddaf maes o law yn gofyn i'r pleidiau gynnig Aelodau a fyddai'n barod i chwarae rhan lawn yn y corff a'i gynorthwyo i feithrin cysylltiadau mwy cynhyrchiol rhwng amrywiol rannau'r ynysoedd hyn.

The Presiding Officer: Yesterday, I attended a meeting of the steering group of the British-Irish inter-parliamentary body in London with Sir David Steel of the Scottish Parliament, representatives of the Northern Ireland Assembly, the Tynwald, and legislative bodies from Jersey and Guernsey. This is the first time that representatives from other UK institutions have been included in order to allow the body to adapt to the constitutional changes of these islands and to allow it to develop parliamentary links in parallel with those being established by the different executives through the British-Irish Council. I gave my support, in principle, for the National Assembly of Wales to be a part of this inter-parliamentary body and for Members of this Assembly to attend a full meeting of the body in Galway in the west of Ireland next October. I will in due course ask parties to propose Members who would be prepared to play a full part in the body and support it to foster more productive relationships between the various parts of these isles.

Cwestiynau i'r Prif Ysgrifennydd Questions to the First Secretary

Contractau Cyflogaeth Cyngorwyr Arbenigol Special Advisers' Employment Contracts

Q1 Alun Cairns: Will the First Secretary make a statement on the employment contract of Cabinet special advisers? (OAQ5829)

C1 Alun Cairns: A wnaiff y Prif Ysgrifennydd ddatganiad ar gontract cyflogaeth ymgynghorwyr arbennig y Cabinet? (OAQ5829)

The First Secretary (Rhodri Morgan): The Assembly adopts the standard civil service-wide special adviser model contract. Although we have advertised for, and appointed our four special advisers who will be starting shortly, in an open advertisement—this represents considerable progress over the normal method of

Y Prif Ysgrifennydd (Rhodri Morgan): Mae'r Cynulliad yn mabwysiadu'r contract enghreifftiol ar gyfer ymgynghorwyr arbennig sydd yn safonol drwy'r gwasanaeth sifil. Er inni hysbysebu ar gyfer, a phenodi ein pedwar ymgynghorydd arbennig a fydd yn dechrau cyn hir, drwy hysbyseb agored—mae hyn yn dangos cryn gynnydd oddi ar y dull arferol o benodi ymgynghorwyr

appointing special advisers—the contracts to which this question refers remain along the model contract adopted by the civil service on a UK-wide basis.

Alun Cairns: Thank you for that answer. In an answer to a written Assembly question, you said that special advisers are required to observe a duty of confidentiality during and after their period of service. I was alarmed therefore to receive a copy of an e-mail distributed by Janice Gregory to 15 Labour Assembly Members that stated that she had spoken to Gareth Williams, ex chief special adviser regarding information and support on Objective 1. The e-mail stated that,

‘Gareth has recently established his own business and would be prepared to offer Objective 1 AMs his knowledge and expertise on the subject. His fees can be claimed from our office costs allowance.’

Do you support such an e-mail? If you do not, what action do you plan to take?

The First Secretary: I am not sure if I followed Alun’s exact line of argument on the breach of contract. If he puts his concerns in writing, I will take the matter up.

Cynog Dafis: Codaf gwestiwn gyda’r Prif Ysgrifennydd ynglŷn â Mr Rhys Williams sydd wedi’i benodi yn ymgynghorydd i’r Prif Ysgrifennydd. Yr oeddwn yn meddwl ei fod yn gwestiwn perthnasol i’r categori hwn. Efallai y gall y Prif Ysgrifennydd esbonio mwy am hyn. Mae cwestiynau i’w gofyn ynglŷn â’r ffaith fod cyflog Mr Rhys Williams yn cael ei dalu gan Undeb Cenedlaethol yr Athrawon. Mae’n hollol arferol i gynghorwyr Ysgrifenyddion berthyn i’r un blaid wleidyddol â hwy; fodd bynnag, mae’n anarferol i gorff allanol dalu eu cyflogau. Credaf fod yna wrthdrawiad buddiannau yn yr achos hwn. A gaf sylwadau’r Prif Ysgrifennydd ar hynny?

Y Prif Ysgrifennydd: Yr wyf yn falch o’r cyfle i roi eglurhad i’r Cynulliad ac i bawb arall ynglŷn â statws Rhys Williams. Mae’n

arbennig—mae’r contractau y cyfeiria’r cwestiwn hwn atynt yn dal i ddilyn y contract enghreifftiol a fabwysiedir gan y gwasanaeth sifil ledled y DU.

Alun Cairns: Diolch i chi am yr ateb hwnnw. Mewn ateb i gwestiwn ysgrifenedig y Cynulliad, dywedasoed fod ymgynghorwyr arbennig yn gorfod cyflawni dyletswydd o gyfrinachedd yn ystod ac ar ôl eu cyfnod o wasanaeth. Arswydais felly wrth dderbyn copi o neges e-bost a ddosbarthwyd gan Janice Gregory i 15 o Aelodau Llafur y Cynulliad a ddywedodd ei bod wedi siarad â Gareth Williams, y cyn brif ymgynghorydd arbennig ynghylch gwybodaeth a chymorth ar Amcan 1. Dywedodd y neges e-bost,

‘Mae Gareth wedi sefydlu ei fusnes ei hun yn ddiweddar a byddai’n barod i gynnig ei wybodaeth a’i arbenigedd ar y pwnc i Aelodau Cynulliad Amcan 1. Gellir hawlio ei ffioedd o’n lwfans costau swyddfa.’

A ydych yn cefnogi neges e-bost o’r fath? Os nad ydych, pa gamau y bwriedwch eu cymryd?

Y Prif Ysgrifennydd: Nid wyf yn sicr a ddilynais union drywydd dadl Alun ar y tor-cytundeb. Os danfona ei bryderon ataf yn ysgrifenedig, byddaf yn dilyn y mater.

Cynog Dafis: I raise with the First Secretary the question of Mr Rhys Williams who has been appointed as an adviser to the First Secretary. I thought that the question was relevant to this category. Perhaps the First Secretary can explain more about this. There are questions to be asked about the fact that Mr Rhys Williams’s salary will be paid by the National Union of Teachers. It is usual for Secretaries’ advisers to be members of the same political party as them; however, it is unusual for an external body to pay their salaries. I believe that there is a conflict of interest in this case. Can I have the First Secretary’s comments on that?

The First Secretary: I am pleased to have the opportunity to give an explanation to the Assembly and to everybody else on Rhys

amlwg o gwestiwn Cynog ei fod wedi cael ei gamarwain, neu ei fod wedi camddehongli'r hyn sydd wedi digwydd ynglŷn â Rhys Williams. Nid ymgynghorydd arbennig i mi nac i unrhyw un arall yw Rhys Williams. Mae ar secondiad o'r NUT ac yn gweithio i Ysgrifenyddiaeth y Cabinet.

Gweithredir ei secondiad ar yr un llinellau â'r secondiadau eraill ar draws y Cynulliad. Gweithredir 36 o secondiadau o'r math hwn o fewn y Cynulliad ar hyn o bryd. Mae tua 20 ohonynt o'r NHS ac 16 o gyrff eraill. Mae 24 o aelodau staff y Cynulliad ar secondiadau i gyrff eraill.

Jenny Randerson: When Rhys Williams was first appointed, the NUT press release that was issued at that time gave the impression that he was appointed to give policy advice. Can you tell us whether this appointment was advertised and on which terms he has been appointed? Is it a one-year contract or a long-term contract? Do you believe that the appointment is in line with the openness you promised? Do you believe that it is line with the conditions proposed by the Nolan/Neill Committee? Do you have plans to appoint anyone else on secondment from the Farmers Union of Wales or the Countryside Alliance?

The First Secretary: I do not know why you picked out those bodies as distinct from any others unless you are trying to make an emotive point about bodies from whom we accept secondments. I said in my reply to Cynog that there are 36 inward secondments and 24 outward secondments operating at this moment in the Assembly. I do not believe that you need to start associating connotations with any one particular inward secondment. The NUT offered Rhys Williams's services to us free of charge. We accepted that offer. There would be no problem either in similar offers from the National Association of Schoolmasters and Union of Women Teachers, other teaching unions or any other trade union if they wished to second free of charge. We would consider those also. It is entirely in line with

Williams's status. It is obvious from Cynog's question that he has been misled or that he has misinterpreted what has happened with Rhys Williams. Rhys Williams is not a special adviser to myself or anybody else. He is on secondment from the NUT and he works for the Cabinet Secretariat.

His secondment works along the same lines as the other secondments throughout the Assembly. There are 36 such secondments in operation at present within the Assembly. Around 20 of them are from the NHS and there are 16 from other organisations. There are 24 Assembly staff on secondments to other bodies.

Jenny Randerson: Pan benodwyd Rhys Williams gyntaf, yr oedd y datganiad i'r wasg a gyhoeddwyd ar y pryd gan Undeb Cenedlaethol yr Athrawon yn rhoi'r argraff ei fod wedi ei benodi i roi cyngor ar bolisi. A allwch ddweud wrthym a hysbysebwyd y penodiad hwn ac ar ba delerau y'i penodwyd? A yw'n gontract un flwyddyn ynteu'n gontract tymor hir? A gredwch fod y penodiad yn gyson â'r gweithredu agored a addawasoch? A gredwch ei fod yn gyson â'r amodau a gynigiwyd gan Bwyllgor Nolan/Neill? A oes gennych fwriad i benodi rhywun arall ar secondiad o Undeb Amaethwyr Cymru neu'r Gynghrair Cefn Gwlad?

Y Prif Ysgrifennydd: Ni wn pam y dewisasoch y cyrff hynny yn hytrach nag unrhyw rai eraill oni bai eich bod yn ceisio gwneud pwynt cyffroadol ynghylch cyrff yr ydym yn derbyn secondiadau oddi wrthynt. Dywedais yn fy ateb i Cynog bod 36 o secondiadau o'r tu allan a 24 o secondiadau tuag at allan yn gweithredu ar hyn o bryd yn y Cynulliad. Ni chredaf fod angen ichi ddechrau cysylltu ystyron ag unrhyw secondiad penodol o'r tu allan. Cynigiwyd gwasanaeth Rhys Williams i ni gan Undeb Cenedlaethol yr Athrawon yn ddi-dâl. Derbyniaisom y cynnig hwnnw. Ni fyddai problem ychwaith mewn cynigion tebyg gan Gymdeithas Genedlaethol yr Ysgolfeistri ac Undeb yr Athrawesau, undebau athrawon eraill neu unrhyw undeb llafur arall pe dymunent secondio'n ddi-dâl. Ystyriem y

our open appointments policy.

rheini hefyd. Mae'n gwbl gyson â'n polisi penodiadau agored.

2:10 p.m.

Pryderon ynglŷn â'r Gyllideb Concerns about the Budget

Q2 Kirsty Williams: What discussions has the First Secretary had with the Chancellor of the Exchequer to convey the Assembly's concerns about the content of the budget, expressed in its debate of 25 March? (OAQ5802)

The First Secretary: The Chancellor of the Exchequer and other Treasury Ministers are well aware of the Assembly's position on budgetary matters. The major focus at the moment is on the spending review, and discussions are held almost weekly, with both the Secretary of State for Wales and the Chief Secretary to the Treasury on the subject of structural funds and other allied matters.

Kirsty Williams: I take it that you have not had discussions directly with the Chancellor of the Exchequer. Given the importance of structural funding to a large number of people in Wales, will you review that situation and take Wales's case directly to the top to the Chancellor of the Exchequer?

The First Secretary: You should remember that the division of work between the Chancellor of the Exchequer and his number two who also sits in the Cabinet, namely the Chief Secretary to the Treasury, Andrew Smith, is along the following lines. The Chancellor of the Exchequer takes the lead on the generation of revenue, that is the setting of taxation rates, and Andrew Smith takes the lead on matters of expenditure. The spending review is a matter of expenditure, therefore there is a considerable case for saying that the Chief Secretary to the Treasury is the key person when it comes to spending decisions. I have been in communication with Gordon Brown, but mostly with Andrew Smith because he takes the lead on public expenditure.

C2 Kirsty Williams: Pa drafodaethau a gafodd y Prif Ysgrifennydd â Changhaior y Trysorlys i gyfleu pryderon y Cynulliad ynghylch cynnwys y gyllideb fel y'u mynegwyd yn y ddadl ar 25 Mawrth? (OAQ5802)

Y Prif Ysgrifennydd: Mae Canghellor y Trysorlys a Gweinidogion Trysorlys eraill yn ymwybodol iawn o safbwynt y Cynulliad ar faterion cyllidebol. Canolbwyntir yn bennaf ar hyn o bryd ar yr adolygiad gwariant, a chynhelir trafodaethau bob wythnos bron, gydag Ysgrifennydd Gwladol Cymru a chyda Phrif Ysgrifennydd y Trysorlys ar bwnc cronfeydd strwythurol a materion cysylltiedig eraill.

Kirsty Williams: Yr wyf yn cymryd na chawsoch drafodaethau'n uniongyrchol â Changhaior y Trysorlys. O ystyried pwysigrwydd arian strwythurol i nifer fawr o bobl yng Nghymru, a wnewch adolygu'r sefyllfa honno a mynd ag achos Cymru'n uniongyrchol at y prif ddyn, at Ganghellor y Trysorlys?

Y Prif Ysgrifennydd: Dylech gofio bod y rhaniad gwaith rhwng Canghellor y Trysorlys a'i ddirprwy sydd hefyd yn eistedd yn y Cabinet, sef Prif Ysgrifennydd y Trysorlys, Andrew Smith, fel a ganlyn. Canghellor y Trysorlys sydd yn arwain ar gynhyrchu refeniw, sef gosod cyfraddau trethiant, ac Andrew Smith sydd yn arwain ar faterion gwariant. Mae'r adolygiad gwariant yn fater o wariant, felly mae dadl sylweddol dros ddweud mai Prif Ysgrifennydd y Trysorlys yw'r un allweddol ar benderfyniadau gwario. Bûm mewn cysylltiad â Gordon Brown, ond gydag Andrew Smith yn bennaf oherwydd ef sydd yn arwain ar wariant cyhoeddus.

Helen Mary Jones: We are all interested to hear that the First Secretary is discussing these matters on 'an almost weekly basis'. Given their urgency and the pressure, we would expect them to be discussed on an almost daily basis. You will be prioritising in the shorter term the issues of structural funds, additionality and match funding, but have you also raised with the Chancellor of the Exchequer, or with whoever is appropriate, the concerns about the long-term viability of the Barnett formula that were raised in the debate to which Kirsty referred?

The First Secretary: We do not have the Assembly's authority or the view of the Cabinet that the Barnett formula needs to be thrown away and a new start made. There is an intellectual case for doing that and I believe that if we re-examined the figures relating to Barnett on a needs-based formula, Wales might come out better. At the moment, that is not one of our priorities. As regards Helen Mary Jones's other point about whether the meetings with the Chief Secretary to the Treasury or communications with the Secretary of State for Wales are sufficiently frequent, if I said weekly she would say hourly or daily and then Ieuan Wyn Jones would say every minute because this would probably become part of some leadership campaign in some organisation, the exact name of which escapes my mind. Whatever I say, she will want to go one better. We have to decide how frequently we can reasonably get access to Government Ministers. The Secretary of State for Wales is not a problem, and with other Government Ministers we take our opportunities as frequently as possible to get them to press the case.

William Graham: When will the First Secretary start offering advice to which the Treasury may listen, because all his previous efforts to represent Wales seem to have been ignored?

The First Secretary: I am not sure to which context you are referring, William. I have referred from this lectern to communicating

Helen Mary Jones: Mae o ddiddordeb i bawb ohonom glywed bod y Prif Ysgrifennydd yn trafod y materion hyn 'bob wythnos bron'. O ystyried eu brys a'r pwysau, disgwyliem iddynt gael eu trafod bob diwrnod bron. Byddwch yn blaenoriaethu yn y tymor byrrach faterion y cronfeydd strwythurol, ychwanegedd a chyllid cyfatebol, ond a ydych hefyd wedi codi gyda Changhellor y Trysorlys, neu bwy bynnag sydd yn briodol, y pryderon ynghylch hyfywedd tymor hir fformwla Barnett a godwyd yn y ddadl y cyfeiriodd Kirsty ati?

Y Prif Ysgrifennydd: Ni chawsom awdurdod y Cynulliad neu farn y Cabinet dros ddweud bod angen taflu fformwla Barnett a dechrau o'r newydd. Mae dadl ddeallusol dros wneud hynny a chredaf, pe baem yn ailedrych ar y ffigurau sydd yn gysylltiedig â fformwla Barnett mewn fformwla sydd yn seiliedig ar anghenion, y gallai Cymru ddod allan ohoni'n well. Ar hyn o bryd, nid yw hynny'n un o'n blaenoriaethau. Mewn cysylltiad â phwynt arall Helen Mary Jones ynghylch a yw'r cyfarfodydd â Phrif Ysgrifennydd y Trysorlys neu gysylltiadau ag Ysgrifennydd Gwladol Cymru yn ddigon aml, pe dywedwn i bob wythnos, dywedai hi bob awr neu bob diwrnod ac wedyn dywedai Ieuan Wyn Jones bob munud oherwydd mae'n debygol y byddai hyn yn rhan o ryw ymgyrch arweinyddiaeth mewn rhyw gorff, y mae ei union enw wedi mynd yn angof gennyf. Beth bynnag a ddywedaf, bydd hi'n dymuno mynd un cam ymhellach. Rhaid inni benderfynu pa mor aml yn rhesymol y gallwn gael mynediad at Weinidogion Llywodraeth. Nid yw Ysgrifennydd Gwladol Cymru'n broblem, a chyda Gweinidogion Llywodraeth eraill achubwn ar ein cyfleoedd mor aml â phosibl i'w cael i ddadlau'r achos.

William Graham: Pa bryd y bydd y Prif Ysgrifennydd yn dechrau cynnig cyngor y gallai'r Trysorlys wrando arno, oherwydd ymddengys fod ei holl ymdrechion blaenorol i gynrychioli Cymru wedi eu hanwybyddu?

Y Prif Ysgrifennydd: Nid wyf yn sicr at ba gyd-destun yr ydych yn cyfeirio, William. Cyfeiriais o'r darllenfwrdd hwn at gyfleu'n

strongly the view of the Economic Development Committee that a continually high pound would undoubtedly impact on heavily manufacturing regions of the United Kingdom, such as Wales. Although the pound started to fall shortly after that, I do not think that there was cause and effect between me writing to the Chancellor of the Exchequer and the pound coming down. Although it has not come down far enough to offer any kind of long-term comfort to those working in the industries that are exporting at a loss—producers of high-volume, low-value commodity products such as cars, steel, components and so forth. However, William has no basis for making that sweeping statement.

gryf farn y Pwyllgor Datblygu Economaidd y byddai punt uchel barhaus yn sicr o effeithio ar ranbarthau gweithgynhyrchu y Deyrnas Unedig, fel Cymru. Er i'r bunt ddechrau disgyn yn fuan ar ôl hynny, ni chredaf fod achos ac effaith rhyngof fi'n ysgrifennu at Ganghellor y Trysorlys a'r bunt yn disgyn. Er na ddisgynnodd ddigon i gynnig unrhyw fath o gysur tymor hir i'r rhai sydd yn gweithio yn y diwydiannau sydd yn allforio ar golled—cynhyrchwyr cynhyrchion nwyddau swm uchel a gwerth isel fel ceir, dur, cydrannau ac yn y blaen. Fodd bynnag, nid oes gan William sail dros wneud y datganiad ysgubol hwnnw.

Arian Cyfatebol i Brosiectau Amcan 1 Match Funding for Objective 1 Projects

Q3 Peter Black: What discussions has the First Secretary had with the Chancellor of the Exchequer to ensure that enough match funding is available for Objective 1 projects for the current financial year? (OAQ5795)

C3 Peter Black: Pa drafodaethau a gafodd y Prif Ysgrifennydd â Changhellor y Trysorlys i sicrhau bod digon o arian cyfatebol ar gael i brosiectau Amcan 1 ar gyfer y flwyddyn ariannol bresennol? (OAQ5795)

The First Secretary: I have made it clear on 20 or 30 occasions from this lectern that there is sufficient provision in the current year to meet expenditure on projects that are approved under the Objective 1 programme.

Y Prif Ysgrifennydd: Rhoddais ar ddeall ar 20 neu 30 o achlysuron o'r darllenfwrdd hwn bod digon o ddarpariaeth yn y flwyddyn gyfredol i dalu am wariant ar brosiectau a gymeradwyir o dan raglen Amcan 1.

Peter Black: Why are local partnerships being told that they are only being allowed to bring forward one project for fast-tracking? Is that not to do with the lack of staff and resources to deal with the schemes? Will you ensure that enough staff and resources are in place to deal with those schemes so that we can maximise our use of Objective 1 funding in the current year by implementing as many projects as possible?

Peter Black: Pam y dywedir wrth bartneriaethau lleol na chaniateir iddynt gyflwyno ond un prosiect i'w drafod drwy ddull carlam? Onid yw hynny'n ymwneud â'r diffyg staff ac adnoddau i ddelio â'r cynlluniau? A wnewch sicrhau bod digon o staff ac adnoddau ar gael i ddelio â'r cynlluniau hynny fel y gallwn ddefnyddio arian Amcan 1 i'r eithaf yn y flwyddyn gyfredol drwy roi cynifer o brosiectau ar waith ag y bo modd?

The First Secretary: This subject was discussed extensively in the Objective 1 shadow monitoring committee this morning, as Phil Williams and Christine Gwyther can confirm, because they were present. There was general widespread support—much to my surprise, I must admit—to the proposition that there should only be one project per partnership area in the fast-track round,

Y Prif Ysgrifennydd: Trafodwyd y pwnc hwn yn helaeth yn y pwyllgor monitro cysgodol Amcan 1 y bore yma, fel y gall Phil Williams a Christine Gwyther gadarnhau, am eu bod yn bresennol. Yr oedd cefnogaeth eang gyffredinol—er syndod mawr i mi, rhaid imi gyfaddef—i'r awgrym na ddylid cael ond un prosiect i bob ardal partneriaeth yn y cylch dull carlam, y gobeithiwn allu ei

which we hope to be able to finally sign, seal and deliver before the end of July. It is certainly not due to a lack of finance or matched funding, which is what your question was about, Peter. There is no financial constraint. The only constraint that has been referred to is the processing constraint in the system, as there is simply not sufficient time. After approval of the single programming document from Europe—which we hope will happen during the next week—the system depends on our ability to process the fast-track proposals in the way that we have always wanted to do, before the summer holidays, which start on 1 August. That is the only reason. It is not the lack of matched funding. In his supplementary question, Peter has accepted that the basis for his original oral question is not correct.

Phil Williams: Thank you for your letter on match funding. I am glad to say that the figures we use are in broad agreement. Therefore, I imagine that you will agree that because of the start of Objective 1, followed by Objectives 2 and 3—and with a large overhang from the previous structural funds—the need for match funding from the public budget in Wales in the first few years will increase on average by £40 to £60 million per annum? Will you agree that with our normal budget—for education, health and local government—stretched to breaking point, we could not squeeze an extra £40 or £60 million out of that budget? Therefore, can you make it clear to the Chancellor that unless we receive that necessary, extra component of match funding, we will not be able to draw down the full European funds that are available?

The First Secretary: Everybody accepts that the calculation of how much match funding there is 'within the system' is a complex calculation. We edge towards it using lateral thinking and fuzzy logic, which indicate that you cannot subject it to the disciplines of natural sciences, with which Phil would be more familiar. There is an element of an art rather than a science in establishing exactly how much match funding is in the system.

arwyddo, ei selio a'i gyflenwi cyn diwedd Gorffennaf. Yn sicr, nid yw o ganlyniad i ddiffyg cyllid neu arian cyfatebol, sef yr hyn a oedd o dan sylw yn eich cwestiwn, Peter. Nid oes cyfyngiad ariannol. Yr unig gyfyngiad y cyfeiriwyd ato yw'r cyfyngiad prosesu yn y system, a hynny'n syml am nad oes digon o amser. Ar ôl cymeradwyo'r ddogfen rhaglennu sengl o Ewrop—a fydd yn digwydd, yr ydym yn gobeithio, yn ystod yr wythnos nesaf—mae'r system yn dibynnu ar ein gallu i brosesu'r cynigion dull carlam yn y modd yr ydym wedi dymuno erioed, cyn gwyliau'r haf, sydd yn dechrau ar 1 Awst. Dyna'r unig reswm. Nid diffyg arian cyfatebol ydyw. Yn ei gwestiwn atodol, mae Peter wedi derbyn nad yw'r sail i'w gwestiwn llafar gwreiddiol yn gywir.

Phil Williams: Diolch i chi am eich llythyr ar arian cyfatebol. Yr wyf yn falch o ddweud bod y ffigurau a ddefnyddiwn yn cyd-fynd at ei gilydd. Felly, gallwn feddwl y byddwch yn cytuno, oherwydd dechrau Amcan 1, ac Amcanion 2 a 3 ar ei ôl—gyda swm mawr dros ben o'r cronfeydd strwythurol blaenorol—y bydd yr angen am arian cyfatebol o'r gyllideb gyhoeddus yng Nghymru yn y blynyddoedd cyntaf hyn yn cynyddu ar gyfartaledd o £40 i £60 miliwn y flwyddyn? A gytunwch, a'n cyllideb arferol—ar gyfer addysg, iechyd a llywodraeth leol—wedi ei hystyngiadau nes ei bod ar fin torri, na allem wasgu £40 neu £60 miliwn ychwanegol o'r gyllideb honno? Felly, a allwch roi ar ddeall i'r Canghellor, oni bai ein bod yn derbyn y gyfran ychwanegol, angenrheidiol honno o arian cyfatebol, na fyddwn yn gallu codi'r cwbl o'r arian Ewropeaidd sydd ar gael?

Y Prif Ysgrifennydd: Mae pawb yn derbyn bod y cyfrifiad o faint o arian cyfatebol sydd 'oddi mewn i'r system' yn un cymhleth. Yr ydym yn sleifio ato gan ddefnyddio meddwl ochrol a rhesymeg niwlog, sydd yn dangos na allwch ei ddarostwng i ddisgyblaethau gwyddorau naturiol, y byddai Phil yn fwy cyfarwydd â hwy. Mae elfen o gelfyddyd yn hytrach nag o wyddoniaeth wrth ddarganfod faint yn union o arian cyfatebol sydd yn y

However, the broad thrust of what he says is undoubtedly true. I do not necessarily agree on the exact figures that he gives, but match funding will be a stress on the overall budget. It will be a stress not only on the Assembly's budget, but also on the budgets of other public bodies, who will look for match funding to be able to tap into the availability of structural funds.

Peter Rogers: I listened to you last week when you spoke about Objective 1 and heard that Wales is doing well in its preparation and plans. I attended the North Wales Regional Committee meeting on Friday. I do not know whether or not your fellow Assembly Members who sit on that Committee have briefed you on the tremendous problems and lack of confidence that the north Wales councils have in Objective 1. I listened to you again today exuding confidence that everything is going ahead. You have introduced a limit on the number of fast-track Objective 1 schemes. When will you be able to review that and give us confidence that we can take more schemes forward?

The First Secretary: This limit has not come from me, Peter. The limit came from the structural funds working group on Objective 1, in which I had no part. It was put to the shadow monitoring committee this morning and much to my surprise—as I mentioned in answer to the previous question—they approved it. This is not a matter for me to say 'There will only be one project per area'. It is not Rhodri Morgan's rations of one per partnership area. It came from the structural funds working group and it was confirmed this morning after lengthy discussion by the monitoring committee. I chair the monitoring committee, but I only have one vote and there must have been 25 or 30 people around the table.

2:20 p.m.

Regarding the great dissatisfaction or worry that exists, this morning's meeting will have pushed things along a great deal, because a large number of decisions were taken. In about a week's time, we hope that Europe

system. Fodd bynnag, mae pwyslais cyffredinol yr hyn a ddywed yn wir heb os. Nid wyf o reidrwydd yn cytuno ar yr union ffigurau y mae'n eu rhoi, ond bydd arian cyfatebol yn straen ar y gyllideb gyffredinol. Bydd yn straen nid yn unig ar gyllideb y Cynulliad, ond hefyd ar gyllidebau cyrrff cyhoeddus eraill, a fydd yn chwilio am arian cyfatebol er mwyn gallu manteisio ar argaeledd cronfeydd strwythurol.

Peter Rogers: Gwrandewais arnoch yr wythnos diwethaf pan siaradasoch am Amcan 1 a chlywais fod Cymru'n gwneud yn dda yn ei pharatoadau a'i chynlluniau. Yr oeddwn yn bresennol yng nghyfarfod Pwyllgor Rhanbarthol Gogledd Cymru ddydd Gwener. Ni wn a yw'ch cyd-Aelodau Cynulliad sydd yn eistedd ar y Pwyllgor hwnnw wedi'ch briffio ynghylch y problemau aruthrol a'r diffyg hyder sydd gan gynghorau gogledd Cymru yn Amcan 1. Gwrandewais arnoch eto heddiw'n llawn hyder bod popeth yn mynd yn ei flaen. Cyflwynasoch derfyn ar nifer y cynlluniau Amcan 1 dull carlam. Pa bryd y byddwch yn gallu adolygu hynny a rhoi inni'r hyder y gallwn fynd â mwy o gynlluniau yn eu blaen?

Y Prif Ysgrifennydd: Ni ddaeth y terfyn hwn oddi wrthyf fi, Peter. Daeth y terfyn o'r gweithgor cronfeydd strwythurol ar Amcan 1, nad oedd gennyf ran ynddo. Fe'i rhoddwyd i'r pwyllgor monitro cysgodol y bore yma ac er mawr syndod i mi—fel y soniais wrth ateb y cwestiwn blaenorol—fe'i cymeradwyasant. Nid yw hyn yn fater i mi ddweud 'Ni fydd ond un prosiect i bob ardal'. Nid dogni Rhodri Morgan ydyw o un i bob ardal partneriaeth. Daeth o'r gweithgor cronfeydd strwythurol ac fe'i cadarnhawyd y bore yma ar ôl trafodaeth hir gan y pwyllgor monitro. Yr wyf yn cadeirio'r pwyllgor monitro, ond nid oes gennyf ond un bleidlais a rhaid bod 25 neu 30 o bobl o gylch y bwrdd.

Ynghylch yr anfodlonrwydd neu'r gofid mawr sydd yn bod, bydd y cyfarfod y bore yma wedi gwthio pethau ymlaen yn bell iawn, oherwydd gwnaethpwyd nifer fawr o benderfyniadau. Ymhen tua wythnos,

will technically approve the document. There is no guarantee in matters such as these, but that is what we expect to happen. We are in that strange pre-delivery stage. We are just before everything fits into place for actual expenditure to commence in the final 10 days of July. I accept that it is a frustrating period. If people feel that they are a long way from where decisions are made, that sense of frustration is greater than when people feel that they have access and are on the inside track. That is perhaps the mood that Peter Rogers is conveying from what was said by the north Wales regional councils at last week's meeting of the North Wales Regional Committee. However, all of that will have gone by 31 July and as soon as people see money going out through the door for projects approved, signed, sealed and delivered. That will take place unless there is an earthquake to knock us off track before the end of next month.

gobeithiwn y bydd Ewrop yn cymeradwyo'r ddogfen yn dechnegol. Nid oes sicrwydd mewn materion fel y rhain, ond disgwylw'n mai hynny fydd yn digwydd. Yr ydym yn y cyfnod rhyfedd hwnnw cyn cyflawni. Yr ydym ar fin cyrraedd yr adeg pan fydd popeth yn ffitio i'w le fel y gall y gwario ei hun ddechrau yn 10 niwrnod olaf Gorffennaf. Derbyniaf ei fod yn gyfnod llawn rhwystredigaeth. Os yw pobl yn teimlo eu bod ymhell oddi wrth y man lle y gwneir y penderfyniadau, mae'r ymdeimlad hwnnw o rwystredigaeth yn fwy na phan yw pobl yn teimlo bod ganddynt fynediad a'u bod ar y trac mewnol. Efallai mai dyna'r ymdeimlad y mae Peter Rogers yn ei gyfleu o'r hyn a ddywedwyd gan gynghorau rhanbarthol gogledd Cymru yn y cyfarfod yr wythnos diwethaf o Bwyllgor Rhanbarthol Gogledd Cymru. Fodd bynnag, bydd y cwbl o hynny wedi mynd erbyn 31 Gorffennaf a chyn gynted ag y bydd pobl yn gweld arian yn mynd drwy'r drws ar gyfer prosiectau a gafodd eu cymeradwyo, eu llofnodi, eu selio a'u cyflenwi. Digwydd hynny oni cheir daeargryn i'n bwrw oddi ar y trywydd cyn diwedd y mis nesaf.

Credyd Treth i Deuluoedd mewn Gwaith Working Families' Tax Credit

Q4 Brian Hancock: What discussions has the First Secretary had with representatives of the Employment Service in Wales on working families' tax credit? (OAQ5820)

C4 Brian Hancock: Pa drafodaethau a gafodd y Prif Ysgrifennydd â chynrychiolwyr y Gwasanaeth Cyflogi ynglŷn â chredyd treth i deuluoedd mewn gwaith? (OAQ5820)

The First Secretary: The working families' tax credit is not a matter for the Assembly; it is a reserved matter for the UK Government. I have noticed that the Tories have now said that they would abolish it. I welcomed its introduction last October because, combined with the national minimum wage, it makes work pay, and we know that work is the best route out of poverty. I have not discussed it with the Employment Service or the Inland Revenue, who administer the credit.

Y Prif Ysgrifennydd: Nid yw'r credyd treth i deuluoedd mewn gwaith yn fater i'r Cynulliad; mae'n fater a gadwyd i Lywodraeth y DU. Sylwais fod y Torïaid wedi dweud bellach y byddent yn ei ddiddymu. Croesewais ei gyflwyno fis Hydref diwethaf oherwydd, o'i gyfuno â'r isafswm cyflog cenedlaethol, mae'n gwneud i waith dalu, a gwyddom mai gwaith yw'r ffordd orau allan o dlodi. Nis trafodais gyda'r Gwasanaeth Cyflogi neu Gyllid y Wlad, sydd yn gweinyddu'r credyd.

Brian Hancock: Do you agree that the working families' tax credit should benefit families that are trying to take care of themselves? I am concerned that this may not be the case. Consider a single parent with

Brian Hancock: A gytunwch y dylai'r credyd treth i deuluoedd mewn gwaith fod o fudd i deuluoedd sydd yn ceisio gofalu amdanynt eu hunain? Yr wyf yn bryderus nad yw hyn yn digwydd o bosibl. Ystyriwch

children who are in school, taking on work to suit school hours, for example in retail or in a sub-post office. Many retail organisations pay even their part-timers on a monthly basis. This means that the working families' tax credit does not benefit the family when it needs it. Will you make representations to the Secretary of State and to Parliament to allow families the choice of receiving this benefit along with other benefits on a weekly cash basis at their local sub-post office?

The First Secretary: I would appreciate it if you could put that in writing to ensure that I have all the facts to which you referred in your presentation of some of the knotty little problems that have arisen since the introduction of the tax credit nine or 10 months ago. I would be happy to take that up with the appropriate Government Ministers in London. I emphasise that about 61,000 families receive the working families' tax credit in Wales, which is 13,000 more than would have received family credit. They also receive £10 a week more than they would have from family credit. Families who received £61 a week from family credit in August of last year now receive £71 a week.

Jonathan Morgan: Do you agree that the working families' tax credit is unfair to mothers, penalises marriage and is a burden on business? Will you publicly support the Conservative policy of reforming the tax credit, not abolishing it, by switching those payments back to the parents who are responsible for children on a day-to-day basis?

The First Secretary: The Conservatives seem to take it personally that the family credit was abolished in favour of the working families' tax credit. They initially ran the scare that it would be a huge burden on business. It has been done in such a way as to keep the bureaucratic costs to a minimum. The administrative data on take-up is good, which is a key issue in such a matter. I am not saying that it is perfect. There are wrinkles occasionally in the introduction of a

riant sengl â phlant sydd yn yr ysgol, yn ymgymryd â gwaith i gydweddu ag oriau ysgol, mewn adwerthu, er enghraifft, neu mewn is-swyddfa bost. Mae llawer o gyrff adwerthu'n talu hyd yn oed eu gweithwyr rhan amser yn fisol. Golyga hyn nad yw'r credyd treth i deuluoedd mewn gwaith o fudd i'r teulu pan fo arno ei angen. A gyflwynwch sylwadau i'r Ysgrifennydd Gwladol ac i'r Senedd i ganiatáu'r dewis i deuluoedd o dderbyn y budd-dal hwn gyda budd-daliadau eraill mewn arian bob wythnos yn eu his-swyddfa bost leol?

Y Prif Ysgrifennydd: Byddwn yn ddiolchgar pe baech yn rhoi hynny ar bapur er mwyn sicrhau bod gennyf yr holl ffeithiau y cyfeiriasoch atynt yn eich cyflwyniad o rai o'r problemau bach dyrys sydd wedi codi ers cyflwyno'r credyd treth naw neu 10 mis yn ôl. Byddwn yn falch o godi hynny gyda'r Gweinidogion Llywodraeth priodol yn Llundain. Pwysleisïaf fod tua 61,000 o deuluoedd yn derbyn y credyd treth i deuluoedd mewn gwaith yng Nghymru, sydd tua 13,000 yn fwy nag a dderbyniasai gredyd teulu. Maent hefyd yn derbyn £10 yr wythnos yn fwy nag a dderbyniasent o gredyd teulu. Mae teuluoedd a dderbynïai £61 yr wythnos o gredyd teulu yn Awst y llynedd bellach yn derbyn £71 yr wythnos.

Jonathan Morgan: A gytunwch fod y credyd treth i deuluoedd mewn gwaith yn annheg â mamau, yn cosbi priodas ac yn faich ar fusnes? A gefnogwch yn gyhoeddus y polisi Ceidwadol o ddiwygio'r credyd treth, nid ei ddileu, drwy droi'r taliadau hynny'n ôl at y rhieni sydd yn gyfrifol am blant o ddydd i ddydd?

Y Prif Ysgrifennydd: Ymddengys fod y Ceidwadwyr yn teimlo i'r byw bod credyd teulu wedi ei ddiddymu er mwyn cael y credyd treth i deuluoedd mewn gwaith. I ddechrau codasant ofn y byddai'n faich mawr ar fusnes. Fe'i gwnaethpwyd yn y fath fodd ag i sicrhau'r costau biwrocraidaidd lleiaf posibl. Mae'r data gweinyddol ar dderbyn yn dda, sydd yn ystyriaeth allweddol mewn mater fel hwn. Nid wyf yn dweud ei fod yn berffaith. Mae rhychau weithiau wrth

tax credit system of this kind. However, this is a major new initiative and it has been of huge benefit alongside the minimum wage in areas that are notorious for low wages, such as Wales.

Michael German: The figures that I have show that 64,438 pay packets in Wales include the working families' tax credit. The previous system's payments were made through local sub-post offices and post offices. The loss of that business, coupled with what may be introduced by this Government down the line, is a crucial burden on the businesses that have to fund the cost and on the post offices that have lost the business. We will meet with Treasury officials who will talk about operating aids. What are you prepared to say to them about the prospect of using some of the funding available for Objective 1, 2 and 3 in Wales as an operating aid to support small businesses? The money could be used to take on more workers and to reduce the administrative burden that is caused by this system.

The First Secretary: We understand that in a worst-case scenario this so-called burden on employers is less than six minutes and 70p per week per employee for each employer. Much of what has been said about the burden has been exaggerated. The matter of operating aids and invitations to the Economic Development Committee, Treasury officials and others regarding this is an entirely different matter. I do not see the connection. I may have missed it.

The issue will have to be raised with Treasury officials at a meeting of the Economic Development Committee. I have always seen big problems with the issue of operating aids because of the dead weight. I was always keen on the research and development tax credit at a higher level. I thought that we might be able to achieve that and that the others were 'will-o'-the-wisps'. Obviously you will try anything when preparing for such a programme but I never thought they were likely runners to compare with other, more achievable Objective 1

gyflwyno system credyd treth o'r math hwn. Fodd bynnag, mae hon yn fenter newydd bwysig a bu o fudd mawr ochr yn ochr â'r isafswm cyflog mewn ardaloedd sydd ag enw drwg am gyflogau isel, fel Cymru.

Michael German: Mae'r ffigurau sydd gennyf yn dangos bod 64,438 o bacedi cyflog yng Nghymru'n cynnwys y credyd treth i deuluoedd mewn gwaith. Gwneid taliadau'r system flaenorol drwy is-swyddfeydd post a swyddfeydd post lleol. Mae colli'r busnes hwnnw, ynghyd â'r hyn a allai gael ei gyflwyno gan y Llywodraeth hon yn y dyfodol, yn faich tyngedfennol ar y busnesau sydd yn gorfod ariannu'r gost ac ar y swyddfeydd post sydd wedi colli'r busnes. Byddwn yn cyfarfod â swyddogion o'r Trysorlys a fydd yn sôn am gymhorthion gweithredu. Beth yr ydych yn barod i'w ddweud wrthynt ynghylch y rhagolwg o ddefnyddio rhywfaint o'r arian sydd ar gael ar gyfer Amcan 1, 2 a 3 yng Nghymru fel cymorth gweithredu i gynorthwyo busnesau bach? Gellid defnyddio'r arian i gyflogi mwy o weithwyr ac i leihau'r baich gweinyddol a achosir gan y system hon.

Y Prif Ysgrifennydd: Deallwn fod y baich honedig hwn ar gyflogwyr, yn y sefyllfa waethaf posibl, yn llai na chwe munud a 70c yr wythnos y gweithiwr i bob cyflogwr. Bu gor-ddweud ar lawer o'r hyn a ddywedwyd am y baich. Mae mater cymhorthion gweithredu a gwahoddiadau i'r Pwyllgor Datblygu Economaidd, swyddogion y Trysorlys ac eraill ynghylch hyn yn fater cwbl wahanol. Ni welaf y cysylltiad. Efallai imi ei fethu.

Bydd yn rhaid codi'r mater gyda swyddogion y Trysorlys mewn cyfarfod o'r Pwyllgor Datblygu Economaidd. Yr wyf yn gweld problemau mawr erioed ynghylch mater cymhorthion gweithredu oherwydd y pwysau marw. Yr oeddwn bob amser yn selog ynghylch y credyd treth ymchwil a datblygu ar lefel uwch. Credais y byddai'n bosibl inni gyflawni hynny a bod y pethau eraill yn rhithiau diflanedig. Mae'n amlwg y rhoddwch gynnig ar unrhyw beth wrth baratoi ar gyfer rhaglen o'r fath ond ni chredais erioed eu bod yn debygol o fod yn y

schemes.

ras o'u cymharu â chynlluniau Amcan 1 eraill, mwy cyraeddadwy.

Materion Iechyd yng Nghymru nas Datganolwyd
Non-devolved Health Matters in Wales

Q5 David Melding: When will the First Secretary next meet the Secretary of State for Wales to discuss health matters in Wales that have not been devolved to the National Assembly? (OAQ5805)

C5 David Melding: Pa bryd y bydd y Prif Ysgrifennydd yn cyfarfod ag Ysgrifennydd Gwladol Cymru nesaf i drafod materion iechyd yng Nghymru nas datganolwyd i'r Cynulliad Cenedlaethol? (OAQ5805)

The First Secretary: Many aspects of health are not devolved to the Assembly, including health research. I pay tribute to the extraordinary dedicated work of the Public Health Laboratory Service in Cardiff in assisting in the detection of the probable source of the epidemic of deaths from this variant on gangrene known as *clostridium novyi*. It has caused an epidemic of deaths amongst heroin addicts in the Glasgow area who inject, as well as in other parts of the UK. The PHLS in Cardiff worked closely with the World Centre for Disease Control and Prevention in Atlanta and scientists in Glasgow.

Y Prif Ysgrifennydd: Mae llawer o agweddau ar iechyd heb eu datganoli i'r Cynulliad, gan gynnwys ymchwil iechyd. Talaf deyrnged i waith ymroddedig rhyfeddol Gwasanaeth Labordai Iechyd y Cyhoedd yng Nghaerdydd wrth gynorthwyo i ddarganfod tarddiad tebygol yr epidemig o farwolaethau o'r amrywiad ar fadredd a elwir yn *clostridium novyi*. Achosodd epidemig o farwolaethau ymysg rhai sydd yn gaeth i heroin yn ardal Glasgow sydd yn ei chwistrellu, yn ogystal ag mewn rhannau eraill o'r DU. Gweithiodd Gwasanaeth Labordai Iechyd y Cyhoedd yng Nghaerdydd yn agos â Chanolfan y Byd er Rheoli Clefydau yn Atlanta a gwyddonwyr yn Glasgow.

This area is by and large not devolved but we must pay tribute to the big league medical scientists working in Wales. Other areas of health that are by and large not devolved were discussed, and have been discussed frequently by Jane Hutt and myself, at the Joint Ministerial Committee on Health, which has had three meetings. I have only been to two but I was at the meeting in Glasgow last Friday, as were Jane Hutt, the Prime Minister, the Secretary of State for Wales and so on.

Nid yw'r maes hwn wedi ei ddatganoli ar y cyfan ond rhaid inni dalu teyrnged i'r gwyddonwyr meddygol o'r radd flaenaf sydd yn gweithio yng Nghymru. Mae meysydd iechyd eraill sydd heb eu datganoli ar y cyfan wedi eu trafod, a'u trafod yn aml gan Jane Hutt a minnau, yng Nghydbwyllgor y Gweinidogion ar Iechyd, a gyfarfu dair gwaith. Ni fûm ond mewn dau gyfarfod ond yr oeddwn yn y cyfarfod yn Glasgow ddydd Gwener diwethaf, fel yr oedd Jane Hutt, y Prif Weinidog, Ysgrifennydd Gwladol Cymru ac yn y blaen.

David Melding: The Labour Party claims to have delivered its waiting list promise in England but you are 18,000 adrift of that manifesto promise in Wales. Will you lobby for additional resources to rectify this discrepancy?

David Melding: Mae'r Blaid Lafur yn honni ei bod wedi cyflawni ei haddewid ar restrau aros yn Lloegr ond yr ydych 18,000 oddi wrth yr addewid manifffesto honno yng Nghymru. A wnewch lobio dros gael adnoddau ychwanegol i gywiro'r anghysondeb hwn?

The First Secretary: I am not sure if lobbying is the right word. The question of

Y Prif Ysgrifennydd: Nid wyf yn sicr ai lobio yw'r gair cywir. Mae'r cwestiwn o sut

how we solve problems within the NHS in Wales is a matter for the Assembly, the Secretary for Health and Social Services and the Health and Social Services Committee that is chaired by Kirsty. It is up to them to come up with a plan. It is then up to us to try to find the resources for it. If those resources are inadequate, I hope that we will get a further boost to our budget. We received a further boost to the budget in March this year with a huge additional expenditure, which not only included the additional expenditure for this financial year of around £200 million compared to 1999-2000, but also for the next three years. Nobody could say that health funding has not increased massively in terms of its priority among the different issues facing the Government and therefore facing—because of the Barnett follow-through—the funds available for us from 1 April this year.

David Lloyd: Yn dilyn eich ateb cyntaf ynglŷn â gwyddonwyr meddygol mewn labordai, a yw'r Prif Ysgrifennydd yn cytuno y dylai godi gydag Ysgrifennydd Gwladol Cymru fel mater o frys y cwestiwn o gynnwys gwyddonwyr meddygol sydd yn gweithio mewn labordai yng nghorff adolygu tâl yr NHS? Nid ydynt yn rhan ohono ar hyn o bryd.

Y Prif Ysgrifennydd: Cyn belled ag y gwn i, mae'r cyrff adolygu tâl wedi eu datganoli i ni. Yr ydym wedi dweud fel Cynulliad—fel mater o ddewis ac nid deddf—ein bod yn bwriadu dilyn argymhellion y cyrff cenedlaethol sydd yn setlo cwestiynau o dâl gweithwyr mewn labordai, nyrsys, doctoriaid a bron pob gweithiwr yn yr NHS. Mae'n fater sydd wedi ei ddatganoli i ni ond yr ydym yn dewis dilyn yr un cyrff sydd yn adolygu tâl ar draws Prydain Fawr.

2:30 p.m.

Arian y Loteri fel Cyllid Cyfatebol ar gyfer Amcan 1 Lottery Money as Match Funding for Objective 1

Q6 Glyn Davies: What discussions has the First Secretary had with the Secretary of State for Wales in relation to using lottery

yr ydym yn datrys problemau oddi mewn i'r NHS yng Nghymru yn fater i'r Cynulliad, yr Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol a'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol a gadeirir gan Kirsty. Eu lle hwy yw dyfeisio cynllun. Ein lle ni wedyn yw ceisio dod o hyd i'r adnoddau ar ei gyfer. Os yw'r adnoddau hynny'n annigonol, gobeithiaf y byddwn yn cael hwb pellach i'n cyllideb. Cawsom hwb pellach i'r gyllideb ym Mawrth eleni gyda gwariant ychwanegol anferth, a oedd yn cynnwys nid yn unig y gwariant ychwanegol ar gyfer y flwyddyn ariannol hon o tua £200 miliwn o'i gymharu â 1999-2000, ond hefyd ar gyfer y tair blynedd nesaf. Ni allai neb ddweud nad yw cyllid iechyd wedi cynyddu'n aruthrol o ran ei flaenoriaeth ymysg y gwahanol faterion sydd yn wynebu'r Llywodraeth ac felly'n wynebu—oherwydd y canlyniad drwy fformwla Barnett—y cyllid sydd ar gael i ni o 1 Ebrill eleni.

David Lloyd: Following your first answer regarding medical scientists in laboratories, does the First Secretary agree that he should raise as a matter of urgency with the Secretary of State for Wales the question of including medical scientists who work in laboratories in the NHS pay review body? They are not part of it at the moment.

The First Secretary: As far as I know, the pay review bodies have been devolved to us. We have said as an Assembly—as a matter of choice and not law—that we intend to follow the recommendations of the national bodies that settle questions of the salary of laboratory workers, nurses, doctors and almost every worker in the NHS. The matter has been devolved to us but we choose to follow the same bodies who review salaries across Great Britain.

C6 Glyn Davies: Pa drafodaethau a gafodd y Prif Ysgrifennydd ag Ysgrifennydd Gwladol Cymru mewn perthynas â defnyddio arian y

money as match funding for the Objective 1 programme? (OAQ5811)

The First Secretary: I had a short and pleasant discussion with the Secretary of State for Wales some time ago. When I inquired whether lottery money could be used as match funding for Objective 1, a big 'yes' was the triumphant cry that emerged from the room.

Glyn Davies: Do you think that it is right to use lottery funding as match funding for the Objective 1 programme? Will you explain why we are reading press reports that match funding has been agreed for the Objective 1 areas in England and why, as yet, you cannot give a similar promise for Wales?

The First Secretary: It would be a sad day if this Assembly did not accept that lottery funding could be used for match funding or that European regional development fund money or Objective 1 could be used as matching funds for lottery projects in the future. The new National Botanic Garden would not have got off the ground were it not for the fact that ERDF money was used to match lottery funding. A project begins with lottery funding, then ERDF matches it and vice versa. When European projects are sponsored by other bodies, lottery funding can be used as match funding for the ERDF. The New Opportunities fund, which is relatively new, will make £30 million available. It has always been said that that money will be available for match funding for Objective 1.

On whether the English regions are ahead of us in terms of match funding, I am aware of the item in *The Municipal Journal*, which has not been followed up anywhere else, about the English regions of Cornwall, South Yorkshire and Merseyside. I do not believe that they will be spending money sooner than us nor will their match funding picture be different from ours.

loteri fel cyllid cyfatebol ar gyfer y rhaglen Amcan 1? (OAQ5811)

Y Prif Ysgrifennydd: Cefais drafodaeth fyr a dymunol ag Ysgrifennydd Gwladol Cymru beth amser yn ôl. Pan holais a ellid defnyddio arian loteri fel cyllid cyfatebol ar gyfer Amcan 1, 'gellir' mawr oedd y gri fuddugoliaethus a ddaeth o'r ystafell.

Glyn Davies: A gredwch ei bod yn iawn defnyddio cyllid loteri fel cyllid cyfatebol ar gyfer y rhaglen Amcan 1? A wnewch egluro pam yr ydym yn darllen adroddiadau yn y wasg bod cyllid cyfatebol wedi ei gytuno ar gyfer ardaloedd Amcan 1 yn Lloegr a pham, hyd yn hyn, na allwch roi addewid debyg i Gymru?

Y Prif Ysgrifennydd: Byddai'n ddiwrnod trist pe na dderbynai'r Cynulliad hwn y gellid defnyddio cyllid loteri ar gyfer cyllid cyfatebol neu na ellid defnyddio arian y gronfa ddatblygu ranbarthol Ewropeaidd neu Amcan 1 fel cyllid cyfatebol ar gyfer prosiectau loteri yn y dyfodol. Ni fyddai'r Ardd Fotanegol Genedlaethol newydd wedi cychwyn o gwbl oni bai fod arian y gronfa ddatblygu ranbarthol Ewropeaidd wedi ei ddefnyddio i gyfateb i gyllid loteri. Mae prosiect yn dechrau gyda chyllid loteri, wedyn mae cyllid y gronfa ddatblygu ranbarthol Ewropeaidd yn cyfateb iddo ac fel arall. Pan noddir prosiectau Ewropeaidd gan gyrff eraill, gellir defnyddio cyllid loteri fel cyllid cyfatebol ar gyfer y gronfa ddatblygu ranbarthol Ewropeaidd. Bydd y gronfa Cyfleoedd Newydd, sydd yn gymharol newydd, yn darparu £30 miliwn. Dywedwyd erioed y bydd yr arian hwnnw ar gael ar gyfer cyllid cyfatebol i Amcan 1.

Ynghylch a yw rhanbarthau Lloegr ar y blaen i ni o ran cyllid cyfatebol, yr wyf yn ymwybodol o'r eitem yn *The Municipal Journal*, na ddilynwyd yn unman arall, am ranbarthau Cernyw, De Swydd Efrog a Glannau Mersi yn Lloegr. Ni chredaf y byddant yn gwario arian yn gynt na ni nac y bydd eu darlun cyllid cyfatebol yn wahanol i'n un ni.

Elin Jones: A yw'r Prif Ysgrifennydd yn credu bod mwy o siawns gennyf fi i ennill y loteri nos Sadwrn nag i Gymru sicrhau cyllid cyfatebol llawn ychwanegol i floc Barnett yn ystod yr adolygiad cynhwysfawr o wariant?

Y Prif Ysgrifennydd: I wybod a yw hi wedi ennill y loteri, rhaid i Elin edrych ar y BBC am 8 p.m. ar nos Sadwrn. I wybod dyfarniad y Trysorlys am arian cyfatebol, arian yr adolygiad o wariant cyhoeddus ac agweddau eraill ar y cwestiynau ariannol ynghylch cronfeydd strwythurol Ewropeaidd, bydd yn rhaid i Elin edrych ar y BBC eto. Credaf y bydd y Trysorlys yn gwneud penderfyniad ddechrau mis Gorffennaf. Byddaf yn hysbysu Aelodau o'r penderfyniad cyn gynted ag y byddaf yn gwybod. Yr ydym yn parhau i wasgu ar y Trysorlys gan obeithio y bydd yr arian cyflawn y tu allan i floc Barnett—dyna fyddai fy newis i—ond nid oes ots pa un ai a fydd y bloc Barnett yn cael ei gynyddu neu a fydd yr arian yn ychwanegol i'r bloc Barnett.

Nick Bourne: It is appropriate that the term 'lottery' is used in connection with this necessary match funding for Wales. Is it not a dreadful admission that you do not actually know when the decision will be taken? What sum can we expect in the comprehensive spending review on top of this lottery money that we are discussing? When will we hear the decision? The people of Wales are waiting for you to show some leadership on this issue and we are waiting in vain.

The First Secretary: I am waiting for you to give your definition of 'leadership'. Why am I expected to know something before the Treasury? If that is your definition of leadership, then you clearly do not know what it is. The Treasury itself does not yet know when it will make a decision because it has not given the House of Commons a date when final negotiations will take place and when it will finally reach a conclusion.

We have heard Ron Davies say, from his experience as Secretary of State for Wales, that these things tend to be finalised in a mad rush at the end of a 72-hour period when

Elin Jones: Does the First Secretary believe that I have more of a chance of winning the lottery on Saturday night than Wales has to secure full match funding in addition to the Barnett block during the comprehensive spending review?

The First Secretary: To know whether she has won the lottery, Elin has to watch the BBC at 8 p.m. on a Saturday night. To know the Treasury's recommendation on match funding, public expenditure survey cover and other aspects of financial questions about European structural funds, Elin will have to watch the BBC again. I think that the Treasury will make a decision at the beginning of July. I will inform Members of that decision as soon as I know. We continue to press the Treasury and hope that the full match funding will be outside the Barnett block—that would be my choice—but it does not matter whether the Barnett block is increased or whether the money is additional to the Barnett block.

Nick Bourne: Priodol yw defnyddio'r gair 'loteri' mewn cysylltiad â'r cyllid cyfatebol angenrheidiol hwn i Gymru. Onid yw'n gyfaddefiad ofnadwy na wyddoch mewn gwirionedd pa bryd y gwneir y penderfyniad? Pa swm y gallwn ei ddisgwyl yn yr adolygiad cynhwysfawr o wariant ar ben yr arian loteri hwn yr ydym yn ei drafod? Pa bryd y clywn y penderfyniad? Mae pobl Cymru'n disgwyl ichi ddangos rhyw arweiniad ar y mater hwn ac yr ydym yn disgwyl yn ofer.

Y Prif Ysgrifennydd: Yr wyf yn aros ichi roi'ch diffiniad o 'arweiniad'. Pam y disgwylir i mi wybod rhywbeth cyn y Trysorlys? Os mai hynny yw'ch diffiniad o arweiniad, yna mae'n amlwg na wyddoch beth ydyw. Ni ŵyr y Trysorlys ei hun eto pa bryd y bydd yn gwneud penderfyniad oherwydd ni roddodd ddyddiad i Dŷ'r Cyffredin pan fydd y negodiadau terfynol yn digwydd a phan fydd yn dod i benderfyniad o'r diwedd.

Clywsom Ron Davies yn dweud, o'i brofiad fel Ysgrifennydd Gwladol Cymru, fod y tuedd i'r pethau hyn gael eu cwblhau ar garlam gwyllt ar ddiwedd cyfnod o 72 awr

figures are added up again and again and final minor adjustments have to be made. That is how public expenditure has always been completed in spending reviews, regardless of which party is in control. It has been confirmed by the Secretary of State for Wales as regards his experience in Northern Ireland, in exactly the same way as Ron.

We would like to think that it would be a little less rushed on this occasion because this is the first comprehensive spending review since devolution. Therefore, as this is the first post-devolution spending review, different rules may have to apply to the administrations in Scotland, Wales and Northern Ireland. We made that point forcibly to the Prime Minister, the Chancellor of the Exchequer and the Chief Secretary to the Treasury. We will continue to keep track over the next few weeks on exactly how our views are taken on board—when we are not bound by Cabinet collective responsibility, but previously all government ministers have been—and we will keep track on what the Treasury is doing, in terms of what information they propose giving us and when.

Mick Bates: First Secretary, I inquire again about a more immediate problem, that of gap funding. When will you provide sufficient funds to enable projects to continue between structurally-funded schemes and reduce the anxiety that exists about so many excellent projects?

The First Secretary: I am aware of meetings that will take place today. When it is possible to put together an announcement about the gap funding issue, one will be given to the Assembly as early as possible. We are very conscious of the gap funding issue, but we must put a proper announcement together, and I hope that he can bear with us for a few more days or a week. There was a meeting today on this issue.

pan adir y ffigurau dro ar ôl tro a phan fo'n rhaid gwneud mân newidiadau terfynol. Dyna sut y cwblheir gwariant cyhoeddus erioed mewn adolygiadau gwariant, ni waeth pa blaid sydd mewn grym. Cadarnhawyd hynny gan Ysgrifennydd Gwladol Cymru mewn perthynas â'i brofiad yng Ngogledd Iwerddon, yn yr un ffordd yn union â Ron.

Hoffem feddwl y byddai ychydig llai o frys arno y tro hwn oherwydd dyma'r adolygiad cynhwysfawr o wariant cyntaf ers datganoli. Felly, gan mai hwn yw'r adolygiad gwariant cyntaf ar ôl datganoli, mae'n bosibl y bydd yn rhaid cymhwyso rheolau gwahanol at y gweinyddiaethau yn yr Alban, Cymru a Gogledd Iwerddon. Cyflwynasom y pwynt hwnnw'n gryf i'r Prif Weinidog, Canghellor y Trysorlys a Phrif Ysgrifennydd y Trysorlys. Byddwn yn parhau i gadw golwg dros yr wythnosau nesaf i weld pa dderbyniad yn union a roddir i'n sylwadau—pan nad ydym wedi'n rhwymo gan gydgryfifoldeb y Cabinet, ond mae pob gweinidog llywodraeth wedi bod o'r blaen—a byddwn yn cadw golwg ar yr hyn y mae'r Trysorlys yn ei wneud, o ran pa wybodaeth y mae'n bwriadu ei rhoi i ni a pha bryd.

Mick Bates: Brif Ysgrifennydd, holaf eto ynghylch problem sydd ar fwy o frys, sef cyllid adwy. Pa bryd y darparwch ddigon o gyllid i alluogi prosiectau i barhau rhwng cynlluniau a gyllidir gan gronfeydd strwythurol ac i leihau'r pryder sydd yn bod ynghylch cynifer o brosiectau rhagorol?

Y Prif Ysgrifennydd: Yr wyf yn ymwybodol o gyfarfodydd a fydd yn digwydd heddiw. Pan fydd modd rhoi datganiad at ei gilydd ar fater cyllid adwy, rhoddur un i'r Cynulliad cyn gynted ag y bo modd. Yr ydym yn ymwybodol o'r mater cyllid adwy, ond rhaid inni roi datganiad iawn at ei gilydd, a gobeithiaf y gall fod yn amyneddgar â ni am ychydig ddyddiau neu wythnos eto. Yr oedd cyfarfod heddiw ar y mater hwn.

Datganiad ar Corus Statement on Corus

The First Secretary: On Friday, Corus **Y Prif Ysgrifennydd:** Ddydd Gwener,

announced 1,200 job losses in its engineering-steels operation in England, which appear to have been caused largely by long-term demand problems in the UK engineering steels market—demand has dropped in that industry by almost 20 per cent since 1995—and by diminishing margins in that business. In a separate decision, Corus also announced up to 230 job losses arising from the rationalisation of their research and development operations.

The first part of the announcement does not have any effect in Wales, but the research and development announcement indicates the likely closure of the Port Talbot research and development laboratories—sometimes known as the Welsh Technology Centre—and the relocation of many of its staff to a new centre in Sheffield by the end of 2001. Other members of staff at the Welsh Technology Centre will be relocated to the steelworks offices in Port Talbot.

Corus's announcement of its closure of its Welsh research and development laboratories in Port Talbot is not in the same category as some recent job losses. I want to make it clear this afternoon that the Assembly should do all in its power to prevent this closure and any other losses of high-skilled jobs, which are in the knowledge economy; we want Wales to expand its stake in the knowledge economy. I recognise that life is not easy for Corus at the moment and that it must reduce overheads. We can all understand the company's decision, as it has three separate research and development centres in the UK—plus another one in Holland—to rationalise, and through this process, increase the research and development focus on customer service and multi-metal solutions.

The reports of 190 job losses in Port Talbot perhaps exaggerate the problem. I understand that 50 of these, including those associated with the successful engineering doctorate scheme, will transfer to the Port Talbot strip business management. It is likely that 30 staff who are involved in packaging technology will be offered new jobs at the much larger and more modern packaging

cyhoeddodd Corus 1,200 o golledion swyddi yn ei weithrediad duroedd peirianeg yn Lloegr, yr ymddengys eu bod wedi eu hachosi gan broblemau galw tymor hir ym marchnad duroedd peirianeg y DU—mae'r galw wedi disgyn bron 20 y cant yn y diwydiant hwnnw ers 1995—a chan ostyngiad ym maint yr elw yn y busnes hwnnw. Mewn penderfyniad ar wahân, cyhoeddodd Corus hyd at 230 o golledion swyddi hefyd o ganlyniad i resymoli ei weithrediadau ymchwil a datblygu.

Ni chaiff rhan gyntaf y cyhoeddiad unrhyw effaith yng Nghymru, ond mae'r cyhoeddiad ar ymchwil a datblygu'n dangos y tebygolrwydd o gau'r labordai ymchwil a datblygu ym Mhort Talbot—a elwir weithiau yn Ganolfan Technoleg Cymru—ac o adleoli llawer o'i staff mewn canolfan newydd yn Sheffield erbyn diwedd 2001. Adleolir aelodau staff eraill o Ganolfan Technoleg Cymru yn swyddfeydd y gwaith dur ym Mhort Talbot.

Nid yw cyhoeddiad Corus am gau ei labordai ymchwil a datblygu yng Nghymru ym Mhort Talbot yn perthyn i'r un dosbarth â rhai colledion swyddi diweddar. Dymunaf roi ar ddeall y prynhawn yma y dylai'r Cynulliad wneud popeth yn ei allu i atal y cau hwn ac unrhyw golledion eraill o swyddi tra medrus, sydd yn yr economi gwybodaeth; dymunwn i Gymru ehangu ei chyfran yn yr economi gwybodaeth. Cydnabyddaf nad yw bywyd yn hawdd i Corus ar hyn o bryd a bod rhaid iddo leihau ei gostau cyffredinol. Gallwn oll ddeall penderfyniad y cwmni, gan fod ganddo dair canolfan ymchwil a datblygu ar wahân yn y DU—ynghyd ag un yn yr Iseldiroedd—i resymoli, a drwy'r broses hon gynyddu'r pwyslais ymchwil a datblygu ar wasanaeth i gwsmeriaid ac atebion amlfetel.

Efallai fod yr adroddiadau am 190 o golledion swyddi ym Mhort Talbot yn gorliwio'r broblem. Deallaf y bydd 50 o'r rhain, gan gynnwys y rheini sydd yn gysylltiedig â'r cynllun doethuriaeth peirianeg llwyddiannus, yn symud i reolaeth busnes stribedi Port Talbot. Mae'n debygol y bydd 30 o staff sydd yn ymwneud â thechnoleg pacio yn cael cynnig o swyddi

development centre in Holland. Many of the rest are to be consulted about new jobs in the proposed new single research and development centre that will probably be located in Sheffield.

In any case, my officials and I will be quizzing Corus on the rationale for choosing Sheffield as the choice for the UK research and development centre. However, more importantly, I want Team Wales to work with Corus to see whether there are any other research and development configurations that could enable a powerful research and development team to remain at Port Talbot. It is too early to say whether this could be done through some form of new company formation, as Corus did with its engineering maintenance, or perhaps an association with some more international or broadly-based research and development group, or through a stronger liaison with University of Wales, Swansea. All ideas need to be explored quickly with the help of the Welsh Development Agency, and I understand that the company is prepared to talk to the agency.

Through actions such as this I also want to demonstrate strongly to the business community in Wales how serious we are about long-term 'Betterwales.com' objectives to create a new Welsh economy, which will be based on a highly skilled workforce employed in high-skill activities. I ask you all to remind your business constituents about these aims and how we in the Assembly are determined, to create the right climate for success in Wales through better education and health services, and better transport, energy and telecommunications infrastructures, and more vibrant communities, and to work in partnership with business to help create high-value-added jobs for the people of Wales. I would also ask you to tell your business constituents that if—despite all our best efforts—we lose some of these research and development jobs in Port Talbot, it will be a blow to the area's research and development base, but it will not be a mortal blow.

newydd yn y ganolfan datblygu pacio fwy a mwy modern o lawer yn yr Iseldiroedd. Mae bwriad i ymgynghori â llawer o'r lleill ynghylch swyddi newydd yn y ganolfan ymchwil a datblygu unigol newydd arfaethedig a leolir yn ôl pob tebyg yn Sheffield.

Beth bynnag a ddigwydd, bydd fy swyddogion a minnau'n holi Corus ynghylch y sail resymegol dros ddewis Sheffield fel y lle ar gyfer y ganolfan ymchwil a datblygu yn y DU. Fodd bynnag, yn bwysicach na hynny, dymunaf i Dîm Cymru weithio gyda Corus i weld a oes unrhyw gyfluniadau ymchwil a datblygu eraill a'i gwnâi'n bosibl i dîm ymchwil a datblygu cryf aros ym Mhort Talbot. Mae'n rhy fuan i ddweud a ellid gwneud hyn drwy ryw ffurf o drefniant cwmni newydd, fel y gwnaeth Corus â'i waith cynnal a chadw peirianegol, neu efallai cysylltiad â rhyw grŵp ymchwil a datblygu mwy rhyngwladol neu eang, neu drwy gysylltiad cryfach â Phrifysgol Cymru, Abertawe. Rhaid ymchwilio i'r holl syniadau'n gyflym gyda chymorth Awdurdod Datblygu Cymru, a deallaf fod y cwmni'n barod i siarad â'r awdurdod.

Drwy gamau fel hyn dymunaf ddangos yn gryf hefyd i'r gymuned busnes yng Nghymru pa mor o ddifrif yr ydym ynghylch amcanion tymor hir 'Gwelcymru.com' i greu economi newydd yng Nghymru, a fydd yn seiliedig ar weithlu tra medrus a gyflogir mewn gweithgareddau tra medrus. Gofynnaf i bob un ohonoch atgoffa'ch etholwyr busnes am y nodau hyn a'r modd yr ydym ni yn y Cynulliad yn benderfynol o greu'r hinsawdd iawn ar gyfer llwyddiant yng Nghymru drwy well gwasanaethau addysg a iechyd, a gwell seilweithiau trafndiaeth, ynni a thelegyfathrebu, a chymunedau mwy bywiog, ac o weithio mewn partneriaeth â busnes i helpu i greu swyddi â gwerth ychwanegol uchel i bobl Cymru. Gofynnaf ichi hefyd ddweud wrth eich etholwyr busnes, os collwn rai o'r swyddi ymchwil a datblygu hyn ym Mhort Talbot—er ceisio ein gorau glas—y bydd yn ergyd i sylfaen ymchwil a datblygu'r ardal, ond nid yn ergyd farwol.

2:40 p.m.

Business research and development statistics for Wales are not good in comparison with other parts of the UK. Much of that is due to the fact that, as yet, we do not have a large advanced pharmaceutical base: a big employer that would buy us those statistics. The figures do not yet measure general development in innovation activities. I commend the latest version of these directories recently published by the Welsh Development Agency—‘Interlab Wales’ and ‘Research Wales’—which illustrate the diversity of Wales’s research and development base, without mentioning some of the in-house facilities such as the 600 software development engineers employed by BT in Cardiff.

We must strengthen our technology base, which is why I want Team Wales to work with Corus on the difficult situation in Port Talbot, but much is already being done under the Assembly’s auspices. Every year, the Assembly gives hundreds of innovation grants under SMART Wales and the teaching company scheme suite of programmes. The development bank for small and medium-sized enterprises, Finance Wales, will soon be established and we have given the Higher Education Funding Council for Wales a substantial new knowledge exploitation fund. Last year, we launched Know-How Wales to strengthen company college links in Wales as coherently as possible. I have tasked the WDA to be much more active in support of indigenous business development generally, in addition to what it is doing through a strong set of technology support and college company link programmes. This week, I will launch an enhanced network of Business Connect innovation and technology counsellors. We and our agencies have the tools to work with businesses and colleges in Wales to enhance its research and development base and, collectively, we should do all we can to avoid potential setbacks such as the one announced by Corus last Friday.

Phil Williams: Two aspects of this statement cause concern. We have often discussed the

Nid yw ystadegau ymchwil a datblygu ar gyfer Cymru’n dda o’u cymharu â rhannau eraill o’r DU. Mae llawer o hynny’n ganlyniad i’r ffaith nad oes gennym, hyd yn hyn, sylfaen fferyllol ddatblygedig fawr: cyflogwr mawr a ddeuai â’r ystadegau hynny i ni. Nid yw’r ffigurau eto’n mesur datblygu cyffredinol mewn gweithgareddau arloesi. Cymeradwyaf y fersiwn diweddaraf o’r cyfeirlyfrau hyn a gyhoeddwyd yn ddiweddar gan Awdurdod Datblygu Cymru—‘Interlab Wales’ a ‘Research Wales’—sydd yn dangos amrywiaeth sylfaen ymchwil a datblygu Cymru, heb sôn am rai o’r cyfleusterau mewnol fel y 600 o beirianwyr datblygu meddalwedd a gyflogir gan BT yng Nghaerdydd.

Rhaid inni gryfhau ein sylfaen dechnoleg, a dyna pam y dymunaf i Dîm Cymru weithio gyda Corus ar y sefyllfa anodd ym Mhort Talbot, ond gwneir llawer eisoes o dan adain y Cynulliad. Bob blwyddyn, mae’r Cynulliad yn rhoi cannoedd o grantiau arloesi o dan SMART Cymru a set raglenni’r cynllun cwmni dysgu. Cyn hir, sefydlir y banc datblygu ar gyfer busnesau bach a chanolig eu maint, Cyllid Cymru, a rhoesom gronfa datblygu gwybodaeth newydd sylweddol i Gyngor Cyllido Addysg Uwch Cymru. Y llynedd, lansiasom Know-How Wales i gryfhau cysylltiadau rhwng cwmnïau a cholegau yng Nghymru yn y modd mwyaf cydlynol posibl. Gosodais y dasg i’r WDA o fod yn llawer mwy gweithredol wrth gefnogi datblygiad busnes cynhenid yn gyffredinol, yn ogystal â’r hyn y mae’n ei wneud drwy set gryf o raglenni cymorth technoleg a chysylltiadau rhwng colegau a chwmnïau. Yr wythnos yma, byddaf yn lansio rhwydwaith gwell o gynghorwyr arloesi a thechnoleg Cyswllt Busnes. Mae’r arfau gennym ni a’n hasiantaethau i weithio gyda busnesau a cholegau yng Nghymru i wella ei sylfaen ymchwil a datblygu a, gyda’n gilydd, dylem wneud popeth a allwn i osgoi troeon anffodus fel yr un a gyhoeddwyd gan Corus ddydd Gwener diwethaf.

Phil Williams: Mae dwy agwedd ar y datganiad hwn yn peri pryder. Trafodasom y

problems facing Corus. Last week, the main axe fell on Rotherham. However, Corus's message was clear. It was a final warning: if the pound remains overvalued until the end of the year, there will be more job losses that are much more serious. We all agree on the effects of the high value of the pound. Our views only differ about whether anything can be done. Rhodri, you have claimed that this is not a matter that the Government can influence. However, in his speech to the Confederation of British Industry, Mr Blair took credit for the high pound and claimed that it was a result of deliberate Government policy. He says that the prospects for the economy are rosy, but we all recognise that the roses are in the south of England and the thorns are in Wales. Therefore, we repeat Dafydd Wigley's request in May that you lead a delegation from all Assembly parties—to which I want to add representatives from England's manufacturing regions—to press upon the Chancellor of the Exchequer the serious problem of closing the gap in gross domestic product per capita between Wales and south Yorkshire and the rest of England, with the present fiscal policies. We have fiscal policies that benefit UK areas that are already prosperous and penalise those that have qualified for Objective 1.

The second concern, which is close to my heart, is one we do not discuss often enough when considering the long-term regeneration of the economy. It is, as you said, the dearth of research and development in Wales. It should be stressed that the shortage of research laboratories is not only in the private sector, but is matched almost exactly in the Government sector. Wales has 5 per cent of the population, but receives about 2 per cent of the research budget. I welcome your statement and I agree, as I often do, with almost everything you say. I welcome the idea of having close links between research and development and universities. I would like to see the University of Wales, Swansea and other older universities become more involved so that their research brings benefit to Wales. However, I ask you again to

problemau sydd yn wynebu Corus yn aml. Yr wythnos diwethaf, disgynnodd y brif fwyell ar Rotherham. Fodd bynnag, yr oedd neges Corus yn glir. Yr oedd yn rhybudd terfynol: os erys y bunt wedi ei gorbrisio hyd ddiwedd y flwyddyn, bydd mwy o golledion swyddi sydd yn fwy difrifol o lawer. Yr ydym oll yn cytuno ar effeithiau gwerth uchel y bunt. Yr unig wahaniaeth rhwng ein safbwyntiau yw'r un ynghylch a ellir gwneud rhywbeth. Rhodri, yr ydych wedi honni nad yw hyn yn fater y gall y Llywodraeth ddylanwadu arno. Fodd bynnag, yn ei araith i Gyd-ffederasiwn Diwydiant Prydain, cymerodd Mr Blair y glod am y bunt uchel a honnodd ei bod yn ganlyniad i bolisi bwriadol gan y Llywodraeth. Dywed fod y rhagolygon ar gyfer yr economi'n rhosynnaidd, ond gwelwn oll fod y rhosynnau yn ne Lloegr a bod y drain yng Nghymru. Felly, ailadroddwn gais Dafydd Wigley ym Mai i chi arwain dirprwyaeth o holl bleidiau'r Cynulliad—y dymunaf ychwanegu ati gynrychiolwyr o ranbarthau gweithgynhyrchu Lloegr—i roi ar ddeall i Ganghellor y Trysorlys am y broblem ddifrifol o gau'r bwlch yn y cynnyrch mewnwladol crynswth y pen rhwng Cymru a de Swydd Efrog a gweddill Lloegr, gyda'r polisiau cyllidol presennol. Mae gennym bolisiau cyllidol sydd yn ffafrio ardaloedd o'r DU sydd eisoes yn ffyniannus ac yn cosbi'r rhai a oedd yn gymwys i dderbyn Amcan 1.

Mae'r ail bryder, sydd yn agos i'm calon, yn un nad ydym yn ei drafod yn ddigon aml wrth ystyried adfywiad tymor hir yr economi. Hynny, fel y dywedasoch, yw'r prinder ymchwil a datblygu yng Nghymru. Dylid pwysleisio nad yn y sector preifat yn unig y mae'r prinder labordai ymchwil, ond fe'i ceir i bron yn union yr un graddau yn y sector Llywodraeth. Mae gan Gymru 5 y cant o'r boblogaeth, ond mae'n derbyn tua 2 y cant o'r gyllideb ymchwil. Croesawaf eich datganiad a chytunaf, fel y gwnaf yn aml, â bron popeth a ddywedasoch. Croesawaf y syniad o gael cysylltiadau cryf rhwng ymchwil a datblygu a phrifysgolion. Hoffwn weld Prifysgol Cymru, Abertawe a'r prifysgolion hŷn eraill yn cymryd mwy o ran fel bod eu hymchwil yn dod â budd i Gymru. Fodd bynnag, gofynnaf eto ichi gydnabod rôl

recognise the role of Government. With regard to Government-funded research—directly or through research councils—it is not only a question of pharmaceuticals. Despite the academic excellence of its universities, there has been an almost total reluctance to establish research institutes and research bodies in Wales.

That could be an important part of answering a long-term problem. The significance of the 200 job losses in Port Talbot is that they are the kind of jobs that we do not want to lose. We share a desire, but the Government must realise that it also has a big responsibility to help in this aspect of regenerating our economy.

The First Secretary: Phil caused fluttering in the hen coops of the Tories when he said that he agreed with almost everything that I said. I am not negotiating a coalition with Ieuan Wyn Jones or Helen Mary Jones.

Phil and I agree on the shortage of Government and private sector research and development establishments in Wales. It means that we have a technologically top-sliced economy in both senses. If we could rectify that over the next 10 years, it would be of enormous benefit. The loss of one of the few substantial private sector industrial research and development establishments in Wales will be a major setback, unless we can reverse it or find another way of finessing it, jointly with Corus, the Welsh Development Agency and the University of Wales, Swansea. Alternatively, we may find another possible solution.

My understanding is that Corus did not blame the high pound for the job losses in Rotherham. That company said that, indirectly, it may have affected the erosion of the manufacturing base. In turn, that means that there is less demand for engineering steels in the UK so more must be exported. If you export at a loss, compared with before, you battle against red in-cut at the bottom of your figures.

On what we can do to persuade the Government to continue to lower the value of

Llywodraeth. Gyda golwg ar ymchwil a noddur gan y Llywodraeth—yn uniongyrchol neu drwy gynghorau ymchwil—nid yw ond yn fater o gwmnïau fferyllol. Er gwaethaf rhagoriaeth academiaidd ei phrifysgolion, bu amharodrwydd llwyr bron i sefydlu sefydliadau ymchwil a chyrrff ymchwil yng Nghymru.

Gallai hynny fod yn rhan bwysig o'r ateb i broblem dymor hir. Arwyddocâd y 200 o golledion swyddi ym Mhort Talbot yw mai swyddi o'r math hwnnw yw'r rhai na ddymunwn eu colli. Rhannwn awydd, ond rhaid i'r Llywodraeth sylweddoli bod cyfrifoldeb mawr arni hithau i helpu yn yr agwedd hon ar adfywio ein heconomi.

Y Prif Ysgrifennydd: Parodd Phil i adenydd guro yng nghutiau ieir y Torïaid pan ddywedodd ei fod yn cytuno â bron popeth a ddywedais. Nid wyf yn negodi clymblaid â Ieuan Wyn Jones neu Helen Mary Jones.

Mae Phil a minnau'n cytuno ynghylch prinder sefydliadau ymchwil a datblygu Llywodraeth a sector preifat yng Nghymru. Golyga fod gennym economi a frig-dorrwyd yn dechnolegol yn y ddwy ystyr. Os gallem gywiro hynny dros y 10 mlynedd nesaf, byddai o fudd aruthrol. Bydd colli un o'r ychydig sefydliadau ymchwil a datblygu diwydiannol sector preifat sylweddol yng Nghymru yn dro anffodus iawn, oni allwn wrthdroi hynny neu ganfod ffordd arall o'i mentro, ar y cyd â Corus, Awdurdod Datblygu Cymru a Phrifysgol Cymru, Abertawe. Fel arall, gallem ganfod ateb posibl arall.

Yr hyn a ddeallaf fi yw na roddodd Corus y bai ar y bunt uchel am y colledion swyddi yn Rotherham. Dywedodd y cwmni y gallai fod wedi achosi, yn anuniongyrchol, erydu'r sylfaen gweithgynhyrchu. Yn ei dro, golyga hynny fod llai o alw am dduroedd peirianeg yn y DU felly rhaid allforio mwy. Os allforiwech ar golled, o gymharu â chynt, yr ydych yn ymladd yn erbyn toriad coch yng ngwaelod eich ffigurau.

Ynghylch yr hyn y gallwn ei wneud i ddarbwyllo'r Llywodraeth i barhau i ostwng

the pound, it has fallen a lot from its peak. I believe that it is now below where it was last Christmas, when it ratcheted up from roughly 3.10 to 3.46 deutschmarks to the pound, at peak. It is now back at around 3.10 deutschmarks. Phil and other Members have heard industrialists like Nick Reilly, the Anglesey-born head of Vauxhall, saying that, at 3 deutschmarks to the pound, they would like to enter the euro. That is a big flashpoint for the Tory group, who want nothing to do with the euro. However, taking that attitude may be dancing on the grave of jobs in the manufacturing industry in Wales. That is all part of the strategy to try to lower the pound to purchasing power parity level. That is the only sustainable basis. Then, the British people can make their own decision without being biased about whether or not to join the euro.

Alun Cairns: The Welsh Conservative Party is concerned about Corus's difficulties. I have an interest in Corus in Port Talbot because it is in the region that I represent. Also, I declare an interest, as my father works there. I am concerned about some of the cavalier statements in your statement, for example that Corus must reduce its overheads. We accept that, but the administration's policy to adjust business rates has added £1.8 million per annum to the Port Talbot works' business rate bill.

On your comments about the euro, maybe you have declared your standpoint in relation to the UK Cabinet, whether you stand in Gordon Brown's camp or in Robin Cook's camp. It is nice to hear of your position on that. It is widely accepted that the Assembly's key challenge is to develop and build further on our service sector and to build a knowledge-driven economy. Research and development is a key part of that economy and it formed a significant part of the Economic Development Committee's operating aids debate. One of the operating aids that should be available to the National Assembly is to increase the tax relief available on research and development activity. Negotiations between the National

gwerth y bunt, mae wedi disgyn lawer o'i lle ar ei hanterth. Credaf ei bod bellach yn is na'i lle y Nadolig diwethaf, pan gododd yn gyson o tua 3.10 i 3.46 deutschmark i'r bunt, ar ei hanterth. Mae bellach yn ôl ar oddeutu 3.10 deutschmark. Mae Phil ac Aelodau eraill wedi clywed diwydianwyr fel Nick Reilly, pennaeth Vauxhall sydd yn enedigol o Fôn, yn dweud y byddent, ar 3 deutschmark i'r bunt, wedi dymuno ymuno â'r ewro. Mae hynny'n fflachbwynt mawr i'r grŵp Toriaidd, nad yw'n dymuno ymwneud dim â'r ewro. Fodd bynnag, gallai ymagweddu o'r fath olygu dawnsio ar fedd swyddi yn y diwydiant gweithgynhyrchu yng Nghymru. Mae hynny oll yn rhan o'r strategaeth i geisio gostwng y bunt hyd at lefel paredd pŵer prynu. Dyna'r unig sail gynaliadwy. Wedyn, caiff pobl Prydain benderfynu drostynt eu hunain heb fod yn bleidiol ynghylch ymuno â'r ewro ai peidio.

Alun Cairns: Mae Plaid Geidwadol Cymru yn bryderus ynghylch trafferthion Corus. Mae gennyf ddiddordeb yn Corus ym Mhort Talbot am ei fod yn y rhanbarth a gynrychiolaf. Hefyd, datganaf fuddiant, am fod fy nhad yn gweithio yno. Yr wyf yn bryderus ynghylch rhai o'r datganiadau ffwrdd-â-hi yn eich datganiad, er enghraifft, bod rhaid i Corus leihau ei gostau cyffredinol. Derbyniwn hynny, ond mae polisi'r weinyddiaeth o newid trethi busnes wedi ychwanegu £1.8 miliwn y flwyddyn at fil trethi busnes y gwaith ym Mhort Talbot.

Ynghylch eich sylwadau am yr ewro, efallai eich bod wedi datgan eich safbwynt mewn perthynas â Chabinet y DU, pa un a ydych yng ngwersyll Gordon Brown neu yng ngwersyll Robin Cook. Mae'n braf clywed eich safbwynt ar hynny. Derbynnir yn eang mai'r her allweddol i'r Cynulliad yw datblygu ac adeiladu ymhellach ar ein sector gwasanaethau ac adeiladu economi a yrrir gan wybodaeth. Mae ymchwil a datblygu'n rhan allweddol o'r economi hwnnw ac yr oedd yn rhan bwysig o ddadl y Pwyllgor Datblygu Economaidd ar gymhorthion gweithredu. Un o'r cymhorthion gweithredu a ddylai fod ar gael i'r Cynulliad Cenedlaethol yw un i gynyddu'r rhyddhad treth sydd ar gael ar weithgaredd ymchwil a

Assembly and the Treasury on Objective 1 and operating aids are taking place slowly, as always seems to be the case. Do you think that these jobs could have been saved if the operating aids debate had been settled? It would have allowed relief to be increased from 200 to 300 per cent as soon as the Objective 1 programme is up and running and on its feet.

2:50 p.m.

The First Secretary: There are a couple of questions there. We have discussed the local authority rate issue to death in this Assembly. Time and time again we have explained that they are exercising their right to appeal. We do not run those appeals. They are done by the evaluation and appeals tribunal and I do not think that we can interfere in a quasi-judicial process of that nature. We took our decision on whether companies could have a rate reduction on the basis that small firms have a form of preference on the grounds that the evidence from the business community showed that small firms were particularly sensitive to their rate compared with large firms. I had understood, until this issue arose, that there was full party support for that viewpoint.

I move on to the issue of how operating aids would affect a company like Corus that has merged with a Dutch company, which also has a large research and development centre and wants to reduce the number of laboratories from four to two and whether Corus might have chosen a different area. The problem is that if we had operating aids in Port Talbot enabling a full write-off plus operating expenditure in research and development, the same would be true for Sheffield because it is an Objective 1 area. Therefore, it would not confer any competitive advantage as between Sheffield and south-west Wales. I am not sure whether it would have made any difference. I do not know what the Conservative policy is on operating aids for research and development, but they did not happen under the last Conservative Government.

Peter Black: Like Alun, I represent the area

datblygu. Mae negodiadau rhwng y Cynulliad Cenedlaethol a'r Trysorlys ar Amcan 1 a chymhorthion gweithredu yn digwydd yn araf, fel y maent bob amser yn ôl pob golwg. A gredwch y gellid bod wedi achub y swyddi hyn pe bai'r ddadl ar gymhorthion gweithredu wedi ei setlo? Byddai wedi caniatáu cynyddu rhyddhad o 200 i 300 y cant cyn gynted ag y mae'r rhaglen Amcan 1 ar ei thraed ac yn symud.

Y Prif Ysgrifennydd: Mae ychydig o gwestiynau yn y fan honno. Trafodasom fater trethi awdurdodau lleol hyd syrffed yn y Cynulliad hwn. Dro ar ôl tro eglurasom eu bod yn arfer eu hawl i apelio. Nid ni sydd yn cynnal yr apeliadau hynny. Fe'u gwneir gan y tribiwnlys prisio ac apeliadau ac ni chredaf y gallwn ymyrryd â phroses led-farnwrol o'r natur honno. Penderfynasom ynghylch a gâi cwmnïau ostyngiad mewn trethi ar y sail bod ffurf ar ffafiaeth i fusnesau bach am fod y dystiolaeth o'r gymuned busnes yn dangos bod busnesau bach yn arbennig o sensitif i'w trethi o'u cymharu â busnesau mawr. Credwn, hyd nes i'r mater hwn godi, fod gefnogaeth gan yr holl bleidiau i'r safbwynt hwnnw.

Symudaf ymlaen at y mater o'r modd y byddai cymhorthion gweithredu yn effeithio ar gwmni fel Corus a ymgyfunodd â chwmni o'r Iseldiroedd, sydd yntau â chanolfan ymchwil a datblygu fawr ac sydd yn dymuno lleihau nifer y labordai o bedwar i ddau ac a fyddai Corus wedi dewis ardal wahanol. Y broblem yw pe bai gennym gymhorthion gweithredu ym Mhort Talbot fel y gellid dileu costau'n llwyr a chael gwariant gweithredu mewn ymchwil a datblygu, y byddai hynny'n wir hefyd am Sheffield oherwydd mae mewn ardal Amcan 1. Felly, ni roddai unrhyw fantais gystadleuol rhwng Sheffield a de-orllewin Cymru. Nid wyf yn sicr a wnaethai unrhyw wahaniaeth. Ni wn beth yw'r polisi Ceidwadol ar gymhorthion gweithredu ar gyfer ymchwil a datblygu, ond ni digwyddasant o dan y Llywodraeth Geidwadol ddiwethaf.

Peter Black: Fel Alun, cynrychiolaf yr ardal

that includes Port Talbot. There is much concern there at the loss of high quality jobs while we are seeking, under the Objective 1 process, to increase the number of high quality jobs in Wales and, as Phil Williams mentioned, the need to increase the research and development sector, in particular. If we can, we need to reassure people in the Port Talbot area who have jobs at Corus—and of course in other areas of Wales—that those jobs will be secure in the future. While the alarm bells are ringing and warnings are being put before us, the strength of the pound and other factors are putting those jobs at risk and we will not be able to give that assurance. We have heard how Government Ministers in Westminster believe that Government policy can influence the strength of the pound, contrary to the view that you have expressed previously. Do you not think, First Secretary, that we should be making strong representations to the Chancellor of the Exchequer, that he should be taking action on this issue and seeking to alleviate the problems that we face in south Wales because of a policy that is being designed for the south-east of England?

The First Secretary: I do not accept the last definition of the Government's general economic policy. It is true that if you have a high pound, it tends to pay for the south-east of England over the manufacturing regions. Likewise, when you have a low pound like after the Tory Government fell out of the exchange rate mechanism, it tends to produce relative prosperity in the manufacturing regions such as Wales and the west Midlands. I do not think that that is the intention of the policy. You cannot necessarily have a policy, which controls to within plus or minus 2 or 3 per cent where the pound is. As it happens, the pound has softened considerably since Christmas and I have seen newspaper commentators referred to a run on sterling relative to the dollar. I do not think that the pound is now as rock solid a currency as it was when we were discussing this matter in February. It has come down from 3.46 to 3.10 deutchmarks and down from 1.60 to 1.50 as regards the dollar. There has been much softening but, so far, it has not been sufficient to benefit

sydd yn cynnwys Port Talbot. Mae llawer o bryder yno ynghylch colli swyddi o ansawdd uchel tra ydym yn ceisio cynyddu, o dan y broses Amcan 1, y nifer o swyddi o ansawdd uchel yng Nghymru ac, fel y dywedodd Phil Williams, ynghylch yr angen i gynyddu'r sector ymchwil a datblygu, yn arbennig. Os gallwn, mae angen inni sicrhau pobl yn ardal Port Talbot sydd â swyddi yn Corus—ac wrth gwrs mewn ardaloedd eraill yng Nghymru—y bydd y swyddi hynny'n ddiogel yn y dyfodol. Tra bo'r clychau larwm yn canu a'r rhybuddion yn cael eu rhoi o'n blaen, mae cryfder y bunt a ffactorau eraill yn rhoi'r swyddi hynny mewn perygl ac ni fyddwn yn gallu rhoi'r sicrwydd hwnnw. Clywsom am y modd y mae Gweinidogion Llywodraeth yn San Steffan yn credu y gall polisi Llywodraeth ddylanwadu ar gryfder y bunt, yn groes i'r farn a fynegasoch o'r blaen. Oni chredwch, Brif Ysgrifennydd, y dylem gyflwyno sylwadau cryf i Ganghellor y Trysorlys, y dylai weithredu ar y mater hwn a cheisio lliniaru'r problemau a wynebwn yn ne Cymru oherwydd polisi a ddyfeisir er mwyn de-ddwyrain Lloegr?

Y Prif Ysgrifennydd: Ni dderbyniaf y diffiniad diwethaf o bolisi economaidd cyffredinol y Llywodraeth. Mae'n wir, os oes gennych bunt uchel, ei bod yn tueddu i fod yn well i dde-ddwyrain Lloegr nag i'r rhanbarthau gweithgynhyrchu. Yn yr un modd, pan fo gennych bunt isel fel yr oedd ar ôl i'r Llywodraeth Doriaidd ddisgyn o'r mecanwaith cyfraddau cyfnewid, tuedda i greu ffyniant cymharol yn y rhanbarthau gweithgynhyrchu fel Cymru a gorllewin Canolbarth Lloegr. Ni chredaf mai hynny yw bwriad y polisi. Ni allwch o reidrwydd gael polisi sydd yn rheoli ym mhle y mae'r bunt oddi mewn i 2 neu 3 y cant yn uwch neu'n is. Fel y mae'n digwydd, mae'r bunt wedi meddal'u'n sylweddol ers y Nadolig a gwelais sylwebyddion papur newydd yn cyfeirio at werthu ar sterling o'i gymharu â'r ddoler. Ni chredaf fod y bunt bellach mor ddisigl fel arian ag ydoedd pan oeddem yn trafod y mater hwn yn Chwefror. Disgynnodd o 3.46 i 3.10 deutschmark ac o 1.60 i 1.50 mewn perthynas â'r ddoler. Bu llawer o feddalau ond, hyd yn hyn, ni fu'n ddigon i fod o les i

companies that will be reporting horrendously deficient financial positions when they give out their next financial results in a month or two. I hope that many of those companies, which could include Corus, which will be losing money for the financial year that has just finished, can make money next year based on improved efficiency and, most of all, on the swing around in the currency.

Brian Gibbons: Thank you for Rhodri's statement and for your continuing support to research and development and commitment to make a case for south Wales as being the centre for technological development in the steel industry. I have said on more than a few occasions that I get disappointed and fed up when people refer to the traditional industrial sector in south Wales as a smoke-stack industry, a sunset industry and a dinosaur sector.

That is particularly true in this instance where the people who are losing their jobs, as Phil Williams said, are highly qualified people and many of them have qualifications such as PhDs. We need to keep those types of people in our industrial sector. In south Wales and in other parts of Wales we continually overlook that we have an established strength, which is the manufacturing industry. That industry gives their workers a better than average terms of service and take-home pay. The manufacturing sector is on a par with the rest of the United Kingdom, unlike the service sector, which provides lower quality work and lower levels of pay.

We should recognise the strength that we have and realise that we have a potential—through clustering of certain industrial sectors in Wales—to build on research, development and innovation. Although we need to deal with information and technology we ignore at our peril the established industrial sectors that we have at the moment: the jewels that we have got in our hands. We should spend more time and effort in promoting those sectors. My only regret is that unfortunately for the 200 jobs in Port

gwmnïau a fydd yn adrodd am sefyllfaoedd ariannol ofnadwy o ddiffygiol pan gyhoeddant eu canlyniadau ariannol nesaf ymhen mis neu ddau. Gobeithiaf y bydd llawer o'r cwmnïau hynny, a gallai hynny gynnwys Corus, a fydd yn colli arian am y flwyddyn ariannol sydd newydd ddod i ben, yn gallu gwneud arian y flwyddyn nesaf ar sail gwell effeithlonrwydd ac, yn fwyaf oll, ar sail y newid cyfeiriad yn yr arian.

Brian Gibbons: Diolch i chi am eich datganiad, Rhodri, ac am eich cefnogaeth barhaus i ymchwil a datblygu a'ch ymrwymiad i gyflwyno achos dros dde Cymru fel y ganolfan ar gyfer datblygu technolegol yn y diwydiant dur. Dywedais ar fwy nag ychydig o achlysuron y caf fy siomi a'm syrffedu pan yw pobl yn cyfeirio at y sector diwydiannol traddodiadol yn ne Cymru fel diwydiant y simneiau mwg, diwydiant y machlud a sector deinosoraidd.

Mae hynny'n arbennig o wir yn yr achos hwn lle y mae'r bobl sydd yn colli eu swyddi, fel y dywedodd Phil Williams, yn bobl â chymwysterau uchel a llawer ohonynt yn meddu ar gymwysterau fel graddau doethur. Mae angen inni gadw pobl o'r fath yn ein sector diwydiannol. Yn ne Cymru ac mewn rhannau eraill o Gymru yr ydym yn anghofio o hyd bod gennym gryfder sefydledig, sef y diwydiant gweithgynhyrchu. Mae'r diwydiant hwnnw'n rhoi i'w weithwyr well telerau gwasanaeth a chyflog na'r cyfartaledd. Mae'r sector gweithgynhyrchu yn gyfartal â gweddill y Deyrnas Unedig, yn wahanol i'r sector gwasanaethau sydd yn darparu gwaith o ansawdd is a lefelau cyflog is.

Dylem gydnabod y cryfder sydd gennym a sylweddoli bod potensial gennym—drwy glystyru rhai sectorau diwydiannol yng Nghymru—i adeiladu ar ymchwil, datblygu ac arloesi. Er bod angen inni ymdrin â gwybodaeth a thechnoleg, gwae ni os anwybyddwn y sectorau diwydiannol sefydledig sydd gennym ar hyn o bryd: y trysorau sydd gennym yn ein dwylo. Dylem roi mwy o amser ac ymdrech i hybu'r sectorau hynny. Yr unig ofid sydd gennyf yw y gallai fod yn rhy hwyr, gwaetha'r modd, i'r

Talbot it may be too late. Hopefully, your efforts to make the case as opposed to Sheffield will bear fruit. I hope that the mistakes that may have been made in the past regarding the manufacturing sector will not be repeated in the future.

The First Secretary: I agree with those comments. I am grateful for your words of commendation for our efforts to try and salvage what we can out of Corus's attempts to rationalise research and development and their different technology establishments across Great Britain. Brian Gibbons is right that the occupations within the industry mean that an industry such as steel, sometimes loosely defined as a sunset industry, can have a sunrise technology applied to them. This may be in works such as CAPL in Port Talbot, where the annealing furnace is a brilliant technological innovation, or in the work carried out in the research and development laboratories. That is why it is important to try and salvage those jobs by a bit of lateral thinking and creative work.

200 o swyddi ym Mhort Talbot. Gobeithio y bydd eich ymdrechion i gyflwyno'r achos drosto yn hytrach na Sheffield yn dwyn ffrwyth. Gobeithiaf na fydd y camgymeriadau y gallasant fod wedi eu gwneud yn y gorffennol ynghylch y sector gweithgynhyrchu yn cael eu hailadrodd yn y dyfodol.

Y Prif Ysgrifennydd: Cytunaf â'r sylwadau hynny. Yr wyf yn ddiolchgar am eich geiriau o ganmoliaeth i'n hymdrechion i geisio achub yr hyn a allwn o ymdrechion Corus i resymoli ymchwil a datblygu a'u gwahanol sefydliadau technoleg ledled Prydain Fawr. Mae Brian Gibbons yn iawn bod y galwedigaethau oddi mewn i'r diwydiant yn golygu bod diwydiant fel dur, a ddiffinnir yn fras weithiau yn ddiwydiant y machlud, yn un y gellir cymhwysu technoleg y wawr ato. Gallai hynny fod mewn gweithfeydd fel CAPL ym Mhort Talbot, lle y mae'r ffwrnais anelio yn arloesiad technolegol gwych, neu yn y gwaith a gyflawnir yn y labordai ymchwil a datblygu. Dyna pam y mae'n bwysig ceisio achub y swyddi hynny drwy ychydig o feddwl ochrol a gwaith creadigol.

Datganiad Busnes Business Statement

The Business Secretary (Andrew Davies): I inform Members of changes made to this week's business. You will be aware that there was to have been a debate on the Nant-y-gwyddon landfill site but this debate has been withdrawn. On Tuesday 27 June there will be a debate on a motion tabled by the Conservative Party, a debate on the Committee on European Affairs' annual report, a resolution to approve the Air Quality (Wales) Regulations 2000 and a motion to revise Standing Orders Nos. 12 and 22. The revisions to Standing Order No. 22 will cover the use of the new accelerated procedure for Orders being taken in Plenary that will be used for the first time on 4 July. These amendments have cross-party support.

Y Trefnydd (Andrew Davies): Hysbysaf yr Aelodau am newidiadau a wnaethpwyd i fusnes yr wythnos hon. Byddwch yn ymwybodol bod dadl i fod ar safle tirlenwi Nant-y-gwyddon ond tynnwyd y ddadl hon yn ôl. Ddydd Mawrth 27 Mehefin bydd dadl ar gynnig a gyflwynwyd gan y Blaid Geidwadol, dadl ar adroddiad blynyddol y Pwyllgor Materion Ewropeaidd, cynnig i gymeradwyo Rheoliadau Ansawdd Aer (Cymru) 2000 a chynnig i ddiwygio Rheolau Sefydlog Rhifau 12 a 22. Bydd y diwygiadau i Reol Sefydlog Rhif 22 yn ymdrin â'r defnydd o'r weithdrefn gyflymach newydd ar gyfer Gorchmynion a gymerir yn y Cyfarfod Llawn a ddefnyddir am y tro cyntaf ar 4 Gorffennaf. Mae cefnogaeth drawsbleidiol i'r newidiadau hyn.

It had been intended to table today five motions to approve Part 2 Seed Marketing (Amendment) Regulations. These are joint

Yr oedd bwriad i gyflwyno heddiw bum cynnig i gymeradwyo'r Rheoliadau Marchnata Hadau (Diwygio) Rhan 2.

England and Wales Orders that are subject to parliamentary procedure and are not subject to the Assembly's full procedures. My colleague Sue Essex has decided to defer these Orders because she does not believe that the draft adequately reflects the Assembly's agreed position on genetically modified issues. That was discussed and reported to the Business Committee with our agreement this morning. I will keep the Business Committee fully informed of the discussion on these Orders.

Business on Wednesday 28 June is as I reported last week. On Tuesday 4 July business will now also include resolutions to approve eight items of subordinate legislation. On Wednesday 5 July there will be a motion to adopt the voluntary sector scheme, a debate on the Communities First scheme and a debate on the Pre-16 Education Committee's report.

On Tuesday 11 July there will be resolutions to approve five items of subordinate legislation, a debate on the Committee on Equality of Opportunity annual report and a motion to note the consultation response to the sustainable development scheme. On Wednesday 12 July there will be a debate on the local government standard spending assessment formula, a motion to adopt the local government scheme and a debate on the modernisation of local government.

3:00 p.m.

We are considering allocating time in Plenary towards the end of this session to consider the outcome of the Westminster Government's comprehensive spending review. I hope to announce the exact timing of that debate in my business statement next week.

Finally, on the advice of the Business Committee this morning, the Deputy Presiding Officer has determined that, in accordance with Standing Order No. 22.5, the following items of subordinate legislation need not be referred to a Subject Committee: the National Health Service (General Medical Services) Amendment (No. 3)

Gorchmynion ar gyfer Cymru a Lloegr ar y cyd yw'r rhain sydd yn ddarostyngedig i weithdrefn seneddol ac nid yn ddarostyngedig i weithdrefnau llawn y Cynulliad. Mae fy nghyd-Aelod Sue Essex wedi penderfynu gohirio'r Gorchmynion hyn am nad yw o'r farn bod y drafft yn adlewyrchu'n ddigonol safbwynt cytunedig y Cynulliad ar faterion addasu genetig. Trafodwyd hynny a'i adrodd i'r Pwyllgor Busnes gyda'n cytundeb y bore yma. Rhoddaf bob wybodaeth i'r Pwyllgor Busnes ar y drafodaeth ar y Gorchmynion hyn.

Mae'r busnes ddydd Mercher 28 Mehefin fel yr adroddais yr wythnos diwethaf. Ddydd Mawrth 4 Gorffennaf bydd y busnes yn awr yn cynnwys cynigion i gymeradwyo wyth eitem o is-ddeddfwriaeth. Ddydd Mercher 5 Gorffennaf bydd cynnig i fabwysiadu'r cynllun sector gwirfoddol, dadl ar y cynllun Cymunedau'n Gyntaf a dadl ar adroddiad y Pwyllgor Addysg Cyn-16.

Ddydd Mawrth 11 Gorffennaf bydd cynigion i gymeradwyo pum eitem o is-ddeddfwriaeth, dadl ar adroddiad blynyddol y Pwyllgor Cyfle Cyfartal a chynnig i nodi ymateb yr ymgynghoriad i'r cynllun datblygu cynaliadwy. Ddydd Mercher 12 Gorffennaf bydd dadl ar fformwla asesiad gwario safonol llywodraeth leol, cynnig i fabwysiadu'r cynllun llywodraeth leol a dadl ar foderneiddio llywodraeth leol.

Yr ydym yn ystyried neilltuo amser yn y Cyfarfod Llawn tua diwedd y sesiwn hwn i ystyried canlyniad adolygiad cynhwysfawr o wariant Llywodraeth San Steffan. Gobeithiaf gyhoeddi union amseriad y ddadl honno yn fy natganiad busnes yr wythnos nesaf.

Yn olaf, ar gyngor y Pwyllgor Busnes y bore yma, mae'r Dirprwy Lywydd wedi penderfynu, yn unol â Rheol Sefydlog Rhif 22.5, nad oes angen cyfeirio'r eitemau canlynol o is-ddeddfwriaeth at Bwyllgor Pwnc: Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) Diwygio (Rhif 3) (Cymru) 2000

(Wales) Regulations 2000 and the Meat Products Hygiene (Amendment) (Wales) Regulations 2000. Arrangements will be made to post a copy of this statement to the intranet and internet later today.

The Presiding Officer: Are there any objections to the business statement? I see that there are two objections. Are there 10 objections? I see that there are. I therefore call on the Business Secretary to formally propose that the business statement be adopted. I will then call one Member from each group to respond before calling a vote.

Andrew Davies: I propose that

the Assembly adopts the business statement.

Jocelyn Davies: We challenge the business statement today. That will be of no surprise, as I have raised this point many times before. The business statement has been rejected in the past because the majority of Members want a debate on whether to call a public inquiry into the Nant-y-gwyddon landfill site. That debate has still not been timetabled, despite your previous promises. Plaid Cymru does not agree that no public inquiry should be held. I understand that the Government refuses to table a motion because it fears that we will amend it. It is our right to do so. The Business Secretary has tabled an amendment to the Liberal Democrat motion in today's minority party debate. He has even tabled an amendment to one of his own motions. Therefore, he knows all about amendments. It is a weak Government that will not table motions when it cannot get agreement. We will not support the business statement until this debate is tabled.

Nick Bourne: We object to the business statement very much on the same grounds. Twice now, the Nant-y-gwyddon tip debate has been included in business statements that have been adopted by the Assembly. On what basis does the Business Secretary or the Business Committee think that they can alter the Assembly's will, when the statement has already been adopted? The people of the

a'r Rheoliadau Glanweithdra Cynhyrchion Cig (Diwygio) (Cymru) 2000. Gwneir trefniadau i osod copi o'r datganiad hwn ar y fewnwyd a'r rhyngwyd yn ddiweddarach heddiw.

Y Llywydd: A oes gwrthwynebiadau i'r datganiad busnes? Gwelaf fod dau wrthwynebiad. A oes 10 gwrthwynebiad? Gwelaf fod. Felly galwaf ar y Trefnydd i gynnig yn ffurfiol y bydd y datganiad busnes yn cael ei dderbyn. Byddaf wedyn yn galw ar un Aelod o bob grŵp i ymateb cyn galw pleidlais.

Andrew Davies: Cynigiaf fod

y Cynulliad yn derbyn y datganiad busnes.

Jocelyn Davies: Heriwn y datganiad busnes heddiw. Ni fydd hynny'n peri syndod, gan imi godi'r pwynt hwn lawer gwaith o'r blaen. Gwrthodwyd y datganiad busnes yn y gorffennol am fod y rhan fwyaf o'r Aelodau'n dymuno cael dadl ynghylch a elwir am ymchwiliad cyhoeddus i safle tirlenwi Nant-y-gwyddon. Nid yw'r ddadl honno wedi ei hamserlennu byth, er gwaethaf eich addewidion blaenorol. Nid yw Plaid Cymru yn cytuno na ddylid cynnal ymchwiliad cyhoeddus. Deallaf fod y Llywodraeth yn gwrthod cyflwyno cynnig am ei bod yn ofni y byddwn yn ei ddiwygio. Mae gennym hawl i wneud hynny. Mae'r Trefnydd wedi cyflwyno gwelliant i gynnig y Democratiaid Rhyddfrydol yn y ddadl plaid leiafrifol heddiw. Mae hyd yn oed wedi cyflwyno gwelliant i un o'i gynigion ei hun. Felly, gŵyr bopeth am welliannau. Llywodraeth wan yw honno na wnaiff gyflwyno cynigion pan na all gael cytundeb. Ni chefnogwn y datganiad busnes hyd nes y cyflwynir y ddadl hon.

Nick Bourne: Yr ydym yn gwrthwynebu'r datganiad busnes ar yr un sail i raddau helaeth. Ddwywaith bellach, cynhwyswyd y ddadl ar domen Nant-y-gwyddon mewn datganiadau busnes a dderbyniwyd gan y Cynulliad. Ar ba sail y mae'r Trefnydd neu'r Pwyllgor Busnes yn credu y gall newid ewyllys y Cynulliad, pan yw'r datganiad busnes eisoes wedi ei dderbyn? Mae gan

Rhondda have every right to have this issue debated. I cannot understand on what basis a single Assembly Member thinks that he can override the Assembly's will. I understand that our own business manager has objected on this issue in the Business Committee. This happens all too frequently with this administration. It is perhaps timely that we remind it that it is a minority administration. The other parties speak together. We have seen this with many motions that have been adopted by the Assembly. The administration has chosen to ignore them. Councillors' allowances is one example. The First Secretary may smile, but he of all people should realise that there is a leasehold on his post, as his predecessor would tell him. This is a minority administration. We trust that this debate will be forthcoming and that the Business Secretary will make that undertaking so that we do not have to repeatedly vote against the business statement.

Michael German: Can I clarify whether this is the administration's position: that it has, on many occasions, proposed a method of a full inquiry into the Nant-y-gwyddon tip issue and, having sought that agreement with the parties in this Chamber, it has not been agreed and taken forward? Therefore, is it the Business Secretary's view that, if the parties in this Chamber that are concerned about this issue were prepared to undertake the detailed investigation, as has been suggested, he would table a motion on the Nant-y-gwyddon tip inquiry and find time for it?

Richard Edwards: The Environment, Planning and Transport Committee has agreed, in principle at least, to participate in a special investigation—an innovative Assembly procedure that would be distinctive to Wales, would offer a far quicker, more cost-effective alternative to a public inquiry and would, at the same time, inform our own evolving waste strategy. What on earth is Plaid Cymru up to, playing politics in this shambolic way on an issue of such importance to the people of Rhondda?

bobl y Rhondda bob hawl i weld dadl ar y mater hwn. Ni allaf ddeall ar ba sail y mae un Aelod Cynulliad yn credu y caiff ddiystyru ewyllys y Cynulliad. Deallaf fod ein rheolwr busnes ein hunain wedi gwrthwynebu ar y mater hwn yn y Pwyllgor Busnes. Mae hyn yn digwydd yn rhy aml o lawer gyda'r weinyddiaeth hon. Mae'n amserol efallai inni ei hatgoffa ei bod yn weinyddiaeth leiafrifol. Mae'r pleidiau eraill yn siarad gyda'i gilydd. Gwelsom hyn yn achos llawer o gynigion a dderbyniwyd gan y Cynulliad. Mae'r weinyddiaeth wedi dewis eu hanwybyddu. Mae lwfansau cynghorwyr yn un enghraifft. Caiff y Prif Ysgrifennydd wenu, ond dylai ef o bawb sylweddoli bod prydles ar ei swydd, fel y dywedai ei ragflaenydd wrtho. Gweinyddiaeth leiafrifol ydyw hon. Hyderwn y daw'r ddadl hon gerbron ac y bydd y Trefnydd yn ymrwmo i hynny fel nad oes rhaid inni bleidleisio yn erbyn y datganiad busnes dro ar ôl tro.

Michael German: A allaf gael eglurhad ai safbwynt y weinyddiaeth yw hyn: ei bod, ar lawer achlysur, wedi cynnig dull ymchwiliad llawn i fater tomen Nant-y-gwyddon ac, ar ôl ceisio'r cytundeb hwnnw gyda'r pleidiau yn y Siambr hon, na chytunwyd arno a'i ddwyn ymlaen? Felly, ai barn y Trefnydd ydyw, pe bai'r pleidiau yn y Siambr hon sydd yn pryderu ynghylch y mater hwn yn barod i ymgymryd â'r ymchwiliad manwl, fel yr awgrymwyd, y byddai'n cyflwyno cynnig ar ymchwiliad tomen Nant-y-gwyddon ac yn dod o hyd i amser ar ei gyfer?

Richard Edwards: Mae Pwyllgor yr Amgylchedd, Cynllunio a Thrafnidiaeth wedi cytuno, mewn egwyddor o leiaf, i gymryd rhan mewn ymchwiliad arbennig—gweithdrefn Cynulliad arloesol a fyddai'n arbennig i Gymru, a gynigiai ddewis llawer cyflymach, mwy cost-ffeithiol yn hytrach nag ymchwiliad cyhoeddus ac a fyddai, ar yr un pryd, yn goleuo ein strategaeth gwastraff sydd yn datblygu. Beth ar y ddaear yw gêm Plaid Cymru, yn chwarae gwleidyddiaeth yn ddi-drefn fel hyn ar fater sydd mor bwysig i bobl Rhondda?

Andrew Davies: I say to the Conservative leader that I know all about leaseholds. If a motion of no confidence were ever held on his leadership, then I am sure that his members would vote for it with more confidence and enthusiasm than members of the administration. I know about amendments but I also know about promises. I take this opportunity—[*Interruption.*]

The Presiding Officer: Order. Let us hear the Business Secretary, please.

Andrew Davies: This is an extremely important issue and one that we have—[*Interruption.*]

The Presiding Officer: Order. I have just asked for the Business Secretary to be heard. He is replying formally on the business statement.

Andrew Davies: If Jocelyn wants to dig a hole, that is fine. However, as Denis Healey once said, ‘when you’re in a hole, stop digging’. I will give you chapter and verse on the handling of Nant-y-gwyddon. If Plaid Cymru wants to wash its dirty clothes in public, that is fine. I will tell you about the handling of the Nant-y-gwyddon issue over the past several months. I take this opportunity to give a full explanation of why the Assembly’s debate on the landfill site has been delayed. I hope that Members will excuse me for going into this in some depth, because it is a story that needs to be told. It tells us more about the internal politics of Plaid Cymru than it does about the workings of the Assembly.

The Presiding Officer: Order. How ever much I would like to debate the internal politics of the Party of Wales, we are supposed to be debating the adoption of the business statement.

3:10 p.m.

Andrew Davies: The Government of Wales’s priority has been to address the legitimate concerns of Rhondda people. Because of the internal divisions and wrangling within Plaid Cymru, it has not

Andrew Davies: Dywedaf wrth arweinydd y Ceidwadwyr y gwn bob dim am brydlesi. Pe bai cynnig o ddiffyg hyder byth ar ei arweiniad ef, yna yr wyf yn sicr y byddai ei aelodau’n pleidleisio o’i blaid â llawer mwy o hyder a brwdfrydedd nag aelodau’r weinyddiaeth. Gwn am welliannau ond gwn hefyd am addewidion. Achubaf ar y cyfle hwn—[*Torri ar draws.*]

Y Llywydd: Trefn. Gadewch inni wrando ar y Trefnydd, os gwelwch yn dda.

Andrew Davies: Mae hyn yn fater pwysig iawn ac yn un yr ydym wedi—[*Torri ar draws.*]

Y Llywydd: Trefn. Yr wyf newydd ofyn am wrandawriad i’r Trefnydd. Mae’n ateb yn ffurfiol ar y datganiad busnes.

Andrew Davies: Os yw Jocelyn yn dymuno torri twll, mae hynny’n iawn. Fodd bynnag, fel y dywedodd Denis Healey rywdro, ‘pan ydych mewn twll, rhowch y gorau i gloddio’. Rhoddaf ichi’r bennod a’r adnod ar drafod Nant-y-gwyddon. Os yw Plaid Cymru’n dymuno golchi ei dillad budr yn gyhoeddus, mae hynny’n iawn. Dywedaf wrthyf am y trafod o fater Nant-y-gwyddon dros y misoedd diwethaf. Achubaf ar y cyfle hwn i roi eglurhad llawn am y rheswm am ohirio dadl y Cynulliad ar y safle tirlenwi. Gobeithiaf y bydd yr Aelodau’n fy esgusodi am fynd yn eithaf manwl i hyn, oherwydd mae’n stori y dylid ei hadrodd. Dywed fwy wrthym am wleidyddiaeth fewnol Plaid Cymru nag am weithrediad y Cynulliad.

Y Llywydd: Trefn. Er cymaint yr hoffwn drafod gwleidyddiaeth fewnol Plaid Cymru, yr ydym i fod i drafod derbyn y datganiad busnes.

Andrew Davies: Blaenoriaeth Llywodraeth Cymru fu rhoi sylw i bryderon cyfiawn pobl Rhondda. Oherwydd y rhaniadau mewnol a’r dadlau oddi mewn i Blaid Cymru, ni fu modd cael cytundeb ar sut i drafod y mater hwn.

been possible to get agreement on how to handle this issue. Since Plaid Cymru tabled a motion calling for a public inquiry last July, officials have actively pursued the issue with Rhondda Cynon Taff and have been seeking an agreed way forward. Our priority has been to consider how we can best meet Rhondda people's concerns and to find a way forward that allows the Assembly to address not only these local concerns, but to link them to the development of the Assembly's waste management strategy.

We believe that the proposal we arrived at, largely led by my colleague Sue Essex, was—and I stress this—an example of the Assembly producing Welsh solutions to Welsh problems. It was an innovative way of dealing with extremely important issues. I will give some background to the negotiations. The former First Secretary, Alun Michael, began negotiations last August with Pauline Jarman, who is not only an Assembly Member but also the leader of Rhondda Cynon Taff County Borough Council, about the possibility of an investigation of the site. Following the appointment of Sue Essex to the Cabinet, she and I met with Ieuan Wyn Jones, Plaid Cymru's business manager, Pauline Jarman and Geraint Davies on 16 March to discuss how the matter might best be taken forward. It was agreed that the issue could be more effectively addressed by holding an open investigation through the Environment, Planning and Transport Committee, than through a public inquiry.

Officials were asked to work up a proposal. It was agreed that they would contact Rhondda Cynon Taff to ascertain what information it held which might inform an investigation. I stress that despite repeated attempts to obtain this information from Rhondda Cynon Taff, officials could not get this Plaid Cymru-led council to respond. Geraint Davies was informed of these difficulties on 22 March and agreed to contact the chief executive to ask for co-operation. Despite that, a response was still not received.

I tabled a debate for 10 May. Given that officials had still not received information

Ers i Blaid Cymru gyflwyno cynnig yn galw am ymchwiliad cyhoeddus fis Gorffennaf diwethaf, mae'r swyddogion wedi dilyn y mater yn egniol gyda Rhondda Cynon Taf ac wedi ceisio ffordd gytûn ymlaen. Ein blaenoriaeth fu ystyried sut y gallwn ateb pryderon pobl Rhondda orau a chanfod ffordd ymlaen sydd yn caniatáu i'r Cynulliad roi sylw nid yn unig i'r pryderon lleol hyn, ond i'w cysylltu â datblygiad strategaeth rheoli gwastraff y Cynulliad.

Credwn fod y cynnig y penderfynasom arno, dan arweiniad fy nghyd-Aelod Sue Essex yn bennaf—a phwysleisiaf hyn—yn enghraifft o'r Cynulliad yn creu atebion Cymreig i broblemau Cymreig. Yr oedd yn ddull arloesol o ymdrin â materion pwysig iawn. Rhoddaf rywfaint o'r cefndir i'r negodiadau. Dechreuodd y cyn Brif Ysgrifennydd, Alun Michael, negodiadau Awst diwethaf gyda Pauline Jarman, sydd nid yn unig yn Aelod Cynulliad ond hefyd yn arweinydd Cyngor Bwrdeistref Sirol Rhondda Cynon Taf, ynghylch y posibilid o ymchwiliad i'r safle. Ar ôl penodi Sue Essex i'r Cabinet, cyfarfu hi a minnau â Ieuan Wyn Jones, rheolwr busnes Plaid Cymru, Pauline Jarman a Geraint Davies ar 16 Mawrth i drafod y ffordd orau o fynd â'r mater yn ei flaen. Cytunwyd y gellid ymdrin yn fwy effeithiol â'r mater drwy gynnal ymchwiliad agored drwy Bwyllgor yr Amgylchedd, Cynllunio a Thrafnidiaeth, na thrwy ymchwiliad cyhoeddus.

Gofynnwyd i'r swyddogion baratoi cynnig. Cytunwyd y byddent yn cysylltu â Rhondda Cynon Taf i gael gwybod pa wybodaeth a oedd ganddo a allai oleuo ymchwiliad. Pwysleisiaf, er gwaethaf sawl ymgais i gael yr wybodaeth hon gan Rhondda Cynon Taf, na allai'r swyddogion gael ymateb gan y cyngor hwn a arweinir gan Blaid Cymru. Hysbyswyd Geraint Davies am y trafferthion hyn ar 22 Mawrth a chytunodd i gysylltu â'r prif weithredwr i ofyn am gydweithrediad. Er hynny, ni ddaeth ymateb byth.

Cyflwynais ddadl ar gyfer 10 Mai. O ystyried nad oedd y swyddogion byth wedi derbyn

from the council, Ieuan Wyn Jones, Plaid Cymru's business manager, and I, agreed that the debate should be deferred until 6 June. I did not want to draw attention to this as I did not want to embarrass Ieuan in public. This decision was relayed to and accepted by the Business Committee. I stress that officials have kept Ieuan Wyn Jones fully informed of their progress. It was as a result of Ieuan's intervention that officials finally received a reply from the council on 27 April.

It was hoped that a resolution would have been agreed to instigate an investigation into the site, under section 40 of the Government of Wales Act 1998. The investigation would involve the participation of the Environment, Planning and Transport Committee in taking evidence and, for this reason, it was felt that the support of the other parties was essential to endorse this proposal. We wanted all-party agreement. This was a major development in the way that this Assembly operates. We thought at that point that we had secured Plaid Cymru's agreement to the motion. We were led to believe that. We were at the point of tabling the motion when, at the last moment, it informed us that it would not endorse the previously agreed way forward. I felt, as Business Secretary of this Assembly, that I had no option other than to defer the debate.

At a subsequent meeting on 9 May, Jocelyn Davies, Plaid's environment spokesperson, expressed her concern over the likely cost of a public inquiry and confirmed that her party would consider a motion that suggested a section 40 investigation. After discussion with the other parties, a revised text of the motion was put forward.

On 18 May, Geraint Davies wrote to Sue Essex to say that his party accepted the motion and would declare that publicly. It appears that Geraint had issued statements saying that investigation was the best that could be achieved, as the Assembly did not have the necessary powers to instigate a public inquiry. This came as a surprise to Sue Essex and myself, as there had been no previous mention of this in any of our

gwybodaeth gan y cyngor, cytunodd Ieuan Wyn Jones, rheolwr busnes Plaid Cymru, a minnau, y dylid gohirio'r ddadl hyd 6 Mehefin. Ni ddymunwn dynnu sylw at hyn gan na ddymunwn godi cywilydd ar Ieuan yn gyhoeddus. Hysbyswyd y Pwyllgor Busnes am y penderfyniad hwn ac fe'i derbyniwyd. Pwysleisiaf fod y swyddogion wedi rhoi pob gwybodaeth i Ieuan Wyn Jones am eu cynnydd. O ganlyniad i ymyriad gan Ieuan, derbyniodd y swyddogion ateb gan y cyngor yn y diwedd ar 27 Ebrill.

Gobeithiwyd y byddai cytundeb ar benderfyniad i gychwyn ymchwiliad i'r safle, o dan adran 40 o Ddeddf Llywodraeth Cymru 1998. Byddai'r ymchwiliad yn cynnwys cyfranogiad Pwyllgor yr Amgylchedd, Cynllunio a Thrafnidiaeth wrth dderbyn tystiolaeth ac, am y rheswm hwn, teimlwyd ei bod yn holl bwysig cael cefnogaeth y pleidiau eraill i gefnogi'r cynnig hwn. Dymunem gael cytundeb yr holl bleidiau. Yr oedd hyn yn ddatblygiad o bwys yn y modd y mae'r Cynulliad hwn yn gweithredu. Credasom bryd hynny ein bod wedi sicrhau cytundeb Plaid Cymru ar y cynnig. Fe'n harweiniwyd i gredu hynny. Yr oeddem ar fin cyflwyno'r cynnig pan roddodd wybod i ni, ar y funud olaf, na fyddai'n cefnogi'r ffordd ymlaen a gytunwyd yng nghynt. Teimlais, fel Trefnydd y Cynulliad hwn, nad oedd gennyf ddewis ond gohirio'r ddadl.

Mewn cyfarfod ar ôl hynny ar 9 Mai, mynegodd Jocelyn Davies, llefarydd Plaid Cymru ar yr amgylchedd, ei phryder ynghylch cost debygol ymchwiliad cyhoeddus a chadarnhaodd y byddai ei phlaid yn ystyried cynnig a awgrymai ymchwiliad adran 40. Ar ôl trafod â'r pleidiau eraill, cyflwynwyd testun diwygiedig o'r cynnig.

Ar 18 Mai, ysgrifennodd Geraint Davies at Sue Essex i ddweud bod ei blaid yn derbyn y cynnig ac y byddai'n datgan hynny'n gyhoeddus. Ymddengys fod Geraint wedi cyhoeddi datganiadau yn dweud mai'r ymchwiliad oedd y gorau y gellid ei sicrhau, gan nad oedd y pwerau angenrheidiol gan y Cynulliad i gychwyn ymchwiliad cyhoeddus. Parodd hyn syndod i Sue Essex a minnau, gan na fu unrhyw sôn am hyn o'r blaen yn yr

meetings or negotiations with Plaid Cymru. It is also not correct, because under Standing Orders we have the power to instigate a public inquiry.

On 25 May, Plaid Cymru withdrew its support to proceed in the way that had been previously agreed. We re-entered negotiations with Plaid Cymru. Nothing had changed. We had agreed the same substantive motion, the same handling proposal and we were supposed to debate it this afternoon. At the last moment, once again, Plaid withdrew its agreement because of internal party divisions and because the party business manager and environment spokesperson could not carry their group.

I must stress—and I am sure that other parties will agree—that Sue Essex and I have co-operated fully with Plaid Cymru to achieve common ground on the motion to propose an investigation which would not only be independent, but innovative and ground-breaking. It would also give a central role to the Environment, Planning and Transport Committee as well as contribute to the wider policy making process by informing the development of the Assembly's waste management strategy. Unfortunately, this ground-breaking initiative got caught up in the internal politics of Plaid Cymru and its Assembly group.

I hope that over the next two months, while Plaid Cymru divides over who will be its leader, it will not affect the workings of this Assembly. I am afraid, however, that its handling of the Nant-y-gwyddon issue does not give us confidence in this. Agreements made by their business manager, their environment spokesperson and the local Assembly Member for the Rhondda could not be relied upon. I say to Plaid Cymru, 'Do not sacrifice the good working of this Assembly upon the altar of internal party politics'. This institution is far too important for that. I also say that whoever wins the battle for party leadership should be allowed to lead and get on with the job. The example of Mrs Thatcher is salutary: beware of back seat drivers.

un o'n cyfarfodydd neu negodiadau â Phlaid Cymru. Nid yw'n gywir ychwaith, oherwydd o dan y Rheolau Sefydlog mae'r pŵer gennym i gychwyn ymchwiliad cyhoeddus.

Ar 25 Mai, tynnodd Plaid Cymru ei chefnogaeth yn ôl i'r ffordd ymlaen a gytunwyd cynt. Ailddechreuasom negodiadau â Phlaid Cymru. Nid oedd dim wedi newid. Yr oeddem wedi cytuno ar yr un cynnig gwirioneddol, yr un bwriad ynghylch ei drafod ac yr oeddem i fod i'w drafod y prynhawn yma. Ar y funud olaf, unwaith eto, tynnodd Plaid Cymru ei chytundeb yn ôl oherwydd rhaniadau mewnol yn y blaid ac am na allai rheolwr busnes y blaid a'i llefarydd ar yr amgylchedd gario eu grŵp.

Rhaid imi bwysleisio—ac yr wyf yn sicr y bydd pleidiau eraill yn cytuno—fod Sue Essex a minnau wedi cydweithredu'n llawn â Phlaid Cymru er mwyn sicrhau tir cyffredin ar y cynnig i gynnig ymchwiliad a fyddai nid yn unig yn annibynnol, ond yn arloesol ac yn torri tir newydd. Byddai hefyd yn rhoi rôl ganolog i Bwyllgor yr Amgylchedd, Cynllunio a Thrafnidiaeth yn ogystal â chyfrannu at y broses llunio polisi ehangach drwy oleuo datblygiad strategaeth rheoli gwastraff y Cynulliad. Gwaetha'r modd, daliwyd y fenter arloesol hon yng ngwleidyddiaeth fewnol Plaid Cymru a'i grŵp Cynulliad.

Gobeithiaf, dros y ddau fis nesaf, tra bo Plaid Cymru yn ymrannu ynghylch pwy fydd ei harweinydd, na fydd hynny'n effeithio ar weithrediad y Cynulliad hwn. Fodd bynnag, mae arnaf ofn nad yw'r modd y trafododd fater Nant-y-gwyddon yn rhoi hyder i ni am hyn. Yr oedd cytundebau a wnaethpwyd gan ei rheolwr busnes, ei llefarydd ar yr amgylchedd a'r Aelod Cynulliad dros y Rhondda yn rhai na ellid dibynnu arnynt. Dywedaf wrth Plaid Cymru, 'Nad aberthwch weithrediad da'r Cynulliad hwn ar allor gwleidyddiaeth blaid fewnol'. Mae'r sefydliad hwn yn rhy bwysig o lawer i hynny. Dywedaf hefyd y dylai pwy bynnag sydd yn ennill y frwydr am arweinyddiaeth y blaid gael ei adael i arwain a mynd ymlaen â'r gwaith. Mae achos Mrs Thatcher yn werth ei gofio: gochelwch rhag gyrwyr sedd gefn.

The Presiding Officer: Order. The proposal before the Assembly is the adoption of the business statement.

Y Llywydd: Trefn. Y cynnig gerbron y Cynulliad yw derbyn y datganiad busnes.

Pauline Jarman: Point of order. Does Andrew Davies not recall the former First Secretary telling me in his presence that we cannot have a public inquiry? Does he not recall me in that same meeting pledging my council's commitment to put before that inquiry all those files that had not been shredded by the previous Labour administration?

Pauline Jarman: Pwynt o drefn. Onid yw Andrew Davies yn cofio'r cyn Brif Ysgrifennydd yn dweud wrthyf yn ei wŷydd ef na allwn gael ymchwiliad cyhoeddus? Onid yw'n cofio yn yr un cyfarfod imi addo ymrwymiad fy nghyngor i roi gerbron yr ymchwiliad hwnnw yr holl ffeiliau hynny na chawsant eu rhwygo gan y weinyddiaeth Lafur flaenorol?

The Presiding Officer: Order. Pauline, this is not a point of order. It is a debating point.

Y Llywydd: Trefn. Pauline, nid pwynt o drefn mo hwn. Mae'n bwynt dadlau.

Pauline Jarman: It is a point of correction.

Pauline Jarman: Mae'n bwynt o gywiriad.

The Presiding Officer: There is no such thing as a point of correction. This is not a point of order nor is it a point of correction. We now move to a vote.

Y Llywydd: Nid oes y fath beth â phwynt o gywiriad. Nid pwynt o drefn mo hwn ac nid yw'n bwynt o gywiriad ychwaith. Awn ymlaen yn awr at bleidlais.

Pauline Jarman: I declare my interest as a member of Rhondda Cynon Taff County Borough Council and its leader.

Pauline Jarman: Datganaf fuddiant fel aelod o Gyngor Bwrdeistref Sirol Rhondda Cynon Taf a'i arweinydd.

Geraint Davies: I explain that we have always wanted the best possible—

Geraint Davies: Egluraf ein bod bob amser wedi dymuno'r gorau posibl—

The Presiding Officer: Order. I cannot accept explanations at this point, only declarations of interest. We will now vote on the business statement.

Y Llywydd: Trefn. Ni allaf dderbyn esboniadau ar hyn o bryd, dim ond datganiadau o fuddiant. Pleidleisiwn yn awr ar y datganiad busnes.

Cynnig: O blaid 32, Ymatal 0, Yn erbyn 22.

Motion: For 32, Abstain 0, Against 22.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
Feld, Val
German, Michael

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bourne, Nick
Cairns, Alun
Dafis, Cynog
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Graham, William
Hancock, Brian
Jarman, Pauline
Jones, Elin
Jones, Gareth

Gibbons, Brian
 Gregory, Janice
 Gwyther, Christine
 Halford, Alison
 Hart, Edwina
 Hutt, Jane
 Jones, Ann
 Jones, Carwyn
 Law, Peter
 Lewis, Huw
 Marek, John
 Middlehurst, Tom
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Sinclair, Karen
 Thomas, Gwenda
 Williams, Kirsty

Jones, Helen Mary
 Lloyd, David
 Melding, David
 Morgan, Jonathan
 Rogers, Peter
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Phil

Motion adopted.

Derbyniwyd y cynnig.

Datganiad Busnes Tri Mis Three-Month Business Statement

The Business Secretary (Andrew Davies): I propose that

Y Trefnydd (Andrew Davies): Cynigiaf fod

the Assembly notes the proposed three-month timetable of Assembly business laid in the Table Office on 13 June 2000, under Standing Order No. 5.1.

y Cynulliad yn nodi'r amserlen arfaethedig tri mis o fusnes y Cynulliad a osodwyd yn y Swyddfa Gyflwyno ar 13 Mehefin 2000, o dan Reol Sefydlog Rhif 5.1.

It has been recommended in Business Committee that, in future, we do not refer to recess as such, but that we refer to the time outside Plenary sessions as constituency weeks.

Argymhellwyd yn y Pwyllgor Busnes na ddylem, o hyn ymlaen, gyfeirio at doriad fel y cyfryw, ond y dylem gyfeirio at yr amser y tu allan Gyfarfodydd Llawn fel wythnosau etholaeth.

Nick Bourne: Point of order. This relates to the original business statement, under Standing Order No. 5.4, which states that an agreed business statement constitutes the agreed business for the Assembly until it is revised. We have not had a revised business statement in relation to this week's business so, under Standing Orders Nos. 5.4 and 5.5, a debate on Nant-y-gwyddon is due, unless the Business Secretary presents a revised business statement.

Nick Bourne: Pwynt o drefn. Mae hyn yn ymwneud â'r datganiad busnes gwreiddiol, o dan Reol Sefydlog Rhif 5.4, sydd yn datgan bod datganiad busnes cytûn yn ffurfio'r busnes cytûn ar gyfer y Cynulliad hyd nes caiff ei ddiwygio. Ni chawsom ddatganiad busnes diwygiedig mewn perthynas â gwaith yr wythnos hon felly, o dan Reolau Sefydlog Rhifau 5.4 a 5.5, mae dadl i fod ar Nant-y-gwyddon, oni bai fod y Trefnydd yn cyflwyno datganiad busnes diwygiedig.

The Presiding Officer: I call on the Business Secretary to respond to that point of order.

Y Llywydd: Galwaf ar y Trefnydd i ymateb i'r pwynt o drefn hwnnw.

Andrew Davies: From a practical point of view, I do not think that any of the parties are

Andrew Davies: O safbwynt ymarferol, ni chredaf fod yr un o'r pleidiau'n barod am

prepared for a debate on Nant-y-gwyddon this afternoon. As I said in my response to questions raised earlier, we felt that we needed all-party support on this issue and that we were still unable to agree on the motion. I have given a commitment—it is in the interests of not only the people of the Rhondda, but the Assembly and the people of Wales—that I will table a motion at the earliest possible opportunity. I have consistently made that offer to Plaid Cymru.

Nick Bourne: Further to that point of order, the draft business statement does not note that you are revising today's business. It is a practical point, but we are in breach of Standing Orders unless you do so.

The Presiding Officer: We will now vote on the three-month business statement.

ddadl ar Nant-y-gwyddon y prynhawn yma. Fel y dywedais yn fy ymateb i gwestiynau a godwyd yn gynharach, teimlasom fod arnom angen cefnogaeth yr holl bleidiau ar y mater hwn a'n bod yn dal i fod heb allu cytuno ar y cynnig. Rhoddais ymrwymiad—mae er budd nid yn unig i bobl y Rhondda, ond i'r Cynulliad ac i bobl Cymru—y byddaf yn cyflwyno cynnig ar y cyfle cyntaf posibl. Yr wyf wedi rhoi'r cynnig hwnnw i Blaid Cymru yn gyson.

Nick Bourne: Ymhellach i'r pwynt o drefn hwnnw, nid yw'r datganiad busnes drafft yn nodi eich bod yn diwygio'r busnes ar gyfer heddiw. Mae'n bwynt ymarferol, ond yr ydym yn torri'r Rheolau Sefydlog oni wnewch hynny.

Y Llywydd: Pleidleisiwn yn awr ar y datganiad busnes tri mis.

*Cynnig: O blaid 31, Ymatal 0, Yn erbyn 20.
Motion: For 31, Abstain 0, Against 20.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
Feld, Val
German, Michael
Gibbons, Brian
Gregory, Janice
Gwyther, Christine
Halford, Alison
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sinclair, Karen
Thomas, Gwenda
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bourne, Nick
Cairns, Alun
Dafis, Cynog
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Graham, William
Hancock, Brian
Jones, Elin
Jones, Helen Mary
Lloyd, David
Melding, David
Morgan, Jonathan
Rogers, Peter
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Phil

Motion adopted.

Derbyniwyd y cynnig.

**Cymeradwyo Gorchymyn Pwnc Sylfaen (Diwygio) (Cymru) 2000
Approval of the Foundation Subject (Amendment) (Wales) Order 2000**

**Cymeradwyo Gorchymyn Addysg (Y Cwricwlwm Cenedlaethol) (Ieithoedd
Tramor Modern) (Cymru) 2000
Approval of the Education (National Curriculum) (Modern Foreign Languages)
(Wales) Order 2000**

The Secretary for Education and Children (Rosemary Butler): I propose that

Yr Ysgrifennydd Addysg a Phlant (Rosemary Butler): Cynigiau fod

the National Assembly considers the principle of the Foundation Subject (Amendment) (Wales) Order 2000 laid in the Table Office on 26 May 2000.

y Cynulliad Cenedlaethol yn ystyried egwyddor y Gorchymyn Pwnc Sylfaen (Diwygio) (Cymru) 2000 a osodwyd yn y Swyddfa Gyflwyno ar 26 Mai 2000.

I also propose that

Cynigiau hefyd fod

the National Assembly

y Cynulliad Cenedlaethol

(a) considers the report of the Legislation Committee relating to the draft Order, the Foundation Subject (Amendment) (Wales) Order 2000 laid in the Table Office on 6 June 2000;

(a) yn ystyried adroddiad y Pwyllgor Deddfau sydd yn ymwneud â'r Gorchymyn drafft, Gorchymyn Pwnc Sylfaen (Diwygio) (Cymru) 2000 a osodwyd yn y Swyddfa Gyflwyno ar 6 Mehefin 2000;

(b) approves that the Order is made in accordance with the draft laid in the Table Office on 26 May 2000.

(b) yn cymeradwyo y gwneir y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 26 Mai 2000.

I propose that

Cynigiau fod

the National Assembly considers the principle of the Education (National Curriculum) (Modern Foreign Languages) (Wales) Order 2000 laid in the Table Office on 26 May 2000.

y Cynulliad Cenedlaethol yn ystyried egwyddor y Gorchymyn Addysg (Y Cwricwlwm Cenedlaethol) (Ieithoedd Tramor Modern) (Cymru) 2000 a osodwyd yn y Swyddfa Gyflwyno ar 26 Mai 2000.

I also propose that

Cynigiau hefyd fod

the National Assembly

y Cynulliad Cenedlaethol

(a) considers the report of the Legislation Committee relating to the draft Order, the Education (National Curriculum) (Modern Foreign Languages) (Wales) Order 2000 laid in the Table Office on 6 June 2000;

(a) yn ystyried adroddiad y Pwyllgor Deddfau sydd yn ymwneud â'r Gorchymyn drafft, Gorchymyn Addysg (Y Cwricwlwm Cenedlaethol) (Ieithoedd Tramor Modern) (Cymru) 2000 a osodwyd yn y Swyddfa Gyflwyno ar 6 Mehefin 2000;

(b) approves that the Order is made in accordance with the draft laid in the Table

unol â'r drafft a osodwyd yn y Swyddfa

Office on 26 May 2000.

Gyflwyno ar 26 Mai 2000

3:20 p.m.

These motions will complete the legislative side of the national curriculum review.

Bydd y cynigion hyn yn cwblhau ochr ddeddfwriaethol yr adolygiad o'r cwricwlwm cenedlaethol.

In January, I was proud to open a debate on my proposals for the revised national curriculum for Wales. I was delighted that the proposals received such a warm reception in the Chamber and across the education community in Wales. One of the recommendations that I put forward during that debate was to increase schools' flexibility in their provision of modern foreign languages. One of the key elements in the revised programme of study for modern foreign languages was the proposal that, from September this year, there should be no specific list of languages that qualify for the purposes of modern foreign languages in the national curriculum. Schools will be required to offer at least one of the official languages of the European Union and, in addition, could offer any language for which there is a substantial demand and which the school could resource.

Yn Ionawr, yr oeddwn yn falch o agor dadl ar fy nghynigion ar gyfer y cwricwlwm cenedlaethol diwygiedig i Gymru. Yr oeddwn wrth fy modd bod y cynigion wedi derbyn croeso mor gynnes yn y Siambr ac ar draws y gymuned addysg yng Nghymru. Un o'r argymhellion a gyflwynais yn ystod y ddadl honno oedd cynyddu hyblygrwydd ysgolion yn eu darpariaeth o ieithoedd tramor modern. Un o'r elfennau allweddol yn y rhaglen astudio ddiwygiedig ar gyfer ieithoedd tramor modern oedd y cynnig na ddylid cael, o Fedi eleni, restr benodol o ieithoedd sydd yn gymwys i ddibenion ieithoedd tramor modern yn y cwricwlwm cenedlaethol. Bydd yn ofynnol i ysgolion gynnig o leiaf un o ieithoedd swyddogol yr Undeb Ewropeaidd ac, yn ychwanegol i hynny, gall gynnig unrhyw iaith y mae galw sylweddol amdani ac y gall yr ysgol ei chyflenwi.

The proposal was overwhelmingly endorsed along with the rest of the revised national curriculum for Wales. The Orders that we are considering today are technical in nature. They make the necessary changes to legislation to put the proposal that we have already agreed into effect. I am sure therefore that the Members will wish to approve the Orders. The Foundation Subject (Amendment) (Wales) Order 2000 will amend the primary legislation, section 354 of the Education Act 1996, so that modern foreign languages need no longer be specified in an Order under that section. Instead, the Order, under section 354, may provide that any modern foreign language is to constitute a modern foreign language for the purposes of the national curriculum for Wales. That will be explained later in my speech. This amendment Order also allows the provision of a mechanism for determining disputes regarding whether a particular language constitutes a modern foreign language. It also enables the

Rhodddwyd cefnogaeth lethol i'r cynnig ynghyd â gweddill y cwricwlwm cenedlaethol diwygiedig i Gymru. Mae'r Gorchmynion yr ydym yn eu hystyried heddiw yn dechnegol eu natur. Gwnânt y newidiadau angenrheidiol i'r ddeddfwriaeth er mwyn rhoi'r cynnig y cytunasom arno eisoes ar waith. Yr wyf yn sicr felly y bydd yr Aelodau'n dymuno cymeradwyo'r Gorchmynion. Bydd y Gorchmyn Pwnc Sylfaen (Diwygio) (Cymru) 2000 yn diwygio'r ddeddfwriaeth sylfaenol, adran 354 o Ddeddf Addysg 1996, fel nad oes angen bellach ddynodi ieithoedd tramor modern mewn Gorchmyn o dan yr adran honno. Yn lle hynny, caiff y Gorchmyn, o dan adran 354, ddarparu bod unrhyw iaith dramor fodern i olygu iaith dramor fodern i ddibenion y cwricwlwm cenedlaethol i Gymru. Eglurir hynny'n ddiweddarach yn fy araith. Mae'r Gorchmyn diwygio hwn hefyd yn caniatáu darparu mecanwaith er mwyn torri dadl ynghylch a yw iaith benodol yn iaith dramor fodern. Mae hefyd yn galluogi'r

Assembly to set up circumstances in which a language would not be treated as a modern foreign language. These powers are essentially a safety net and we have no particular language or circumstance in mind.

I am aware from the debate in January and discussions in the Pre-16 Education Committee that many Members share my concerns about improving the linguistic abilities of Welsh young people. As I said in January, this is a challenge that I take seriously and I am acting on a number of fronts towards that end. The Languages in Action project to which I referred in January aims to promote a foreign language capability in Wales and reverse the decline in the number of pupils opting for a modern foreign language at key stage 4. I am also pleased to announce that officials are working to prepare a national languages strategy for Wales. This will focus on encouraging the study of languages beyond the ages of 14 and 16 through improved teaching, promoting its relevance and benefits and making it more fun. This report will come to the Pre-16 Education Committee in the autumn.

These motions conclude the legislative side of the national curriculum review. I have discussed the Foundation Subject (Amendment) (Wales) Order 2000. The Education (National Curriculum) (Modern Foreign Languages) (Wales) Order 2000 specifies that, in a school at which pupils are offered the opportunity of studying at least one official language of the European Union, any other modern foreign language may be taught as part of the national curriculum for Wales. This provision will give schools the flexibility to which I referred earlier and which is an important feature of the modern foreign languages programme of study that was approved by the Assembly last term. This was welcomed by the teaching profession as part of the revision of the national curriculum and will enable schools that wish to do so to offer languages from outside the European Union alongside provision of a European language. I commend the motion to you.

Cynulliad i sefydlu amgylchiadau lle na châi iaith ei thrin fel iaith fodern dramor. Rhwyd diogelwch yw'r pwerau hyn yn y bôn ac nid oes gennym unrhyw iaith neu amgylchiad penodol mewn golwg.

Yr wyf yn ymwybodol o'r ddadl yn Ionawr a thrafodaethau yn y Pwyllgor Addysg Cyn-16 fod llawer o'r Aelodau'n rhannu fy mhryderon ynghylch gwella galluedd ieithyddol pobl ifanc Cymru. Fel y dywedais yn Ionawr, mae hon yn her a gymeraf o ddifrif ac yr wyf yn gweithredu mewn sawl cyfeiriad tuag at y nod honno. Mae'r prosiect Languages in Action y cyfeiriais ato yn Ionawr yn ceisio hybu gallu mewn ieithoedd tramor yng Nghymru a gwrthdroi'r dirywiad yn nifer y disgyblion sydd yn dewis iaith dramor fodern yng nghyfnod allweddol 4. Yr wyf hefyd yn falch o gyhoeddi bod y swyddogion yn gweithio er mwyn paratoi strategaeth ieithoedd genedlaethol i Gymru. Bydd hon yn canolbwyntio ar annog astudio ieithoedd ar ôl 14 a 16 oed drwy well dysgu, hybu ei berthnasedd a'i fanteision a'i wneud yn fwy o hwyl. Daw'r adroddiad hwn gerbron y Pwyllgor Addysg Cyn-16 yn yr hydref.

Mae'r cynigion hyn yn cwblhau ochr ddeddfwriaethol yr adolygiad o'r cwricwlwm cenedlaethol. Ymdriniais â'r Gorchymyn Pwnc Sylfaen (Diwygio) (Cymru) 2000. Mae'r Gorchymyn Addysg (Y Cwricwlwm Cenedlaethol) (Ieithoedd Tramor Modern) (Cymru) 2000 yn nodi y gellir, mewn ysgol lle y cynigir cyfle i ddisgyblion astudio o leiaf un o ieithoedd swyddogol yr Undeb Ewropeaidd, ddysgu unrhyw iaith dramor fodern arall fel rhan o'r cwricwlwm cenedlaethol i Gymru. Bydd y ddarpariaeth hon yn rhoi i ysgolion yr hyblygrwydd y cyfeiriais ato'n gynharach ac sydd yn nodwedd bwysig o'r rhaglen astudio ieithoedd tramor modern a gymeradwywyd gan y Cynulliad y tymor diwethaf. Croesawyd hyn gan athrawon fel rhan o'r adolygiad o'r cwricwlwm cenedlaethol a bydd yn galluogi ysgolion sydd yn dymuno gwneud hynny i gynnig ieithoedd o'r tu allan i'r Undeb Ewropeaidd ochr yn ochr â darparu iaith Ewropeaidd. Cymeradwyaf y cynnig i chi.

Owen John Thomas: Wrth ystyried egwyddor y Gorchymyn hwn, dylem groesawu'r hyblygrwydd a ddaw yn ei sgîl. Mae'r hyblygrwydd hwnnw yn cydnabod y sefyllfaoedd sydd gennym yng Nghymru o blant o gefndiroedd ethnig lleiafrifol a fyddai'n awyddus i ddysgu eu mamiaith yng nghyfnod allweddol 3. Hefyd, golyga y gall ysgolion ehangu eu cwricwlwm i gynnwys ieithoedd megis Siapaneg na fyddai'n cael cydnabyddiaeth fel arall.

Mae'r Pwyllgor Addysg Cyn-16 eisoes yn trafod sefyllfa druenus ieithoedd modern yn ysgolion Cymru. Mae'n amlwg fod yn rhaid gwella'r ddarpariaeth yn ein hysgolion a hefyd atal y lleihad yn y niferoedd sydd yn ymgymryd â dysgu iaith fodern yng nghyfnod allweddol 4. O leiaf mae'r Gorchymyn hwn yn agor ychydig o ddrwsau ac yn edrych yn Ewropeaidd ac yn fyd-eang cyn belled ag y mae ieithoedd yn y cwestiwn.

Mae'r ffaith fod nifer sylweddol o'n disgyblion yn gwbl ddwyieithog yn Gymraeg ac yn Saesneg yn gryfder amlwg y dylem adeiladu arno yng Nghymru. Mae'n llawer haws ymgymryd â thrydedd neu bedwaredd iaith pan fo plentyn eisoes yn gyfarwydd â dwy. Mae'r newid bach ond pwysig hwn yn y Gorchymyn a'r cwricwlwm yn profi sut y gallwn gyflawni newidiadau o bwys yn ein gwasanaeth addysg.

Mae nifer cynyddol o bobl yn y proffesiwn yn poeni bellach am y gor-ganoli sydd yn digwydd, ac mae'r cwricwlwm cenedlaethol yn enghraifft drawiadol o'r hyn sydd yn dderbyniol ac yn annerbyniol yn y gwasanaeth addysg. Ar un llaw, mae'n gwarchod buddiannau ac yn dysgu pynciau o bwys megis Saesneg, Cymraeg, mathemateg a gwyddoniaeth. Fodd bynnag, nid yw'n rhoi digon o ryddid i ysgolion ymwneud â'u prosiectau a'u blaengareddau eu hunain. Mae hyn ar brydiau yn gwneud dysgu yn anniddorol ac yn strwythurol gyfyngedig. Cwynir yn aml bod athrawon yn asesu mwy nag y maent yn dysgu. Mae ysgolion yn colli eu hunaniaeth gymunedol er holl ymdrechion clodwiw y Cwricwlwm Cymreig.

Owen John Thomas: In considering the principle of this Order, we should welcome the flexibility that comes with it. That flexibility recognises the situations that we have in Wales of children of minority ethnic backgrounds who would wish to learn their mother tongue in key stage 3. It also means that schools can expand their curriculum to include languages such as Japanese that otherwise would not be given recognition.

The Pre-16 Education Committee is already discussing the pitiful situation of modern languages in schools in Wales. It is obvious that the provision in our schools must be improved and the reduction in the numbers who opt for learning a modern language in key stage 4 halted. At least this Order opens a few doors and has a European and global outlook as far as languages are concerned.

The fact that a substantial number of our pupils are totally bilingual in Welsh and English is an obvious strength that we should build upon in Wales. It is much easier to learn a third or fourth language when a child is already familiar with two. This small but important change in the Order and in the curriculum proves how we can make important changes in our education service.

An increasing number of people in the profession are now worried about the overcentralisation that is happening, and the national curriculum is a striking example of what is acceptable and unacceptable in the education service. On the one hand, it safeguards interests and teaches subjects of importance such as English, Welsh, mathematics and science. However, it does not give schools sufficient freedom to undertake their own projects and initiatives. At times, this makes teaching uninteresting and structurally restricted. There are often complaints that teachers are assessing more than they are teaching. Schools lose their community identity despite all the praiseworthy attempts of the Curriculum Cymreig.

Nid dyma'r lle i agor dadl ar y cwricwlwm. Fodd bynnag, mae'n bwysig ein bod yn ystyried creu'r strwythur a llacio rhywfaint ar y gafael haearnaidd o'r canol ar raglenni astudiaeth ein hysgolion. Byddai ein hathrawon yn croesawu hynny. Mae'n bwysig fod athrawon yn cael pob cyfle i ddatblygu eu syniadau ac i rannu eu doniau neu eu profiad unigryw gyda'u disgyblion. Byddai hynny yn agor y drws i sefydlu gwasanaeth addysg llawer mwy goleuedig a dychmygus nag sydd gennym ar hyn o bryd. O ganlyniad, byddai dysgu yn llawer mwy diddorol a byddai hynny'n helpu gyda disgyblaeth a lleihau triwantiaeth.

Enghraifft arbennig yng Nghymru yw diffyg amser i gynnal gweithgareddau fel yr Urdd, chwaraeon a chyngherddau. Dyna pam fod y neges y tu ôl i'r Gorchymyn hwn yn un mor bwysig ac yn un y dylem ei nodi ar gyfer y dyfodol.

Jenny Randerson: What I have to say is in some ways parallel to what Owen John Thomas has just said. However, I want to take it further, because I think that Wales is in great danger of missing out. The way in which Rosemary Butler presented this was on the positive side. However, as you know, there is a strong negative side to the situation in Wales on modern foreign languages. If a person has a modern language skill at a good level, that person has an enhanced opportunity of getting other jobs. The emphasis so far in Wales has been on the creation of a bilingual Wales, with the focus directed towards increasing fluency in Welsh. Welsh should be encouraging modern foreign languages and not pushing them out. The neglect of modern foreign languages is a detrimental decision that will have serious implications for Wales's long term economic prospects. We should be aiming not for a bilingual Wales but for a trilingual Wales—or a multilingual Wales, as someone has just prompted me—a Wales that can be an economic competitor in Europe. If a second language is learnt at an early age, it enhances a person's linguistic skills and makes it easier to learn a third or fourth language.

This is not the place to open a debate on the curriculum. However, it is important that we consider creating the structure and loosening the rigid centralist grip on our schools' programmes of study. Our teachers would welcome that. It is important that teachers are given every opportunity to develop their ideas and share their talents or their unique experience with their pupils. That would open the door to establishing a much more enlightened and imaginative education service than we have at present. As a result, the learning would be far more interesting and that would help with discipline and reducing truancy.

A special example in Wales is the lack of time for activities such as the Urdd, sport and concerts. That is why the message behind this Order is such an important one and one that we should note for the future.

Jenny Randerson: Mae'r hyn sydd gennyf i'w ddweud yn gyfochrog mewn rhai ffyrdd i'r hyn y mae Owen John Thomas newydd ei ddweud. Fodd bynnag, dymunaf fynd â hyn ymhellach, oherwydd credaf fod Cymru mewn perygl mawr o fethu allan. Yr oedd gwedd gadarnhaol ar y modd y cyflwynwyd hyn gan Rosemary Butler. Fodd bynnag, fel y gwyddoch, mae gwedd negyddol gref i'r sefyllfa yng Nghymru ar ieithoedd tramor modern. Os yw rhywun yn meddu ar fedr mewn iaith fodern ar lefel dda, mae ganddo well cyfle o gael swyddi eraill. Bu'r pwyslais hyd yn hyn yng Nghymru ar greu Cymru ddwyieithog, gan ganolbwyntio ar gynyddu rhugledd yn y Gymraeg. Dylai'r Gymraeg hybu ieithoedd modern tramor ac nid eu gwthio o'r neilltu. Mae esgeuluso ieithoedd tramor modern yn benderfyniad niweidiol y bydd iddo oblygiadau difrifol i ragolygon economaidd tymor hir Cymru. Dylem anelu nid at Gymru ddwyieithog ond at Gymru deirieithog—neu Gymru amlieithog, fel y mae rhywun newydd awgrymu i mi—Cymru a all fod yn gystadleuydd economaidd yn Ewrop. Os dysgir ail iaith mewn oedran cynnar, mae'n gwella medrau ieithyddol rhywun ac yn ei gwneud yn haws dysgu trydedd neu bedwaredd iaith.

We should all take into account a couple of statistics. Between 1996 and 1999, GCSE entries for modern foreign languages dropped by 5 per cent. The drop in A Level and degrees is more significant. There was a 10 per cent drop in A Level French candidates last year alone. There was also a dramatic drop in applications for modern foreign language degree courses. In 1995-96 there were 483 students studying modern foreign language courses at Welsh higher education institutions. By 1998-99, that figure had dropped to 261. That is a reduction from 483 to 261 in less than three years.

3:30 p.m.

David Davies: I share your concern about the fall in the number of pupils taking modern foreign languages. To what do you attribute that? Do you think that it is possible, as some headteachers have suggested to me, that an insistence that all pupils, no matter what their ability, learn Welsh until the age of 14 has contributed to that? They have to take Welsh. They do not feel confident in taking modern foreign languages anyway and take Welsh at the expense of other modern foreign languages.

Jenny Randerson: It is easy to agree with that argument. However, it does not accord with the facts, David, because the drop is the same in England, where the compulsory teaching of Welsh to GCSE level is not an issue. The problem in Wales is similar to that in England.

Janet Ryder: Do you agree that the educational advantages of a child's learning Welsh from an early age and becoming truly bilingual far outweigh any of the arguments against teaching Welsh? It opens up new pathways in a child's mind and ability to cope educationally. When someone puts forward an argument that all children in Wales should not learn Welsh, we have to look out.

Jenny Randerson: I agree wholeheartedly. I did not intend to say this, but will do so in

Dylem oll roi ystyriaeth i ychydig o ystadegau. Rhwng 1996 a 1999, bu gostyngiad o 5 y cant yn nifer yr ymgeiswyr TGAU ar gyfer ieithoedd tramor modern. Mae'r gostyngiad mewn Safon Uwch a graddau'n fwy sylweddol. Bu gostyngiad o 10 y cant yn nifer yr ymgeiswyr Safon Uwch Ffrangeg y llynedd yn unig. Bu gostyngiad trawiadol hefyd yn y ceisiadau am gyrсияu gradd mewn ieithoedd tramor modern. Yn 1995-96 yr oedd 483 o fyfyrwyr yn astudio cyrsiau ieithoedd tramor modern mewn sefydliadau addysg uwch yng Nghymru. Erbyn 1998-99, yr oedd y ffigur hwnnw wedi disgyn i 261. Mae hynny'n ostyngiad o 483 i 261 o fewn llai na thair blynedd.

David Davies: Rhannaf eich pryder ynghylch y gostyngiad yn nifer y disgyblion sydd yn cymryd ieithoedd tramor modern. I ba beth y priodolwch hynny? A gredwch ei bod yn bosibl, fel y mae rhai penaethiaid ysgol wedi awgrymu i mi, fod mynnu bod yr holl ddisgyblion, beth bynnag fo'u gallu, yn dysgu'r Gymraeg hyd at 14 oed wedi cyfrannu at hynny? Rhaid iddynt gymryd y Gymraeg. Ni theimlant yn hyderus ynghylch cymryd ieithoedd modern tramor beth bynnag a chymerant y Gymraeg ar draul ieithoedd tramor modern eraill.

Jenny Randerson: Mae'n hawdd cytuno â'r ddadl honno. Fodd bynnag, nid yw'n cydfynd â'r ffeithiau, David, oherwydd yr un yw'r gostyngiad yn Lloegr, lle nad yw dysgu gorfodol o'r Gymraeg hyd at lefel TGAU yn ystyriaeth. Mae'r broblem yng Nghymru'n debyg i honno yn Lloegr.

Janet Ryder: A gytunwch fod y manteision addysgol a geir pan fo plentyn yn dysgu'r Gymraeg o oedran cynnar ac yn dod yn wirioneddol ddwyieithog yn fwy o lawer nag unrhyw un o'r dadleuon yn erbyn dysgu'r Gymraeg? Mae'n agor llwybrau newydd ym meddwl plentyn a'r gallu i ymdopi'n addysgol. Pan fo rhywun yn cyflwyno dadl na ddylai'r holl blant yng Nghymru ddysgu'r Gymraeg, rhaid inni fod yn wylidwrus.

Jenny Randerson: Cytunaf yn llwyr. Ni fwriadaswn ddweud hyn, ond gwnaf hynny

response. Last Friday I visited a Welsh-medium primary school in northern Powys. I was humbled by the linguistic ability of the five and six-year-olds with whom I sat, who, the headteacher made plain to me, did not come from Welsh-speaking homes. They swapped between Welsh and English as they talked to their teacher and to me. That shows the high level of linguistic skills that young children can gain.

We need to build on our gift of being a bilingual nation and ensure that we put down a marker now. We must look to introducing compulsory modern foreign languages, in addition to Welsh, up to GCSE level in the future. I know that schools are overstretched and that we perhaps need to slim down the national curriculum further. It was not practicable to bring in that change at this point and we will support these measures today, but we must work towards improving our linguistic skills if we are to compete economically in Europe and beyond.

Rosemary Butler: I thank Jenny for her contribution. I agree with almost everything that she said. It is important that we become not just bilingual, but trilingual or multilingual, if we are to take our true place in the world. You answered David Davies's point well. Janet also answered David's point, so I thank you both for responding to most of the debate. That is useful. However, you did not respond to Owen John, which is a shame, as I now have to do so.

I take on board much of what Owen John said. However, we had a major debate on the new national curriculum in Wales in this Chamber. It was unanimously agreed and it is much more flexible than previously. There is an evolutionary process but I do not think that it was appropriate to raise those issues during this debate this afternoon.

It is important that we ensure that our children have the opportunity to learn modern foreign languages. However, the key

mewn ymateb. Ddydd Gwener diwethaf ymwelais ag ysgol gynradd gyfrwng Cymraeg yng ngogledd Powys. Teimlwn yn wylaidd yng ngolwg gallu ieithyddol y rhai pum a chwe mlwydd oed yr oeddwn yn eistedd gyda hwy, nad oeddent, fel yr eglurodd pennaeth yr ysgol i mi, yn dod o aelwydydd Cymraeg. Troent rhwng y Gymraeg a'r Saesneg wrth iddynt siarad â'u hathro a minnau. Dengys hynny'r lefel uchel o fedrau ieithyddol y gall plant ifanc ei chyrraedd.

Mae angen inni adeiladu ar ein dawn o fod yn genedl ddwyieithog a sicrhau ein bod yn gosod nod yn awr. Rhaid inni anelu at gyflwyno ieithoedd tramor modern gorfodol, yn ogystal â'r Gymraeg, hyd at lefel TGAU yn y dyfodol. Gwn fod ysgolion wedi eu gorymestyn a bod angen efallai inni docio'r cwricwlwm cenedlaethol ymhellach. Nid oedd yn ymarferol cyflwyno'r newid hwnnw ar yr adeg hon a byddwn yn cefnogi'r mesurau hyn heddiw, ond rhaid inni ymdrechu i wella ein medrau ieithyddol os ydym i gystadlu'n economaidd yn Ewrop a thu hwnt.

Rosemary Butler: Diolchaf i Jenny am ei chyfraniad. Cytunaf â bron popeth a ddywedodd. Mae'n bwysig inni ddod nid yn unig yn ddwyieithog, ond yn deirieithog neu'n amlieithog, os ydym i gymryd ein gwir le yn y byd. Atebasoch bwynt David Davies yn dda. Atebodd Janet bwynt David hefyd, felly diolchaf i'r ddwy ohonoch am ymateb i'r rhan fwyaf o'r ddadl. Mae hynny'n ddefnyddiol. Fodd bynnag, nid ymatebasoch i Owen John, sydd yn drueni, gan fod rhaid i mi wneud hynny'n awr.

Derbyniaf lawer o'r hyn a ddywedodd Owen John. Fodd bynnag, cawsom ddadl bwysig ar y cwricwlwm cenedlaethol newydd yng Nghymru yn y Siambr hon. Cytunwyd arno'n unfrydol ac mae'n llawer mwy hyblyg nag o'r blaen. Mae proses esblygiadol ond ni chredaf ei bod yn briodol codi'r materion hynny yn ystod y ddadl hon y prynhawn yma.

Mae'n bwysig inni sicrhau bod ein plant yn cael cyfle i ddysgu ieithoedd tramor modern. Fodd bynnag, yr allwedd i lwyddiant wrth

to success in increasing the take-up of modern foreign languages is effective teaching by committed teachers. That is why we are introducing a training grant of £6,000 to be paid to students who undertake postgraduate initial teacher training at secondary level in modern foreign languages. We are also offering a subsequent additional grant of £4,000 to trainees who successfully complete their first year of teaching and continue to teach in those subjects. That makes a total of £10,000 and will be introduced from September 2000. As I said earlier in the year, this is the way forward. The Pre-16 Education Committee has set modern foreign languages as one of the major items for it to debate and investigate in the autumn. This allows us to implement the curriculum that was agreed by this Assembly, and I hope the Assembly will vote for the motion.

Y Llywydd: Galwaf am bleidlais ar egwyddor Gorchymyn Pwnc Sylfaen (Diwygio) (Cymru) 2000.

gynyddu'r derbyniad o ieithoedd tramor modern yw dysgu effeithiol gan athrawon ymroddedig. Dyna pam yr ydym yn cyflwyno grant hyfforddi o £6,000 i'w dalu i fyfyrwyr sydd yn ymgymryd â hyfforddiant athrawon dechreuol ôl-raddedig ar lefel uwchradd mewn ieithoedd tramor modern. Yr ydym hefyd yn cynnig grant ychwanegol dilynol o £4,000 i rai dan hyfforddiant sydd yn cwblhau eu blwyddyn gyntaf o ddysgu'n llwyddiannus ac yn parhau i ddysgu'r pynciau hynny. Daw hynny i gyfanswm o £10,000 ac fe'i cyflwynir o Fedi 2000. Fel y dywedais yn gynharach yn y flwyddyn, dyma'r ffordd ymlaen. Mae'r Pwyllgor Addysg Cyn-16 wedi gosod ieithoedd tramor modern yn un o'r prif eitemau iddo'i thrafod ac ymchwilio iddi yn yr hydref. Mae hyn yn caniatáu inni roi ar waith y cwricwlwm a gytunwyd gan y Cynulliad hwn, a gobeithiaf y bydd y Cynulliad yn pleidleisio o blaid y cynnig.

The Presiding Officer: I call for a vote on the principle of the Foundation Subject (Amendment) (Wales) Order 2000.

*Cynnig: O blaid 48, Ymatal 0, Yn erbyn 0.
Motion: For 48, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
Feld, Val
German, Michael
Gibbons, Brian
Graham, William
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine

Hutt, Jane
Jones, Carwyn
Jones, Helen Mary
Law, Peter
Lloyd, David
Marek, John
Melding, David
Middlehurst, Tom
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Derbyniwyd y cynnig.

Motion adopted.

Y Llywydd: Galwaf am bleidlais ar gymeradwyo'r Gorchymyn. **The Presiding Officer:** I call for a vote on approving the Order.

Cynnig: O blaid 49, Ymatal 0, Yn erbyn 0.

Motion: For 49, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
Feld, Val
German, Michael
Gibbons, Brian
Graham, William
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jones, Carwyn

Jones, Helen Mary
Law, Peter
Lloyd, David
Marek, John
Melding, David
Middlehurst, Tom
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Derbyniwyd y cynnig.

Motion adopted.

Y Llywydd: Galwaf am bleidlais ar egwyddor Gorchymyn Addysg (Y Cwricwlwm Cenedlaethol) (Ieithoedd Tramor Modern) (Cymru) 2000.

The Presiding Officer: I call for a vote on the principle of the Education (National Curriculum) (Modern Foreign Languages) (Wales) Order 2000.

Cynnig: O blaid 49, Ymatal 0, Yn erbyn 0.

Motion: For 49, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
Feld, Val
German, Michael
Gibbons, Brian
Graham, William
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jones, Carwyn

Jones, Helen Mary
Law, Peter
Lloyd, David
Marek, John
Melding, David
Middlehurst, Tom
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Derbyniwyd y cynnig.

Motion adopted.

Y Llywydd: Galwaf am bleidlais ar gymeradwyo'r Gorchymyn.

The Presiding Officer: I call for a vote on approving the Order.

Cynnig: O blaid 47, Ymatal 0, Yn erbyn 0.

Motion: For 47, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian
Graham, William
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jones, Carwyn
Jones, Helen Mary
Law, Peter
Lloyd, David
Marek, John
Melding, David

Middlehurst, Tom
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Rogers, Peter
 Ryder, Janet
 Sinclair, Karen
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Kirsty
 Williams, Phil

Derbyniwyd y cynnig.

Motion adopted.

Gorchymyn Cynllun Marchnata Gwlân Prydain (Diwygio) 2000 The British Wool Marketing Scheme (Amendment) Order 2000

The Presiding Officer: I have selected amendment 1 in the name of Andrew Davies.

Y Llywydd: Yr wyf wedi dethol gwelliant 1 yn enw Andrew Davies.

The Secretary for Agriculture and Rural Development (Christine Gwyther): I propose that

Yr Ysgrifennydd Amaethyddiaeth a Datblygu Gwledig (Christine Gwyther): Cynigiau fod

the National Assembly considers the principle of the British Wool Marketing Scheme (Amendment) (Wales) Order 2000 laid in the Table Office on 26 May 2000.

y Cynulliad Cenedlaethol yn ystyried egwyddor Gorchymyn Cynllun Marchnata Gwlân Prydain (Diwygio) (Cymru) 2000 a osodwyd yn y Swyddfa Gyflwyno ar 26 Mai 2000.

I also propose that

Cynigiau hefyd fod

the National Assembly

y Cynulliad Cenedlaethol

(a) considers the report of the Legislation Committee relating to the draft Order, the British Wool Marketing Scheme (Amendment) Order 2000 laid in the Table Office on 6 June 2000;

(a) yn ystyried adroddiad y Pwyllgor Deddfau sydd yn ymwneud â'r Gorchymyn Drafft, Gorchymyn Cynllun Marchnata Gwlân Prydain (Diwygio) 2000 a osodwyd yn y Swyddfa Gyflwyno ar 6 Mehefin 2000;

(b) approves that the Order is made in accordance with the draft laid in the Table Office on 26 May 2000.

(b) yn cymeradwyo y gwneir y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 26 Mai 2000.

I also propose amendment 1 in the name of Andrew Davies. In paragraph (a), replace '6 June 2000' with '14 June 2000'.

Cynigiau hefyd welliant 1 yn enw Andrew Davies. Ym mharagraff (a), rhoi '14 Mehefin 2000' yn lle '6 Mehefin 2000'.

This Order amends the British Wool Marketing Board statutory scheme, with a view to modernising its boards and committees structures. The British Wool

Mae'r Gorchymyn hwn yn diwygio cynllun statudol Bwrdd Marchnata Gwlân Prydain, gyda golwg ar foderneiddio strwythurau ei fyrddau a'i bwyllgorau. Sefydlwyd Bwrdd

Marketing Board was established in 1950. Originally, its main purpose was to regulate wool prices to provide a guaranteed price to producers. That ended when the guarantee was abolished in 1993. However, it still has statutory powers and obligations to collect fleece wool from almost all UK producers, to grade it, and to prepare it for sale at public auction.

As part of the five-yearly policy reviews of public bodies, a review of the wool board was carried out in 1996. Its main purpose was to look at how UK wool should be marketed now and in the future: that is, whether the board's statutory monopoly should be retained. The review concluded that the case for change was not sufficiently strong to justify ignoring the overwhelming support from the industry for keeping the statutory monopoly. However, the review recommended that the board should rationalise some aspects of its structure and membership, including modifications to the membership of its regional committees and the desirability of limited terms of appointment and an upper age limit.

3:40 p.m.

The amending Order that I am proposing is designed to implement some of these recommendations. The main changes involve a reduction in the size of the board from 16 members to 11 with effect from 1 July 2000; consequent reduction in the number of board members from three to two; a reduction in the number of regional committee members overall from 110 to 79 although this will not affect the Wales regional committee; the introduction of a maximum age limit of 65 for Board and committee members; and changing the current voting method to weight of wool produced rather than the number of sheep registered to the producer.

I emphasise that these are mainly technical amendments to the wool marketing scheme. They do not impose any additional regulatory burden on producers, suppliers or manufacturers of wool. When the board consulted their members about the proposed changes, only one out of about 90,000 UK

Marchnata Gwlân Prydain yn 1950. Yn wreiddiol, ei brif bwrpas oedd rheoleiddio prisiau gwlan er mwyn darparu pris gwarantedig i gynhyrchwyr. Daeth hynny i ben pan ddiddymwyd y gwarant yn 1993. Fodd bynnag, mae iddo bwerau a rhwymedigaethau statudol o hyd i gasglu gwlan cnuoedd oddi wrth bron pob cynhyrhydd yn y DU, ei raddio, a'i baratoi i'w werthu mewn arwerthiannau cyhoeddus.

Fel rhan o'r adolygiadau polisi o gyrrff cyhoeddus bob pum mlynedd, ymgwymerwyd ag adolygiad o'r bwrdd gwlan yn 1996. Ei brif bwrpas oedd ystyried sut y dylid marchnata gwlan o'r DU yn awr ac yn y dyfodol: hynny yw, a ddylid cadw monopoli statudol y bwrdd. Casgliad yr adolygiad oedd nad oedd yr achos dros newid yn ddigon cryf i gyfiawnhau anwybyddu'r gefnogaeth lethol gan y diwydiant i gadw'r monopoli statudol. Fodd bynnag, argymhellodd yr adolygiad y dylai'r bwrdd resymoli rhai agweddau ar ei strwythur a'i aelodaeth, gan gynnwys newidiadau i aelodaeth ei bwyllgorau rhanbarthol a'r dymunoldeb o gael telerau penodi cyfyngedig a therfyn oed uchaf.

Pwrpas y Gorchymyn diwygio a gynigaf yw gweithredu rhai o'r argymhellion hyn. Mae'r prif newidiadau'n golygu lleihau maint y bwrdd o 16 aelod i 11 yn weithredol o 1 Gorffennaf 2000; gostyngiad canlyniadol yn nifer aelodau'r bwrdd o dri i ddau; gostyngiad yn nifer aelodau'r pwyllgorau rhanbarthol at ei gilydd o 110 i 79 er na fydd hyn yn effeithio ar bwyllgor rhanbarthol Cymru; cyflwyno terfyn oed uchaf o 65 ar gyfer aelodau'r bwrdd a'r pwyllgorau; a newid y dull pleidleisio presennol yn ôl pwysau'r gwlan a gynhyrchir yn hytrach na nifer y defaid a gofrestrwyd i'r cynhyrhydd.

Pwysleisiaf mai diwygiadau technegol gan fwyaf yw'r rhain i'r cynllun marchnata gwlan. Nid ydynt yn gosod unrhyw faich rheoleiddiol ychwanegol ar gynhyrchwyr, cyflenwyr neu weithgynhyrchwyr gwlan. Pan ymgynghorodd y bwrdd â'i aelodau ynghylch y newidiadau arfaethedig, dim ond un o blith

producers responded. These proposals have also been the subject of a public notice by the National Assembly and the other UK agriculture departments inviting representations. No objections were received to the public notice.

Wool is important as a source of additional income to the many thousands of Welsh sheep producers. It is estimated that the value of the wool clip in Wales is nearly £8 million a year. It is a significant amount and represents just over 3 per cent of the total income of sheep farmers. A slim and efficient marketing body is vital to the future prosperity of the wool industry. The sector has suffered like the rest with depressed prices in recent years. However, recently prices have slowly begun to improve and the board seems confident about achieving better prices over the coming months

As I said, it is 50 years since the board was created. In the new century, the board needs to respond rapidly and flexibly to the changing commercial pressures on it. The proposed changes are designed to do that and will ensure a welcome degree of rationalisation and modernisation to the board's structure. Therefore, I hope that you will support the proposed legislation.

Rhodri Glyn Thomas: Yr ydym wedi aros am y Gorchymyn hwn ers peth amser. Yr oedd disgwyl y byddai wedi ei basio ym mis Ebrill. Byddai hynny wedi caniatáu i Fwrdd Marchnata Gwlân Prydain i symud ymlaen â'r etholiadau pwysig hyn er mwyn rhesymoli ei weithgareddau. Yn anffodus, o ganlyniad i gamgymeriad a'r ffaith nad oedd hysbyseb wedi ei gosod, nid oedd modd symud ymlaen â'r etholiadau hynny fel y bwriadwyd ym mis Ebrill. Yr ydym yn gorfod rhuthro'r rhybudd hwn drwodd er mwyn caniatáu i'r bwrdd symud ymlaen i gynnal ei etholiadau.

Yr ydym wedi cyrraedd sefyllfa lle y gallai'r bwriad i resymoli fod wedi ei beryglu. Mae

tua 90,000 o gynhyrchwyr yn y DU a ymatebodd. Bu'r cynigion hyn yn destun hefyd i rybudd cyhoeddus gan y Cynulliad Cenedlaethol ac adrannau amaethyddiaeth eraill y DU a oedd yn gwahodd sylwadau. Ni dderbyniwyd gwrthwynebiadau i'r rhybudd cyhoeddus.

Mae gwlân yn bwysig fel ffynhonnell incwm ychwanegol i'r miloedd lawer o gynhyrchwyr defaid yng Nghymru. Amcangyfrifir bod gwerth y gwlân a gneifir yng Nghymru yn agos i £8 miliwn y flwyddyn. Mae'n swm sylweddol ac mae'n cynrychioli ychydig dros 3 y cant o gyfanswm incwm ffermwyr defaid. Mae corff marchnata main ac effeithlon yn holl bwysig i ffyniant y diwydiant gwlân yn y dyfodol. Mae'r sector wedi dioddef gyda'r gweddill gan brisiau is yn ystod blyneddoddi diweddar. Fodd bynnag, yn ddiweddar mae prisiau wedi dechrau gwella'n araf ac mae'r bwrdd yn ymddangos yn ffyddiog ynghylch sicrhau gwell prisiau dros y misoedd sydd i ddod.

Fel y dywedais, mae 50 mlynedd ers creu'r bwrdd. Yn y ganrif newydd, mae angen i'r bwrdd ymateb yn gyflym ac yn hyblyg i'r pwysau masnachol newidiol sydd arno. Dyfeisiwyd y newidiadau arfaethedig i wneud hynny a byddant yn sicrhau graddau derbyniol o resymoli a moderneiddio yn strwythur y bwrdd. Felly, gobeithiaf y byddwch yn cefnogi'r ddeddfwriaeth a gynigir.

Rhodri Glyn Thomas: We have awaited this Order for some time. There was an expectation that it would have been passed in April. That would have allowed the British Wool Marketing Board to proceed with these important elections in order to rationalise its activities. Unfortunately, as a result of error and the fact that an advert was not placed, it was impossible to proceed with those elections as intended in April. We are forced to rush this notice through to enable the board to proceed to hold its elections.

We have reached a situation where the intention to rationalise could have been in

nifer o aelodau'r bwrdd bellach wedi cyrraedd diwedd eu tymor ar y bwrdd. Os na chynhelir yr etholiadau hyn yn fuan bydd y bwrdd mewn sefyllfa anodd ag aelodau wedi dod i ddiwedd eu tymor a dim modd i ethol aelodau newydd. Felly, dylem dalu sylw i'r camgymeriad hwn. Nid y Cynulliad Cenedlaethol sydd yn gyfrifol am y camgymeriad hwn.

Mae'n rhaid gosod hysbysiad o fwriad fel hyn mewn tri phapur newydd: yn *The Edinburgh Gazette* ar gyfer yr Alban ac yn *The Belfast Telegraph* ar gyfer Gogledd Iwerddon. Fodd bynnag, ar gyfer Cymru a Lloegr, mae'n rhaid iddo ymddangos yn *The London Gazette*. Nid wyf yn siŵr faint o ffermwyr Cymru sydd yn darllen *The London Gazette*. Felly, nid yw'n syndod nad oedd ymateb i'r hysbysiad. Dylai'r Cynulliad ystyried ar fyrder i'r hysbysiadau hyn ymddangos mewn papur yng Nghymru. Byddai rhywun yn disgwyl y byddai'n ddigon rhwydd i'r Cabinet Llafur yn y Cynulliad drefnu ei fod yn ymddangos yn y *Welsh Mirror*, gan mai dyna yw eu papur swyddogol hwy.

O ganlyniad i'r sefyllfa sydd wedi datblygu a'r angen i sicrhau bod y Gorchymyn hwn yn cael ei basio heddiw, ni fyddwn, fel grŵp, yn ei wrthwynebu er ein bod yn bryderus ynglŷn â gwelliant 8, sydd yn gofyn am ychwanegu paragraff 37A ar ôl paragraff 37. Cyfeiriodd Christine at hyn, sef y bwriad i atal pobl sydd dros 65 oed rhag bod â'r hawl i gael eu hethol i'r bwrdd ac os yw aelod o'r bwrdd yn cyrraedd oedran o 65, mae'n rhaid iddo ei adael ar ddiwedd ei dymor. Gwahaniaethu ar sail oedran yw hyn, mewn diwydiant lle mae 58 yw cyfartaledd oedran ffermwyr. Yn y sector defaid, mae'r cyfartaledd oedran yn hŷn na hynny, mae'n siŵr. Yr ydym yn gwahardd pobl sydd ag oes o brofiad yn y diwydiant hwn rhag cyfrannu'n greadigol tuag at farchnata eu cynnyrch eu hunain. Yr ydym fel grŵp yn gwrthwynebu'r gwahaniaethu ar sail oedran. Pe na bai'r argyfwng sydd yn wynebu'r bwrdd o ganlyniad i'r methiant i hysbysebu'r newidiadau hyn yn *The Belfast Telegraph* wedi codi, byddem yn gwrthwynebu ar y pwynt hwn. Fodd bynnag, ildiw'n er mwyn

danger. Many of the board's members have now reached the end of their term on the board. If these elections are not held soon the board will be in a difficult situation with members having come to the end of their term and no way of electing new members. Therefore, we should pay attention to this mistake. The National Assembly is not responsible for this error

A notice of such an intention must be placed in three newspapers: in *The Edinburgh Gazette* for Scotland and in *The Belfast Telegraph* for Northern Ireland. However, for England and Wales, it must appear in *The London Gazette*. I am not sure how many Welsh farmers read *The London Gazette*. Therefore, it is no surprise that there was no response to the notice. The Assembly should consider urgently that these notices should appear in a paper in Wales. One would expect that it would be easy enough for the Labour Cabinet in the Assembly to organise that it should appear in the *Welsh Mirror*, as that is their official paper.

Due to the situation that has developed and the need to ensure that this Order is passed today we, as a group, will not object to it although we are concerned about amendment 8, which calls for paragraph 37A to be inserted after paragraph 37. Christine referred to this, namely the intention to stop people over the age of 65 from being entitled to be elected to the board and if a member of the board reaches the age of 65, they have to leave it at the end of their tenure. This is age discrimination, in an industry where the average age of farmers is 58. In the sheep sector, the average age is probably older than that. We are prohibiting people who have a lifetime's experience in this industry from contributing creatively to the marketing of their own product. As a group we object to this ageism. If it were not for the crisis that is facing the board as a result of the failure to advertise these changes in *The Belfast Telegraph*, we would object on this point. However, we will yield in order to ensure that this Order is passed. We support it but express concern about this amendment.

sicrhau bod y Gorchymyn yn cael ei basio. Fe'i cefnogwn gan fynegi pryder am y gwelliant hwn.

Peter Rogers: The Welsh Conservative group approves this Order. I take this opportunity to praise the British Wool Marketing Board and its Chairman, Mr Alun Evans, for sterling work during difficult times in the wool industry, particularly in north Wales. A company which has been in charge of the collection, marketing and grading of wool for the last 50 years went out of business at the beginning of the year and the British Wool Marketing Board stepped in and safeguarded all those jobs. It is now going to look for a central depot to ensure that our area is serviced. That is a big thing. Some of the initiatives that the British Wool Marketing Board has taken on should also be praised, particularly the training of shearers, which it has undertaken in a big way this year. The weekend course in Ynys Môn that it ran was oversubscribed. The board gives a lead to farmers. It is a credit that so many young farmers took up this opportunity across Wales. We agree with this Order.

William Graham: I declare an interest as a producer of wool.

Mick Bates: I declare an interest as a farmer and a producer of wool. The Liberal Democrats accept this Order and the amendment but we would like a couple of clarifications. In paragraph 6, we are slightly concerned that the word 'Minister' is used. Is that acceptable when you are named the Secretary for Agriculture and Rural Development? Could you clarify that this is therefore legal? I would like to support my colleagues, particularly Peter, in paying tribute to the British Wool Marketing Board, which has been in existence for 50 years, for its sterling work. I wish to correct you. The returns from wool have declined to such an extent that the return on the wool clip does not pay for the shearing of the sheep. It is important that the Secretary for Agriculture and Rural Development understands that.

However, I refer to the remarks of the Chair

Peter Rogers: Mae'r grŵp Ceidwadol Cymreig yn cymeradwyo'r Gorchymyn hwn. Achubaf ar y cyfle hwn i ganmol Bwrdd Marchnata Gwlân Prydain a'i gadeirydd, Mr Alun Evans, am waith penigamp yn ystod cyfnod anodd yn y diwydiant gwlân, yn enwedig yng ngogledd Cymru. Ddechrau'r flwyddyn, methodd cwmni a fu'n gyfrifol am gasglu, marchnata a graddio gwlân ers 50 mlynedd a daeth Bwrdd Marchnata Gwlân Prydain i'r adwy a diogelu'r holl swyddi hynny. Yn awr mae'n bwriadu chwilio am storfa ganolog i sicrhau y caiff ein hardal ei gwasanaethu. Mae hynny'n beth pwysig. Dylid hefyd ganmol rhai o'r mentrau yr ymgwymerodd Bwrdd Marchnata Gwlân Prydain â hwy, yn enwedig hyfforddi cneifwyr, a gyflawnodd yn helaeth eleni. Gordanysgriwiwyd i'r cwrs penwythnos a gynhaliodd yn Ynys Môn. Mae'r bwrdd yn rhoi arweiniad i ffermwyr. Mae'n glod iddo fod cynifer o ffermwyr ifanc wedi manteisio ar y cyfle hwn ledled Cymru. Cytunwn â'r Gorchymyn hwn.

William Graham: Datganaf fuddiant fel cynhyrhydd gwlân.

Mick Bates: Datganaf fuddiant fel ffermwr a chynhyrhydd gwlân. Mae'r Democratiaid Rhyddfrydol yn derbyn y Gorchymyn hwn a'r gwelliant ond hoffem gael ychydig o esboniadau. Ym mharagraff 6, yr ydym braidd yn bryderus bod y gair 'Gweinidog' wedi ei ddefnyddio. A yw hynny'n dderbyniol pan y'ch gelwir yn Ysgrifennydd Amaethyddiaeth a Datblygu Gwledig? A allech egluro bod hyn felly'n gyfreithlon? Hoffwn ategu fy nghyd-Aelodau, yn enwedig Peter, wrth dalu teyrnged i Fwrdd Marchnata Gwlân Prydain, sydd yn bod ers 50 mlynedd, am ei waith penigamp. Dymunaf eich cywiro. Mae'r derbyniadau am wllân wedi disgyn i'r fath raddau fel nad yw'r elw ar y gwlân a gneifir yn talu am gneifio'r defaid. Mae'n bwysig i'r Ysgrifennydd Amaethyddiaeth a Datblygu Gwledig ddeall hynny.

Fodd bynnag, cyfeiriaf at sylwadau

of the Agriculture and Rural Development Committee about where these changes are advertised. If you recall, Christine, I wrote to you on 9 May with my concern that due to an 'oversight', as you put in your reply to my letter, elections to the British wool board could not be held in north Wales. I would like to know which department, according to you, overlooked placing these adverts in these newspapers and what action you have taken in order to ensure that the advert is placed in a more accessible paper to Welsh farmers?

3:50 p.m.

Christine Gwyther: I start with Rhodri Glyn's comments. I was glad that you made it clear—although Mick appears not to have caught your drift—that the oversight occurred in Northern Ireland, not in Wales. When some people read that there was an oversight that was concerned with devolution, they assumed that it concerned Wales. It did not. It concerned Northern Ireland. Since then, the Northern Ireland Assembly has been recalled. I was delighted to find, at my last meeting with its Minister of Agriculture and Rural Development, Brid Rodgers, that Northern Ireland will be a great ally for Wales in our negotiations with the rest of the UK. I am also pleased to say that Brid is not one of those revolving door Ministers. The agriculture and rural development post in Northern Ireland will be secure and will have a continuity, which we all want to see.

On advertising in the *Welsh Mirror*, Rhodri Glyn and I should get Paul Starling to do a major piece on the wool marketing board. We could possibly get that through with Rhodri's help. Stopping people aged over 65 applying to be members of the board is a delicate and emotive issue. The industry asked us to try to inject some new blood into the board and it was felt that that was probably the best way to do it. As we go through our various appointment procedures, this question may come up again. It is not without precedent. It is a sensitive issue but, on this occasion, it was the right decision to

Cadeirydd y Pwyllgor Amaethyddiaeth a Datblygu Gwledig ynghylch y manau lle yr hysbysebir y newidiadau hyn. Os cofiwch, Christine, ysgrifennais atoch ar 9 Mai am fy mhryder bod 'amryfusedd', fel y'i disgrifiasoch yn eich ateb i'm llythyr, wedi peri na ellid cynnal etholiadau i fwrdd gwlan Prydain yng ngogledd Cymru. Hoffwn wybod pa adran, yn ôl yr hyn a ddywedwch, a anghofiodd roi'r hysbysebion hyn yn y papurau newydd hyn a pha gamau a gymerasoch er mwyn sicrhau y caiff yr hysbyseb ei gosod mewn papur sydd ar gael yn rhwyddach i ffermwyr yng Nghymru?

Christine Gwyther: Dechreuaf â sylwadau Rhodri Glyn. Yr oedd yn dda gennyf eich bod wedi rhoi ar ddeall—er nad yw'n ymddangos bod Mick wedi dilyn yr hyn oedd gennych—fod yr amryfusedd wedi digwydd yng Ngogledd Iwerddon, nid yng Nghymru. Pan ddarllenodd rhai fod amryfusedd a oedd yn gysylltiedig â datganoli, cymerasant ei fod yn ymwneud â Chymru. Nid ydoedd. Yr oedd yn ymwneud â Gogledd Iwerddon. Ers hynny, ailalwyd Cynulliad Gogledd Iwerddon. Yr oeddwn yn falch iawn o ddarganfod, yn fy nghyfarfod diwethaf â'i Weinidog Amaethyddiaeth a Datblygu Gwledig, Brid Rodgers, y bydd Gogledd Iwerddon yn gynghreiriad gwych i Gymru yn ein negodiadau gyda gweddill y DU. Yr wyf hefyd yn falch o ddweud nad yw Brid yn un o'r Gweinidogion drws troi hynny. Bydd y swydd amaethyddiaeth a datblygu gwledig yng Ngogledd Iwerddon yn ddiogel a bydd dilyniant ynddi, y dymunwn oll ei weld.

Ynghylch hysbysebu yn y *Welsh Mirror*, dylai Rhodri Glyn a minnau berswadio Paul Starling i wneud eitem fawr ar y bwrdd marchnata gwlan. Efallai y gallem gael hynny gyda chymorth Rhodri. Mae atal rhai dros 65 oed rhag ymgeisio i fod yn aelodau o'r bwrdd yn fater tringar ac emosiynol. Gofynnodd y diwydiant inni geisio chwistrellu ychydig o waed newydd i'r bwrdd a theimlwyd mai hynny oedd y ffordd orau i wneud hynny, yn ôl pob tebyg. Wrth inni fynd drwy ein gwahanol weithdrefnau penodi, gallai'r cwestiwn hwn godi eto. Nid yw heb gynsail. Mae'n fater sensitif ond, y

make.

tro hwn, dyma oedd y penderfyniad iawn I'w wneud.

Jocelyn Davies: On the point of ageism, there are one or two Members here who might face that in the next Assembly elections. Your leader, for example, will be in his sixty-fourth year.

Jocelyn Davies: Ar bwynt gwahaniaethu ar sail oed, mae un neu ddau Aelod yma a allai wynebu hynny yn etholiadau nesaf y Cynulliad. Bydd eich arweinydd, er enghraifft, yn ei bedwaredd flwyddyn a thrigain.

Christine Gwyther: Yes, but Rhodri will not be 65, unless he is lying about his age.

Christine Gwyther: Bydd, ond ni fydd Rhodri yn 65, oni bai ei fod yn dweud celwydd am ei oed.

I concur with Peter's point about the wool marketing board and its good work. On a general note on the uses and properties of wool, an awful lot can be done with it. I was interested in Phil Williams's earlier comments about research and development. There is a project with which one of the LEADER groups, Cymad, is involved, to use wool as an insulation material. If there was ever a story of bringing town and country together, that is it. Much lateral thinking and good work is going on in the wool industry.

Cytunaf â phwynt Peter am y bwrdd marchnata gwlan a'i waith da. Ar nodyn cyffredinol ynghylch defnyddiau a phriodweddau gwlan, gellir gwneud llawer iawn ag ef. Ymddiddorais yn sylwadau cynharach Phil Williams am ymchwil a datblygu. Mae prosiect y mae un o'r grwpiau LEADER, Cymad, yn gysylltiedig ag ef, i ddefnyddio gwlan fel deunydd inswleiddio. Os bu erioed stori am ddod â gwlad a thref at ei gilydd, dyna hi. Mae llawer o feddwl ochrol a gwaith da yn mynd ymlaen yn y diwydiant gwlan.

Peter Rogers: I declare an interest as a sheep farmer and a wool producer.

Peter Rogers: Datganaf fuddiant fel ffermwr defaid a chynhyrhydd gwlan.

Y Llywydd: Galwaf am bleidlais ar egwyddor y Gorchymyn.

The Presiding Officer: I call for a vote on the principle of the Order.

Cynnig: O blaid 42, Ymatal 0, Yn erbyn 0.

Motion: For 42, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, David
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Graham, William
Gregory, Janice

Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jarman, Pauline
Jones, Carwyn
Jones, Elin
Law, Peter
Lloyd, David
Marek, John
Melding, David
Middlehurst, Tom
Morgan, Rhodri
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Derbyniwyd y cynnig.

Motion adopted.

Y Llywydd: Galwaf am bleidlais ar welliant
1.

The Presiding Officer: I call for a vote on
amendment 1.

*Gwelliant 1: O blaid 42, Ymatal 0, Yn erbyn 0.
Amendment 1: For 42, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, David
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Graham, William
Gregory, Janice
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jarman, Pauline
Jones, Carwyn
Jones, Elin
Law, Peter

Lloyd, David
 Marek, John
 Melding, David
 Middlehurst, Tom
 Morgan, Rhodri
 Randerson, Jenny
 Rogers, Peter
 Ryder, Janet
 Sinclair, Karen
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Kirsty
 Williams, Phil

Derbyniwyd y gwelliant.

Amendment adopted.

Y Llywydd: Galwaf am bleidlais ar y cynnig wedi'i ddiwygio i gymeradwyo'r Gorchymyn Cynllun Marchnata Gwlân Prydain (Diwygio) 2000.

The Presiding Officer: I call for a vote on the amended motion to approve the British Wool Marketing Scheme (Amendment) Order 2000.

Cynnig wedi'i ddiwygio:

Amended motion:

Mae'r Cynulliad Cenedlaethol

The National Assembly

(a) yn ystyried adroddiad y Pwyllgor Deddfau sydd yn ymwneud â'r Gorchymyn Drafft, Gorchymyn Cynllun Marchnata Gwlân Prydain (Diwygio) 2000 a osodwyd yn y Swyddfa Gyflwyno ar 6 Mehefin 2000;

(a) considers the report of the Legislation Committee relating to the draft Order, the British Wool Marketing Scheme (Amendment) Order 2000 laid in the Table Office on 6 June 2000;

(b) yn cymeradwyo y gwneir y Gorchymyn yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 26 Mai 2000.

(b) approves that the Order is made in accordance with the draft laid in the Table Office on 26 May 2000.

*Cynnig wedi'i Ddiwygio: O blaid 46, Ymatal 0, Yn erbyn 0.
 Amended Motion: For 46, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
 The following Members voted for:

Barrett, Lorraine
 Bates, Mick
 Black, Peter
 Bourne, Nick
 Butler, Rosemary
 Cairns, Alun
 Chapman, Christine
 Dafis, Cynog
 Davidson, Jane
 Davies, David
 Davies, Geraint
 Davies, Janet
 Davies, Jocelyn
 Davies, Ron
 Edwards, Richard
 Essex, Sue
 Evans, Delyth
 Feld, Val

German, Michael
 Gibbons, Brian
 Graham, William
 Gregory, Janice
 Gwyther, Christine
 Hancock, Brian
 Hart, Edwina
 Humphreys, Christine
 Hutt, Jane
 Jarman, Pauline
 Jones, Ann
 Jones, Carwyn
 Jones, Helen Mary
 Law, Peter
 Lloyd, David
 Marek, John
 Melding, David
 Middlehurst, Tom
 Morgan, Rhodri
 Pugh, Alun
 Randerson, Jenny
 Rogers, Peter
 Ryder, Janet
 Sinclair, Karen
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Kirsty

Derbyniwyd y cynnig wedi'i ddiwygio.

Amended motion adopted.

Cymeradwyo Rheoliadau Anifeiliaid a Chynhyrchion Anifeiliaid (Mewnforio ac Allforio) (Lloegr a Chymru) 2000 (Rhan 2 y Gorchymyn yn dibynnu ar Gymeradwyaeth Seneddol)

Approval of the Animal and Animal Products (Import and Export) (England and Wales) Regulations 2000 (Part 2 Order subject to Parliamentary Approval)

The Secretary for Agriculture and Rural Development (Christine Gwyther): I propose that

the National Assembly, acting in accordance with Standing Order No. 22.33 approves the draft of the Animal and Animal Products (Import and Export) (England and Wales) Regulations 2000, a copy of which was laid in the Table Office on 13 June 2000.

These proposed regulations amend and update the current Animal and Animal Product (Import and Export) Regulations 1998. They implement, in the UK, European Union directives laying down requirements for veterinary checks on animals and certain animal products that are traded between Community countries, all of which are imported into the Community from third

Yr Ysgrifennydd Amaethyddiaeth a Datblygu Gwledig (Christine Gwyther): Cynigiau fod

y Cynulliad Cenedlaethol, drwy weithredu yn unol â Rheol Sefydlog Rhif 22.33, yn cymeradwyo fersiwn ddrafft o Reoliadau Anifeiliaid a Chynhyrchion Anifeiliaid (Mewnforio ac Allforio) (Cymru a Lloegr) 2000. Gosodwyd copi o'r Rheoliadau yn y Swyddfa Gyflwyno ar 13 Mehefin 2000.

Mae'r rheoliadau arfaethedig hyn yn diwygio ac yn diweddarau'r Rheoliadau Anifeiliaid a Chynhyrchion Anifeiliaid (Mewnforio ac Allforio) 1998 cyfredol. Maent yn gweithredu, yn y DU, gyfarwyddbau'r Undeb Ewropeaidd sydd yn gosod gofynion ar gyfer gwiriadau milfeddygol ar anifeiliaid a rhai cynhyrchion anifeiliaid a fasnachir rhwng gwledydd y Gymuned, y mewnforir y

countries. The body of the regulations sets out the rules that apply in respect of such imports and exports and the action that can be taken if illegal consignments are discovered. The regulations must be reviewed and updated at frequent intervals to incorporate the steady influx of new EU legislation on these matters. We need to introduce these new regulations quickly, as amendments to the council directive dealing with intra-Community trading in cattle and pigs have not been implemented. We might otherwise face proceedings against us.

The details of the changes arising in the new regulations are in the memorandum. In summary, the main changes are as follows. By implementing council directives 64/432/EEC as amended by council directives 97/12/EC, 98/46/EC and 98/99/EC on the health of cattle and pigs traded within the Community, new requirements are introduced on transporters for cleansing and disinfecting their vehicles, on the registration of dealers and on the approval of assembly centres for cattle and pigs. There are changes to the schedules listing the relevant EU and domestic legislation governing international trade in live animals and certain animal products such as semen, ova and embryos and changes in schedule 2 to the list of current border inspection posts approved by the European Commission. Traded animals from third countries can only come into the UK through a border inspection post. There are currently no border inspection posts in Wales.

There are no new requirements relating to fish but the new regulations will tidy up the existing legislation by ensuring that all existing requirements relating to the import of live fish are contained in one set of regulations. At the moment, these provisions are spread across two sets of regulations. They are the Animal and Animal Products (Import and Export) Regulations 1998 and the Products of Animal Origin (Import and Export) Regulations 1996. The new regulations will remove the current

cwbl ohonynt i'r Gymuned o drydedd wledydd. Mae corff y rheoliadau yn nodi'r rheolau sydd yn berthnasol i fewnforion ac allforion o'r fath a'r camau y gellir eu cymryd os darganfyddir llwythi anghyfreithlon. Rhaid adolygu a diweddarau'r rheoliadau'n rheolaidd er mwyn cynnwys y dylifiad cyson o ddeddfwriaeth newydd yr UE ar y materion hyn. Mae angen inni gyflwyno'r rheoliadau newydd hyn yn gyflym, gan nad yw diwygiadau i'r gyfarwyddeb cyngor sydd yn ymdrin â masnachu oddi mewn i'r Gymuned ar wartheg a moch wedi eu gweithredu. Fel arall gallem wynebu achosion yn ein herbyn.

Mae manylion y newidiadau sydd yn codi yn y rheoliadau newydd yn y memorandum. I grynhoi, mae'r prif newidiadau fel a ganlyn. Drwy weithredu cyfarwyddebau cyngor 64/432/EEC fel y'i diwygiwyd gan 97/12/EC, 98/46/EC a 98/99/EC ar iechyd gwartheg a moch a fasnachir oddi mewn i'r Gymuned, cyflwynir gofynion newydd ar gludwyr i lanhau a dadheintio eu cerbydau, ar gofrestru masnachwyr ac ar gymeradwyo canolfannau cynnull ar gyfer gwartheg a moch. Mae newidiadau i'r atodlenni sydd yn rhestru deddfwriaeth yr UE a'r ddeddfwriaeth ddomestig berthnasol sydd yn rheoli masnachu rhyngwladol ar anifeiliaid byw a rhai cynhyrchion anifeiliaid fel semen, ofa ac embryonau a newidiadau yn atodlen 2 i'r rhestr o orsafoedd archwilio ar ffiniau cyfredol a gymeradwywyd gan y Comisiwn Ewropeaidd. Ni all anifeiliaid a fasnachwyd o drydedd wledydd ond dod i'r DU drwy orsaf archwilio ar y ffin. Nid oes gorsafoedd archwilio ar y ffin yng Nghymru ar hyn o bryd.

Nid oes gofynion newydd ynghylch pysgod ond bydd y rheoliadau newydd yn tacluso'r ddeddfwriaeth bresennol drwy sicrhau bod yr holl ofynion perthnasol sydd yn ymwneud â mewnforio pysgod byw wedi eu cynnwys mewn un set o reoliadau. Ar hyn o bryd, mae'r darpariaethau hyn wedi eu gwasgaru ar draws dwy set o reoliadau. Y rhain yw'r Rheoliadau Anifeiliaid a Chynhyrchion Anifeiliaid (Mewnforio ac Allforio) 1998 a'r Rheoliadau Cynhyrchion o Darddiad Anifeilaidd (Mewnforio ac Allforio) 1996.

restrictions whereby cattle can only be imported into Great Britain from Canada during a window from 1 February to 15 April each year.

In England and Wales, 91 interested parties were consulted on the proposed regulations. These included organisations representing livestock importers and exporters, enforcement bodies, animal welfare organisations, agricultural consultants and other interested individuals. The result was disappointing in terms of numbers. Only six substantive replies were received. One was from the Farmers Union of Wales. However, the comments were generally favourable. The organisations that responded welcomed the new regulations and were pleased to note that the UK had decided to apply the lightest possible touch in implementing the new EU directive on intra-Community trade in cattle and pigs. There were no comments that would affect the substance of the proposals. I commend these regulations to you.

Bydd y rheoliadau newydd yn dileu'r cyfyngiadau presennol lle na ellir mewnfario gwartheg i Brydain Fawr o Ganada ond yn ystod cyfnod o 1 Chwefror i 15 Ebrill bob blwyddyn.

Yng Nghymru a Lloegr, ymgynghorwyd â 91 o rai cysylltiedig ar y rheoliadau arfaethedig. Yr oedd y rhain yn cynnwys mudiadau sydd yn cynrychioli mewnforywr ac allforywr da byw, cyrff gorfodi, mudiadau lles anifeiliaid, ymgynghorwyr amaethyddol ac unigolion eraill sydd yn gysylltiedig. Yr oedd y canlyniad yn siomedig o ran niferoedd. Dim ond chwe ymateb sylweddol a dderbyniwyd. Yr oedd un oddi wrth Undeb Amaethwyr Cymru. Fodd bynnag, yr oedd y sylwadau'n ffafriol ar y cyfan. Yr oedd y mudiadau a ymatebodd yn croesawu'r rheoliadau newydd ac yr oeddent yn falch o nodi bod y DU wedi penderfynu defnyddio'r cyffyrddiad ysgafnaf posibl wrth weithredu cyfarwyddeb newydd yr UE ar fasnachu oddi mewn i'r Gymuned ar wartheg a moch. Nid oedd sylwadau a effeithiai ar sylwedd y cynigion. Cymeradwyaf y rheoliadau hyn i chi.

Cynnig: O blaid 44, Ymatal 0, Yn erbyn 0.

Motion: For 44, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine

Hutt, Jane
Jarman, Pauline
Jones, Carwyn
Jones, Elin
Law, Peter
Lloyd, David
Marek, John
Melding, David
Middlehurst, Tom
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty

Motion adopted.

Derbyniwyd y cynnig.

4:00 p.m.

**Cymeradwyo Rheoliadau Gorchmynion Traffig Awdurdodau Lleol
(Esemptiadau ar gyfer Pobl Anabl) (Cymru) 2000
Approval of the Local Authorities' Traffic Orders (Exemption for Disabled
Persons) (Wales) Regulations 2000**

**Cymeradwyo Rheoliadau Personau Anabl
(Bathodynau ar gyfer Cerbydau Modur) (Cymru) 2000
Approval of the Disabled Persons (Badges for Motor Vehicles) (Wales)
Regulations 2000**

**The Secretary for the Environment, Ysgrifennydd yr Amgylchedd, Cynllunio a
Planning and Transport (Sue Essex): I Thrafnidiaeth (Sue Essex):** Cynigiaf fod
propose that

the National Assembly considers the principle of the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (Wales) Regulations 2000 laid in the Table Office on 26 May 2000.

y Cynulliad Cenedlaethol yn ystyried egwyddor Rheoliadau Gorchmynion Traffig Awdurdodau Lleol (Esemptiadau ar gyfer Pobl Anabl) (Cymru) 2000, a osodwyd yn y Swyddfa Gyflwyno ar 26 Mai 2000.

I also propose that

Cynigiaf hefyd fod

the National Assembly considers the principle of the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000 laid in the Table Office on 26 May 2000.

y Cynulliad Cenedlaethol yn ystyried egwyddor y Rheoliadau Personau Anabl (Bathodynau ar gyfer Cerbydau Modur) (Cymru) 2000, a osodwyd yn y Swyddfa Gyflwyno ar 26 Mai 2000.

As these two regulations are interrelated, I propose that the Assembly considers them together.

Gan fod y ddwy set hyn o reoliadau'n gydberthnasol, cynigiaf y dylai'r Cynulliad eu hystyried gyda'i gilydd.

First, I want to talk about the purpose of the

Yn gyntaf, dymunaf sôn am bwrpas y

regulations and give some context. These regulations are being introduced as a response to a recommendation from the European Council for a standard design for the disabled parking badge across the European Union. This will replace the parking cards or badges of various shapes, sizes and colours that are currently in use by member states. I am sure that we would all agree that that is a sensible move. In the UK, the orange badge scheme of parking concessions for disabled and blind people came into operation in December 1971, by virtue of regulations made under section 21 of the Chronically Sick and Disabled Persons Act 1970. The scheme is designed to give registered blind people with drivers, and those with severe mobility difficulties, the ability to park close to the facilities and services that they need to use to improve their lifestyle. The new badge will be blue—I am sorry but the colour is not within my ambit to choose—

Alun Cairns: Can I ask whether it will have gold stars on it as well?

Sue Essex: Do not push your luck. The introduction of these new regulations does not affect the eligibility criteria or parking concessions currently in place. These will be the subject of a separate review that will begin shortly and be carried out by the Department of Environment, Transport and the Regions on a UK-wide basis, in conjunction with the National Assembly and other devolved administrations. It is intended—and it is important that all Members understand this—that the new blue badge should be phased in over three years from 1 July 2000 in Wales. This will happen as existing orange badges come up for renewal, or as new applications are processed. It is not intended that there should be a wholesale replacement of orange badges before their expiry date. I stress that because I know that, like me, you get many people who are worried about that. Their badge will be valid; there is no problem there.

Dafydd Wigley: Ar y pwynt hwnnw, pe bai pobl eisiau bathodyn glas oherwydd eu bod

rheoliadau a rhoi rhywfaint o gyd-destun. Cyflwynir y rheoliadau hyn fel ymateb i argymhelliad gan Gyngor Ewrop am ddyluniad safonol i'r bathodyn parcio anabledd ledled yr Undeb Ewropeaidd. Bydd hwn yn disodli'r cardiau neu fathodynau parcio o wahanol ffurfiau, meintiau a lliwiau a ddefnyddir ar hyn o bryd gan aelod wladwriaethau. Yr wyf yn sicr y byddem oll yn cytuno ei fod yn gam synhwyrol. Yn y DU, daeth y cynllun bathodyn oren o gonsesiynau parcio i bobl anabl a dall i rym yn Rhagfyr 1971, yn rhinwedd rheoliadau a wnaethpwyd o dan adran 21 o Ddeddf y Cleifion a'r Anabl Cronig 1970. Bwriad y cynllun yw rhoi i ddeillion cofrestredig â gyrwyr, a'r rhai sydd â thrafferthion symud o gwmpas difrifol, y gallu i barcio'n agos i'r cyfleusterau a'r gwasanaethau y mae arnynt angen eu defnyddio er mwyn gwella eu ffordd o fyw. Bydd y bathodyn newydd yn las—mae'n ddrwg gennyf ond nid yw'r dewis o liw o fewn fy nghwmpas i—

Alun Cairns: A gaf ofyn a fydd sêr aur arno hefyd?

Sue Essex: Peidiwch â'i mentro. Nid yw cyflwyno'r rheoliadau newydd hyn yn effeithio ar y meini prawf cymhwyster neu'r consesiynau parcio sydd eisoes ar waith. Bydd y rhain yn ddarostyngedig i adolygiad ar wahân a fydd yn dechrau cyn hir ac a gyflawnir gan Adran yr Amgylchedd, Trafnidiaeth a'r Rhanbarthau ledled y DU, ar y cyd â'r Cynulliad Cenedlaethol a gweinyddiaethau datganoledig eraill. Y bwriad yw—ac mae'n bwysig i'r holl Aelodau ddeall hyn—cyflwyno'r bathodyn glas newydd yn raddol dros dair blynedd o 1 Gorffennaf 2000 yng Nghymru. Bydd hyn yn digwydd pan ddaw'n bryd adnewyddu'r bathodynau oren presennol, neu wrth brosesu ceisiadau newydd. Nid oes bwriad i amnewid y cwbl o'r bathodynau oren cyn eu dyddiad dod i ben. Pwysleisiaf hynny oherwydd gwn y byddwch, fel minnau, yn cael llawer o bobl sydd yn pryderu am hynny. Bydd eu bathodyn yn ddilys; nid oes problem â hynny.

Dafydd Wigley: On that point, if people wanted a blue badge because they intended

yn bwriadu teithio i wledydd ar y cyfandir ac yn gweld mantais o gael bathodyn glas, a fydd hawl ganddynt i wneud cais i gael bathodyn glas cyn yr amser priodol?

Sue Essex: I am sure that that would be the case. All I am saying is that they do not have to replace their present badges. If they go to their local authorities, I am sure that that would be possible, Dafydd. If there is any problem come back to me.

The second point with this Order that I wish to draw to Members' attention is slightly more complicated because this needs to be seen in the context of the concerns raised by my colleagues on the Legislation Committee. This point is quite complicated. Primarily the concerns lie with the appeals process as detailed in the regulations and within the context of the Human Rights Act 1998. There are two concerns, if I understand this correctly. First, the Legislation Committee is concerned about the limited availability of appeals: there is only a right of appeal in relation to the misuse of badges, and not in relation to medical or other issues. It is important that everybody understands that point. The Committee felt that this could be seen as a direct contravention of the Human Rights Act 1998, which abides with us. It does not abide with other Government bodies in the same way. As a result, the legislation would not be permissible under the Government of Wales Act 1998.

However, the grounds for appeal—and this is where it becomes complicated—as set down in the proposed regulation, reflect the limit of powers contained in the Chronically Sick and Disabled Persons Act 1970, to which I referred. That is the primary legislation on the subject. The National Assembly has no power to extend the grounds of appeal beyond those contained in section 21 of that Act, and is protected from challenge on that front by section 107 of the Government of Wales Act. As a devolved body, we relate to the 1970 legislation.

The Legislation Committee was also

to travel to countries on the continent and they considered that it would be advantageous to have a blue badge, would they be able to make an application for a blue badge before the appropriate time?

Sue Essex: Yr wyf yn sicr mai felly y bydd. Y cwbl a ddywedaf yw nad oes rhaid iddynt amnewid eu bathodynnau presennol. Os ânt at eu hawdurdodau lleol, yr wyf yn sicr y byddai hynny'n bosibl, Dafydd. Os oes unrhyw broblem, dewch yn ôl ataf fi.

Mae'r ail bwynt ynghylch y Gorchymyn hwn y dymunaf dynnu sylw'r Aelodau ato ychydig yn fwy cymhleth oherwydd mae angen gweld hyn yng nghyd-destun y pryderon a godwyd gan fy nghyd-Aelodau ar y Pwyllgor Deddfau. Mae'r pwynt hwn yn eithaf cymhleth. Mae'r pryderon yn ymwneud yn bennaf â'r broses apelïadau fel y'i nodir yn y rheoliadau ac oddi mewn i gyd-destun y Ddeddf Hawliau Dynol 1998. Mae dau bryder, os deallaf hyn yn iawn. Yn gyntaf, mae'r Pwyllgor Deddfau'n bryderus ynghylch argaeledd cyfyngedig apelïadau: ni cheir hawl apelïo ond mewn perthynas â chamddefnyddio bathodynnau, ac nid mewn perthynas â materion meddygol neu faterion eraill. Mae'n bwysig i bawb ddeall y pwynt hwnnw. Teimlai'r Pwyllgor y gellid ystyried bod hyn yn hollol groes i'r Ddeddf Hawliau Dynol 1998, sydd yn cyd-fod â ni. Nid yw'n cyd-fod â chyrff Llywodraeth eraill yn yr un modd. O ganlyniad, ni ellid goddef y ddeddfwriaeth o dan Ddeddf Llywodraeth Cymru 1998.

Fodd bynnag, mae'r sail dros apelïo—a dyma'r lle yr â'n gymhleth—fel y'i nodir yn y rheoliad arfaethedig, yn adlewyrchu terfyn y pwerau a geir yn Neddf y Cleifion a'r Anabl Cronig 1970, y cyfeiriais ati. Dyna'r ddeddfwriaeth sylfaenol ar y pwnc. Nid oes gan y Cynulliad Cenedlaethol bŵer i ymestyn y seiliau dros apelïo y tu hwnt i'r rhai a geir yn adran 21 o'r Ddeddf honno, ac fe'i hamddiffynnir rhag her ar hynny gan adran 107 o Ddeddf Llywodraeth Cymru. Fel corff datganoledig, yr ydym yn ymwneud â deddfwriaeth 1970.

Yr oedd y Pwyllgor Deddfau'n bryderus

concerned about the inclusion of the right of appeal to a magistrates court, which has been introduced. That appears to strain the limits of that enabling primary legislation. Appeal provisions were contained in the original Disabled Persons (Badges for Motor Vehicles) Regulations 1982 and will be repealed. Those provisions are reflected in the new regulations and we responded to them in our concerns about the draft regulations. In doing so, Wales opted to go out to consultation. That explains the slight time gap between us and England and Scotland. We felt that we needed to go out to consultation on the right of appeal to a magistrates court. Therefore, we consulted the Home Office, the Lord Chancellor's Department, the Council on Tribunals and others on the draft regulations. None of them questioned the appeal decision. Ironically, the Council on Tribunals was pleased to see its insertion in line with the regulations laid in England, Scotland and Northern Ireland.

However, having seen the advice and concerns expressed by the Legislation Committee, I must respond to this. I will consider how I can contact Lord Macdonald regarding human rights legislation. Although I am responding, there is no record of an appeal being received by the Secretary of State for Wales, and now the National Assembly, since the provision was first included in 1982. That is the context. If an appeal were made to the Assembly, I would ensure that an independent panel would advise me before a decision was taken. However, having been aware that the Legislation Committee had those concerns, they have been laid down in a memorandum in the Table Office.

In conclusion, because of those concerns, I suggest that the way forward is for me to withdraw the regulations as they stand, so that I can remove the few offending paragraphs on the appeal procedures, and then use the urgency procedure to put the amended regulation through. I am intent that these regulations, as amended, will be adopted. I would not normally use the urgency procedure but this is important. Dafydd is concerned about this and other

hefyd ynghylch cynnwys yr hawl i apelio i lys ynadon, a gyflwynwyd. Ymddengys fod hynny'n ystumio terfynau'r ddeddfwriaeth sylfaenol alluogi honno. Cynhwyswyd darpariaethau apelio yn y Rheoliadau Personau Anabl (Bathodynau ar gyfer Cerbydau Modur) 1982 gwreiddiol a gaiff eu diddymu. Adlewyrchir y darpariaethau hynny yn y rheoliadau newydd ac ymatebasom iddynt yn ein pryderon ynghylch y rheoliadau drafft. Wrth wneud hynny, dewisodd Cymru ymgynghori. Mae hynny'n egluro'r bwlch amser bach rhyngom ni a Lloegr a'r Alban. Teimlasom fod angen inni ymgynghori ar yr hawl i apelio i lys ynadon. Felly, ymgyngorasom â'r Swyddfa Gartref, Adran yr Arglwydd Ganghellor, y Cyngor ar Dribiwnlysoedd ac eraill ar y rheoliadau drafft. Ni chwestiynwyd y penderfyniad apelio gan yr un ohonynt. Yn eironig, yr oedd y Cyngor ar Dribiwnlysoedd yn falch o weld ei gynnwys yn unol â'r rheoliadau a osodir yn Lloegr, yr Alban a Gogledd Iwerddon.

Fodd bynnag, ar ôl gweld y cyngor a'r pryderon a fynegwyd gan y Pwyllgor Deddfau, rhaid imi ymateb i hyn. Byddaf yn ystyried sut y gallaf gysylltu â'r Arglwydd Macdonald ynghylch deddfwriaeth hawliau dynol. Er fy mod yn ymateb, nid oes cofnod am dderbyn apêl gan Ysgrifennydd Gwladol Cymru, a'r Cynulliad Cenedlaethol yn awr, ers cynnwys y ddarpariaeth gyntaf yn 1982. Dyna'r cyd-destun. Pe cyflwynid apêl i'r Cynulliad, byddwn yn sicrhau bod panel annibynnol yn fy nghynghori cyn gwneud penderfyniad. Fodd bynnag, o wybod bod y pryderon hynny gan y Pwyllgor Deddfau, fe'u nodwyd yn y memorandwm yn y Swyddfa Gyflwyno.

I derfynu, oherwydd y pryderon hynny, awgrymaf mai'r ffordd ymlaen yw imi dynnu'n ôl y rheoliadau fel y maent, fel y gallaf ddileu'r ychydig baragraffau tramgwyddus ar y gweithdrefnau apelio, ac wedyn defnyddio'r weithdrefn frys i roi'r rheoliad diwygiedig drwodd. Yr wyf yn benderfynol y derbynnir y rheoliadau hyn, fel y'u diwygir. Ni fyddwn fel arfer yn defnyddio'r weithdrefn frys ond mae hyn yn bwysig. Mae Dafydd yn pryderu am hyn ac

Members probably have the kind of concerns that I have. I ask Members to bear with me, in view of the anomaly that has arisen. I will withdraw this set of regulations, remove the reference to appeal procedures and then put the regulations through the urgency procedure. In doing so, I assure you that we will seek to establish another set of appeal procedures, which we know are legally watertight but can respond to human rights legislation.

Dafydd Wigley: Yr wyf yn falch o gael cyfle i drafod y mater hwn. Diolchaf i Sue Essex am gyflwyno'r Gorchmynion yn y modd a wnaeth, ac am y ffaith ei bod am geisio sicrhau bod y newidiadau yn digwydd fel eu bod yn unol â'r darpariaethau hawliau dynol.

Credaf mai dyma'r tro cyntaf i'r Cynulliad weld gwendid yn y ddeddfwriaeth wreiddiol—Deddf Cleifion Cronig a Phersonau Anabl 1970—a sut y mae hynny'n cyd-daro â'r darpariaethau sydd gennym i ystyried hawliau pobl.

4:10 p.m.

Credaf y bydd hynny'n codi fwy nag unwaith yn y dyfodol lle gwelwn ddiffyg darpariaethau megis hawl apêl, sydd yn hawl sylfaenol, yn y ddeddfwriaeth wreiddiol a basiwyd yn Llundain. Rhagwelaf y bydd angen, dro ar ôl tro, i ddilyn ystyriaethau fel hyn. Efallai y bydd cyfle yn y dyfodol i sgrinio ar gyfer y math hwn o ystyriaeth cyn ein bod yn symud ymlaen gyda rheoliadau drafft fel y rhai sydd ger ein bron heddiw.

Wedi dweud hynny, gobeithiaf y bydd modd mynd drwy'r broses frys mor fuan â phosibl. Byddwn yn falch pe bai Sue Essex yn cadarnhau y bydd y Gorchmynion hyn, drwy ddefnyddio'r drefn honno, yn gallu cael eu cwblhau cyn inni dorri ar gyfer wythnosau etholaeth yr haf.

Disgwylir y newidiadau hyn. Mae gan bobl anabl hawliau ac mae'n iawn i sicrhau'r broses apêl. Cefnogaf yn llwyr ein bod yn darparu ar gyfer hynny, ond y mae angen

mae'n debyg bod gan Aelodau eraill yr un math o bryderon ag sydd gennyf fi. Gofynnaf i'r Aelodau fod yn amyneddgar â mi, yng ngolwg yr anghysondeb sydd wedi codi. Tynnaf yn ôl y set hon o reoliadau, dileu'r cyfeiriad at weithdrefnau apelio ac wedyn rhoi'r rheoliadau drwy'r weithdrefn frys. Wrth wneud hynny, fe'ch sicrhaf y byddwn yn ceisio sefydlu set arall o weithdrefnau apelio, y gwyddom eu bod yn dal dŵr yn gyfreithiol ond sydd yn gallu ymateb i ddeddfwriaeth hawliau dynol.

Dafydd Wigley: I am pleased to have an opportunity to discuss this issue. I thank Sue Essex for presenting the Orders in the way in which she did, and for the fact that she wants to try to ensure that the amendments occur so that they are in accordance with human rights provisions.

I believe that this is the first time that the Assembly has seen a weakness in the original legislation—the Chronically Sick and Disabled Persons Act 1970—and how that coincides with the provisions that we have to consider people's rights.

I believe that this will happen more than once in the future where we see lack of provisions such as the right to appeal, which is a fundamental right, in the original legislation passed in London. I envisage that there will be a need, time after time, to pursue considerations such as these. Perhaps there will be an opportunity in future to screen for this type of consideration before we progress with draft regulations such as the ones before us today.

Having said that, I hope that we will be able to go through the emergency procedure as soon as possible. I would be glad if Sue Essex would confirm that these Orders, by using that procedure, could be completed before we close for the summer constituency weeks.

These changes are expected. People with disabilities have rights and it is right to secure the appeal process. I am totally in favour of making provision for that, but this

gwneud hyn heb fawr o oedi. Cyn belled ag y bo sicrwydd ynghylch yr amseriad, byddaf yn falch o weld hyn yn mynd ymlaen a'n bod yn darparu ar gyfer yr apêl fel y dylem bob amser.

David Davies: We welcome these regulations and, like the Plaid Cymru leader, we want to see the whole issue finalised as quickly as possible. We do not wish to see any further delays. We will co-operate to see that the regulations are passed as quickly as possible. I was visited recently by a constituent who wished to go on holiday and was concerned because he felt that had he been living in England this would already have been sorted out. There has been an unnecessary delay in these provisions coming before us. It is unfortunate that some people who live in Wales have been inconvenienced by the delay.

Alun Cairns raised a serious point. I understand that the European so-called flag will be on these stickers. I find it disappointing that British people, whether they support the union jack or the *draig goch* or both, will once again be forced to fly a flag of an artificial state that, in the words of its own auditors, and by the tacit admission of Neil Kinnock, one of their commissioners, is fundamentally corrupt.

The Presiding Officer: Order. The accusation that we fly outside this building the flag of a state that is fundamentally corrupt is a matter of order. I ask you to reconsider that statement.

David Davies: According to a report by the European Union's own auditor, millions if not billions of pounds are being lost due to fraud. That is not my opinion but a fact. It has been verified by its own auditors who refused to sign off its accounts. It is also a tacit admission by Neil Kinnock, who was forced to resign—not that it was his fault and nobody suggested it was—because of the corruption within the European Union. I am not making a political statement but reflecting a fact that seems to be widely accepted. [*Laughter.*]

must be done without much delay. As long as there is assurance on the timing, I will be pleased to see this proceeding and that we make provision for the appeal as we should always do.

David Davies: Croesawn y rheoliadau hyn ac, fel arweinydd Plaid Cymru, dymunwn weld yr holl fater wedi ei gwblhau cyn gynted ag y bo modd. Ni ddymunwn weld unrhyw oedi pellach. Byddwn yn cydweithredu i sicrhau y caiff y rheoliadau eu pasio cyn gynted ag y bo modd. Daeth etholwr i'm gweld yn ddiweddar a ddymunai fynd ar wyliau ac yr oedd yn bryderus am y teimlai y byddai hyn wedi ei ddatrys eisoes pe bai'n byw yn Lloegr. Bu oedi diangen cyn i'r rheoliadau hyn ddod ger ein bron. Mae'n anffodus bod rhai sydd yn byw yng Nghymru wedi eu hanhwyluso gan yr oedi.

Cododd Alun Cairns bwynt difrifol. Deallaf y bydd y faner Ewropeaidd honedig ar y glynion hyn. Siom i mi yw y bydd pobl ym Mhrydain, boed hwy o blaid jac yr undeb neu'r ddraig goch neu'r ddau, unwaith eto'n gorfod codi baner gwladwriaeth ffug sydd, yng ngeiriau ei harchwilwyr ei hun, a drwy gyfaddefiad mud Neil Kinnock, un o'i chomisiynwyr, yn llwgr o'i hanfod.

Y Llywydd: Trefn. Mae'r cyhuddiad ein bod wedi codi baner gwladwriaeth sydd yn llwgr o'i hanfod y tu allan i'r adeilad hwn yn fater o drefn. Gofynnaf ichi ailystyried y datganiad hwnnw.

David Davies: Yn ôl adroddiad gan archwilydd yr Undeb Ewropeaidd ei hun, collir miliynau os nad bilynau o bunnoedd oherwydd twyll. Nid fy marn i yw hynny ond ffaith. Cadarnhawyd hynny gan ei harchwilwyr ei hun a wrthododd roi sêl eu bendith ar ei chyfrifon. Mae hefyd yn gyfaddefiad mud gan Neil Kinnock, a orfodwyd i ymddiswyddo—nid bod bai arno ef ac nid awgrymwyd hynny gan neb—oherwydd y llygredd oddi mewn i'r Undeb Ewropeaidd. Nid wyf yn gwneud datganiad gwleidyddol ond yn adlewyrchu ffaith a dderbynnir yn gyffredinol yn ôl pob golwg.

[*Chwerthin.*]

Christine Humphreys: I will ignore what David Davies said. This legislation must go through as soon as possible because if we were to introduce the blue badges here, we would enable our blue badge holders to park in disabled spaces in other EU countries. Hence the need for an instantly recognisable disc. However, badgeholders from those same states would not be able to park in disabled spaces here. This is an anomaly that we should clear as quickly as possible because it is a matter of courtesy to other members of the state to which we belong. We support the principle of this legislation and the moves that Sue Essex has recommended that we take.

Michael German: This is a unique occasion for the Assembly. I stand before you as the chair of the Legislation Committee to report on its views, which must be done in respect of the legality of Orders put before it.

I am grateful to Sue for withdrawing the Order, because otherwise, tomorrow, you would have been faced with the difficult decision of having to vote on an Order which was ultra vires. I am glad that Sue has withdrawn it and I recognise the delay that this causes. We hope that the procedure that she has outlined will allow us to move ahead as swiftly as possible.

For the sake of salving David Davies's conscience, he should be aware that the legal adviser to the Legislation Committee wrote to the Speaker's Counsel—who is legal adviser to the Joint Committee on Statutory Instruments in Westminster—questioning why it had included the section on appeals in the English regulations, which in our case would have been ultra vires. The response he received was that there is no power to provide such an appeal and that we ought to have spotted that regulation 10 (11) was an unjustified addition to the regulations, under which they themselves have made a mistake.

Christine Humphreys: Anwybyddaf yr hyn a ddywedodd David Davies. Rhaid i'r ddeddfwriaeth hon fynd drwodd cyn gynted ag y bo modd oherwydd pe baem yn cyflwyno'r bathodynau glas yma, byddem yn galluogi ein deiliaid bathodynau glas i barcio mewn lleoedd anabledd yng ngwledydd eraill yr UE. O achos hynny y mae'r angen am ddisg y gellir ei adnabod ar unwaith. Fodd bynnag, ni fyddai deiliaid bathodynau o'r union wladwriaethau hynny'n gallu parcio mewn lleoedd anabledd yma. Mae hyn yn anghysondeb y dylem ei ddileu cyn gynted ag y bo modd oherwydd mae'n fater o gwrteisi i aelodau eraill y wladwriaeth y perthynwn iddi. Cefnogwn egwyddor y ddeddfwriaeth hon a'r camau y mae Sue Essex wedi argymhell y dylem eu cymryd.

Michael German: Mae hwn yn achlysur unigryw i'r Cynulliad. Safaf ger eich bron fel cadeirydd y Pwyllgor Deddfau i adrodd ar ei farn, yr hyn y mae'n rhaid ei wneud mewn perthynas â chyfreithlondeb Gorchmynion a roddir ger ei fron.

Yr wyf yn ddiolchgar i Sue am dynnu'n ôl y Gorchmyn, oherwydd fel arall, yfory, byddech wedi wynebu'r penderfyniad anodd o orfod pleidleisio ar Orchymyn a oedd y tu hwnt i'ch awdurdod. Mae'n dda gennyf fod Sue wedi ei dynnu'n ôl a chydnabyddaf yr oedi y mae hyn yn ei achosi. Gobeithiwn y bydd y weithdrefn a ddisgrifiodd yn caniatáu inni symud ymlaen cyn gynted ag y bo modd.

Er mwyn lleddfu cydwybod David Davies, dylai wybod bod ymgynghorydd cyfreithiol y Pwyllgor Deddfau wedi ysgrifennu at Gwnsler y Llefarydd—sydd yn ymgynghorydd cyfreithiol i'r Cydbwyllgor ar Offerynnau Statudol yn San Steffan—gan holi pam yr oedd wedi cynnwys yr adran ar apeliadau yn y rheoliadau Seisnig, a fyddai y tu hwnt i'n hawdurdod ni. Yr ymateb a dderbyniodd oedd nad oes pŵer i ddarparu apêl o'r fath ac y dylasem fod wedi sylwi bod rheoliad 10 (11) yn ychwanegiad digyfiawnhad at y rheoliadau, y maent hwythau wedi gwneud camgymeriad odddi

However, this puts us in a difficult position, because we were asked to accept an appeals procedure that was outside the powers of the National Assembly. If we had done that, we would have been in contravention of article 6 of the European Convention on Human Rights, to which this Assembly has signed up. Therefore, we would have pointed out to the Assembly that this was ultra vires. Sue has kindly withdrawn the approval of this Order from us today. However, the Committee wanted it to be known that in no way did it want to frustrate the Assembly's desire to deal with these matters urgently.

Dafydd Wigley: In considering the clash that has developed between our own Standing Orders and the need to abide by the human rights provisions—and the provisions of the primary legislation have been drawn up without that in mind—is this likely to be a cause of continuing difficulties? Is there any way in which there can be some provision that covers amendments to primary legislation to ensure that it can be interpreted in Wales in line with the Assembly's requirements?

Michael German: Indeed. Of course the problem is that the enabling power, which is the primary legislation in this case, namely the Chronically Sick and Disabled Persons Act 1970, does not allow us to be consistent with the Human Rights Act 1998. Therefore, it would require changes to the primary legislation. Undoubtedly, this will occur again in primary legislation that was passed before the human rights legislation was on the horizon. I ask Sue to ask the DETR if there are plans to amend the enabling Act to allow for these anomalies to be corrected. The Assembly Legislation Committee has decided to try to visit the legal adviser to the Speaker's Counsel in Westminster, where we could put these points even more strongly. However, it illustrates that we are in difficulty, because the enabling powers were cast so long ago.

tano. Fodd bynnag, mae hyn yn ein rhoi mewn lle anodd, oherwydd gofynnwyd inni dderbyn gweithdrefn apelïadau a oedd y tu hwnt i bwerau'r Cynulliad Cenedlaethol. Pe baem wedi gwneud hynny, byddem wedi mynd yn groes i erthygl 6 o'r Cytundeb Ewropeaidd ar Hawliau Dynol, y mae'r Cynulliad hwn wedi tanysgrifio iddo. Felly, byddem wedi nodi wrth y Cynulliad bod hyn y tu hwnt i'n hawdurdod. Bu Sue mor garedig â thynnu'n ôl cymeradwyo'r Gorchymyn hwn oddi wrthym heddiw. Fodd bynnag, dymunai'r Pwyllgor roi ar ddeall nad oedd unrhyw ddymuniad ganddo i lesteirio dymuniad y Cynulliad i ddelio â'r materion hyn ar frys.

Dafydd Wigley: Wrth ystyried y gwrthdrawiad sydd wedi datblygu rhwng ein Rheolau Sefydlog a'r angen i lynu wrth y darpariaethau hawliau dynol—ac mae darpariaethau'r ddeddfwriaeth sylfaenol wedi eu llunio heb ystyried hynny—a yw hyn yn debygol o beri anawsterau o hyd? A oes modd cael rhyw ddarpariaeth sydd yn ymdrin â diwygiadau i ddeddfwriaeth sylfaenol er mwyn sicrhau y gellir ei dehongli yng Nghymru yn unol â gofynion y Cynulliad?

Michael German: Yn wir. Wrth gwrs, y broblem yw nad yw'r pŵer galluogi, sef ddeddfwriaeth sylfaenol yn yr achos hwn, sef Deddf y Cleifion a'r Anabl Cronig 1970, yn caniatáu inni fod yn gyson â'r Ddeddf Hawliau Dynol 1998. Felly, byddai angen newidiadau i'r ddeddfwriaeth sylfaenol. Bydd hyn yn sicr o ddigwydd eto mewn deddfwriaeth sylfaenol a wnaethpwyd cyn i'r ddeddfwriaeth hawliau dynol ddod o fewn golwg. Gofynnaf i Sue ofyn i Adran yr Amgylchedd, Trafnidiaeth a'r Rhanbarthau a oes bwriad i ddiwygio'r Ddeddf alluogi fel y gellir cywiro'r anghysonderau hyn. Mae Pwyllgor Deddfau'r Cynulliad wedi penderfynu ceisio ymweld â'r ymgynghorydd cyfreithiol i Gwnsler y Llefarydd yn San Steffan, lle y galleu gyflwyno'r pwyntiau hyn yn gryfach byth. Fodd bynnag, mae'n dangos ein bod mewn trafferthion, am fod y pwerau galluogi wedi eu gwneud mor bell yn ôl.

To get to the heart of the issue so that people understand it, the regulations as they stand state that

‘A person whose application is refused...or who is required to return his badge...may, within the prescribed time, appeal to the Secretary State’—

now of course the National Assembly for Wales—

‘who may confirm or reverse the decision of the local authority;’.

Article 6 of the European Convention on Human Rights states that people must be given an appeal which has a degree of independence and is held in public. In other words, people must be given a fair hearing. That would have been the case if we could have included the reference to an appeal to the magistrates court, but we could not do that because we do not have the power to do so. However, we could not simply have an appeal procedure to the Cabinet alone.

4:20 p.m.

What Sue must do to the legislation as it currently stands before it can come back to us under the urgency procedure is as follows. First, the section on the magistrates court will have to be not simply deleted and replaced but made compatible with, and vires with, article 6 of the European Convention on Human Rights. We have to ensure that any appeal will have a degree of independence, be in public and cannot be dealt with by a member of the Cabinet alone. That is the advice that we are getting. An appeals procedure will therefore have to be put in place to ensure that we are not in contravention of article 6.

Having questioned the legal adviser closely on this this morning, it would appear that it is possible to insert a clause to state that there will be an Assembly appeals process, which will have a degree of independence and be in public. It will then be sufficient for Sue to come back with a detailed scheme and announce to the Assembly that it has been put in place. Therefore this should not delay

I fynd at wraidd y mater fel bod pobl yn ei ddeall, mae'r rheoliadau fel y maent yn datgan

‘Caiff person y gwrthodir ei gais...neu y gofynnir iddo roi yn ôl ei fathodyn...apelio, oddi mewn i'r amser a ragnodir, i'r Ysgrifennydd Gwladol’—

Cynulliad Cenedlaethol Cymru bellach, wrth gwrs—

‘a gaiff gadarnhau neu wrthdroi penderfyniad yr awdurdod lleol;’.

Mae erthygl 6 o'r Cytundeb Ewropeaidd ar Hawliau Dynol yn datgan bod rhaid rhoi apêl i bobl sydd â rhyw raddau o annibyniaeth ac a gynhelir yn gyhoeddus. Mewn geiriau eraill, rhaid rhoi gwrandawriad teg i bobl. Byddai hynny wedi digwydd pe baem wedi gallu cynnwys y cyfeiriad at apêl i'r llys ynadon, ond ni allem wneud hynny am nad yw'r pŵer gennym i wneud hynny. Fodd bynnag, ni allem ond cael gweithdrefn apelio i'r Cabinet yn unig.

Mae'r hyn y mae'n rhaid i Sue ei wneud i'r ddeddfwriaeth fel y mae cyn y gall ddod yn ôl atom o dan y weithdrefn frys fel a ganlyn. Yn gyntaf, nid yn unig y bydd yn rhaid dileu'r adran ar y llys ynadon a'i hamnewid ond ei gwneud yn gyson ac yn gytûn ag erthygl 6 o'r Cytundeb Ewropeaidd ar Hawliau Dynol. Rhaid inni sicrhau y bydd rhyw raddau o annibyniaeth i unrhyw apêl, y bydd yn gyhoeddus ac na ellir ymdrin â hi gan aelod o'r Cabinet ar ei ben ei hun. Dyna'r cyngor yr ydym yn ei dderbyn. Felly bydd yn rhaid rhoi gweithdrefn apeladau ar waith i sicrhau nad ydym yn mynd yn groes i erthygl 6.

Ar ôl holi'r ymgynghorydd cyfreithiol yn fanwl ar hyn y bore yma, ymddengys fod modd cynnwys cymal i ddatgan y bydd proses apeladau yn y Cynulliad, y bydd rhyw raddau o annibyniaeth iddi ac a fydd yn gyhoeddus. Bydd yn ddigon wedyn i Sue ddod yn ôl â chynllun manwl a chyhoeddi i'r Cynulliad ei fod ar waith. Felly ni ddylai hyn lesteirio'r broses o fynd â'r ddeddfwriaeth

the process of getting this legislation through.

While this is a unique occasion, we are not particularly pleased about that. No one on the Legislation Committee wanted to hold up this process. However, I am sure that you would not have wanted to have a motion put before you, where you would have to decide whether or not to pass legislation that is ultra vires. In fact, you would have had a recommendation from the Counsel General—and I presume also from the Presiding Officer—that you could not pass such legislation.

The Presiding Officer: Before Sue responds, I assume that you wish to vote on considering the principle of the regulations today, but not to approve them.

Michael German: I think that Sue intends to bring the regulations back through the urgency procedure. The Legislation Committee is content for that to happen. We ask her to include the matters that I have raised this afternoon.

Sue Essex: I thank Members for their contributions. Dafydd and Mike are quite right. This has repercussions wider than these regulations. I will write to Lord Macdonald, as I said, to draw his attention to human rights legislation on this. To be clear, Mike, about what I intend to do—because this issue of urgency is important and I hope, Dafydd, that this will be a matter of a week, not weeks, and that we will get this through quickly—I will amend the regulations to take out the reference to the magistrates court. I am quite happy to insert the sentence that you mentioned if we can get legal agreement that it is right. If we cannot, I do not wish to delay the regulations. In that case, I will ensure that these regulations are processed through and that we then work hard on the appeals procedure. That is important. If what you say is true, then we can do both and we can get this accommodated within a week and go through the urgency procedure.

hon drwodd.

Er bod hwn yn achlysur unigryw, nid ydym yn arbennig o fodlon ynghylch hynny. Nid oedd neb ar y Pwyllgor Deddfau'n dymuno atal y broses hon. Fodd bynnag, yr wyf yn sicr na fyddech wedi dymuno cael cynnig o'ch blaen, lle y byddech yn gorfod penderfynu a oeddech yn dymuno pasio deddfwriaeth sydd y tu hwnt i'ch awdurdod. Mewn gwirionedd, byddech wedi derbyn argymhelliad gan y Cwnsler Cyffredinol—a chan y Llywydd hefyd yr wyf yn tybio—na allech basio deddfwriaeth o'r fath.

Y Llywydd: Cyn i Sue ymateb, cymeraf eich bod yn dymuno pleidleisio ar ystyried egwyddor y rheoliadau heddiw, ond nid ar eu cymeradwyo.

Michael German: Credaf fod Sue yn bwriadu dod â'r rheoliadau yn ôl drwy'r weithdrefn frys. Mae'r Pwyllgor Deddfau yn fodlon i hynny ddigwydd. Gofynnwn iddi gynnwys y materion a godais y prynhawn yma.

Sue Essex: Diolchaf i'r Aelodau am eu cyfraniadau. Mae Dafydd a Mike yn gwbl gywir. Mae sgil-ffeithiau i hyn sydd yn ehangach na'r rheoliadau hyn. Byddaf yn ysgrifennu at yr Arglwydd Macdonald, fel y dywedais, i dynnu ei sylw at ddeddfwriaeth hawliau dynol ar hyn. Er mwyn bod yn glir, Mike, ynghylch yr hyn y bwriadaf ei wneud—oherwydd mae'r mater o frys hwn yn bwysig a gobeithiaf, Dafydd, y bydd yn fater o wythnos, nid wythnosau, ac y byddwn yn mynd â hyn drwodd yn gyflym—byddaf yn diwygio'r rheoliadau er mwyn dileu'r cyfeiriad at y llys ynadon. Yr wyf yn gwbl fodlon cynnwys y frawddeg a grybwyllasoch os gallwn gael cytundeb cyfreithiol ei bod yn gywir. Os na allwn, ni ddymunaf rwystro'r rheoliadau. Os digwydd hynny, byddaf yn sicrhau y caiff y rheoliadau hyn eu prosesu ac y byddwn wedyn yn gweithio'n galed ar y weithdrefn apeliadau. Mae hynny'n bwysig. Os yw'r hyn a ddywedwch yn wir, gallwn wneud y ddau a gallwn addasu hyn o fewn wythnos a mynd drwy'r weithdrefn frys.

Michael German: The Legislation Committee will have to consider the amended regulations. We will have to take a view on the basis of the legal position. Our role is strictly defined. However, I am sure that with the legal advisers to the Legislation Committee and the Office of the Counsel General working together on this matter, we should be able to get a simple and quick solution that will allow these regulations to proceed. I hope that that will be the case. I think that it would be the easy answer to this.

Sue Essex: I hope that that process does not mean that this will turn into weeks, not a week, because there is a general will in this Chamber for these regulations to go through as quickly as possible. We do not wish to pass legislation that is ultra vires, but on the other hand we do not wish to delay these regulations when, as I said, we have not had an appeal on this since 1982, and when it will impact on people's lives this summer. I make that proviso.

Dafydd Wigley: I agree that we need to sort this out as quickly as possible. However, in doing so, might it be possible to ask whether we could have Henry VIII-type powers to enable us to amend any primary legislation from Westminster which would mean that we were ultra vires as regards our Standing Orders on human rights provisions. That may sound open-ended but it would be for use only in that context and it would avoid these sorts of delays every time we stumble across this sort of inconsistency in future.

Sue Essex: That is a useful point. Perhaps that might be taken up by the Legislation Committee. I do not wish to delay this any further; it is a long process. On your points, David, this is important for disabled people across Europe. It is a human right that they are able to make the same kind of journeys and visits as able-bodied people. Therefore, this standard system across Europe is important and is to be commended. We have

Michael German: Bydd yn rhaid i'r Pwyllgor Deddfau ystyried y rheoliadau wedi'u diwygio. Bydd yn rhaid inni benderfynu ar sail y sefyllfa gyfreithiol. Mae ein rôl wedi ei diffinio'n fanwl. Fodd bynnag, yr wyf yn sicr, gyda'r ymgynghorwyr cyfreithiol a'r Pwyllgor Deddfau a Swyddfa'r Cwnsler Cyffredinol yn gweithio gyda'i gilydd ar y mater hwn, y dylem allu cael ateb syml a chyflym a fydd yn caniatáu i'r rheoliadau hyn fynd rhagddynt. Gobeithiaf mai hynny a ddigwydd. Credaf mai hynny fyddai'r ateb syml i hyn.

Sue Essex: Gobeithiaf nad yw'r broses yn golygu y bydd hyn yn troi'n wythnosau, nid yn wythnos, oherwydd mae dymuniad cyffredinol yn y Siambr hon i'r rheoliadau fynd drwodd cyn gynted ag y bo modd. Ni ddymunwn basio deddfwriaeth sydd y tu hwnt i'n hawdurdod, ond ar y llaw arall ni ddymunwn rwystro'r rheoliadau hyn a ninnau, fel y dywedais, heb gael apêl ar hyn ers 1982, a phan fo hyn i effeithio ar fywydau pobl yr haf yma. Gwnaf yr amod honno.

Dafydd Wigley: Cytunaf fod angen inni ddatrys hyn cyn gynted ag y bo modd. Fodd bynnag, wrth wneud hynny, a oes modd gofyn a allem gael pwerau tebyg i rai Harri VIII i'n galluogi i ddiwygio unrhyw ddeddfwriaeth sylfaenol o San Steffan a olygai ein bod y tu hwnt i'n hawdurdod mewn perthynas â'n Rheolau Sefydlog ar ddarpariaethau hawliau dynol. Gallai hynny swnio'n benagored ond byddai i'w ddefnyddio ond yn y cyd-destun hwnnw a byddai'n osgoi oedi o'r math hwn bob tro y deugn ar draws y math hwn o anghysondeb yn y dyfodol.

Sue Essex: Mae hynny'n bwynt defnyddiol. Efallai y gallai'r Pwyllgor Deddfau ddilyn hynny. Ni ddymunaf atal hyn ymhellach; mae'n broses hir. Ynghylch eich pwyntiau chi, David, mae hyn yn bwysig i bobl anabl ledled Ewrop. Mae'n hawl dynol iddynt allu mynd ar yr un math o deithiau ac ymweliadau â phobl gorfforol abl. Felly, mae'r system safonol hon ar draws Ewrop yn bwysig ac i'w chanmol. Yr ydym bellach

now gone through the whole context, so when the urgency procedure goes through, people will understand the context in which this was made.

wedi mynd drwy'r holl gyd-destun, felly pan â'r weithdrefn frys drwodd, bydd pobl yn deall ym mha gyd-destun y gwnaethpwyd hyn.

Y Llywydd: Galwaf am bleidlais ar egwyddor y Gorchymyn cyntaf.

The Presiding Officer: I call for a vote on the principle of the first Order.

Cynnig: O blaid 47, Ymatal 0, Yn erbyn 0.

Motion: For 47, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:

The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, David
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Feld, Val
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Gwyther, Christine
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Law, Peter
Lloyd, David
Marek, John
Melding, David
Middlehurst, Tom
Morgan, Rhodri
Pugh, Alun
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Derbyniwyd y cynnig.

Motion adopted.

Y Llywydd: Galwaf am bleidlais ar **The Presiding Officer:** I call for a vote on
egwyddor yr ail Orchymyn. the principle of the second Order.

*Cynnig: O blaid 47, Ymatal 0, Yn erbyn 0.
Motion: For 47, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Feld, Val
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Gwyther, Christine
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Law, Peter
Lloyd, David
Marek, John
Melding, David
Middlehurst, Tom
Morgan, Rhodri
Pugh, Alun
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Derbyniwyd y cynnig.

Motion adopted.

Adroddiad Grant Arbennig Grantiau Diogelwch Ffyrdd Lleol 2000-01 Local Road Safety Grants 2000-01 Special Grant Report

Y Llywydd: Dim ond pum munud sydd cyn y ddadl plaid leiafrifol.

The Presiding Officer: There are only five minutes before the minority party debate.

The Secretary for the Environment, Planning and Transport (Sue Essex): I propose that

Ysgrifennydd yr Amgylchedd, Cynllunio a Thrafnidiaeth (Sue Essex): Cynigiaf fod

the National Assembly, under Section 88B of the Local Government Finance Act 1988, and in accordance with Standing Order No. 19.10, approves the Local Road Safety Special Grant Report (No. 7) (Wales) 2000, which was laid in the Table Office on 13 June 2000.

y Cynulliad Cenedlaethol, o dan Adran 88B o Ddeddf Cyllid Llywodraeth Leol 1988, ac yn unol â Rheol Sefydlog Rhif 19.10, yn cymeradwyo Adroddiad Grant Arbennig Diogelwch Ffyrdd Lleol (Rhif 7) (Cymru) 2000, a osodwyd yn y Swyddfa Gyflwyno ar 13 Mehefin 2000.

We are discussing transport again, this time focusing on local road safety elements. This motion invites Assembly Members to approve payments to be made to local authorities during this financial year to support local road safety projects. Using the £3.6 million budget, authorities will be able to tackle some of their priority safety schemes that cannot be funded from existing budgets. These payments to local authorities are classed as a special grant under the Local Government Finance Act 1988.

Yr ydym yn trafod trafndiaeth eto, gan ganolbwyntio'r tro hwn ar elfennau diogelwch ffyrdd lleol. Mae'r cynnig hwn yn gwahodd Aelodau'r Cynulliad i gymeradwyo gwneud taliadau i awdurdodau lleol yn ystod y flwyddyn ariannol hon i gynnal prosiectau diogelwch ffyrdd lleol. Drwy ddefnyddio'r gyllideb o £3.6 miliwn, bydd awdurdodau'n gallu dechrau ar rai o'r cynlluniau diogelwch y rhoesant flaenoriaeth iddynt na ellir eu hariannu o'r cyllidebau presennol. Dynodir y taliadau hyn i awdurdodau lleol yn grant arbennig o dan Ddeddf Cyllid Llywodraeth Leol 1988.

Additional resources were made available this year to the Assembly as a result of the UK budget. The Assembly subsequently agreed that an additional £8.2 million be made available for transport, and I decided to split this equally between integrated transport packages and road safety projects. Of the £4.1 million made available for road safety, I allocated £3,662 million to local authorities—the remainder is to be spent on trunk road projects. I attach a high priority, as do other Assembly Members, to improving safety on our roads and in our neighbourhoods. We are committed to reducing road traffic casualties.

Darparwyd adnoddau ychwanegol i'r Cynulliad eleni o ganlyniad i gyllideb y DU. Cytunodd y Cynulliad ar ôl hynny y dylid darparu £8.2 miliwn yn ychwanegol ar gyfer trafndiaeth, a phenderfynais rannu hynny'n gyfartal rhwng pecynnau trafndiaeth integredig a phrosiectau diogelwch ffyrdd. O'r £4.1 miliwn a ddarparwyd ar gyfer diogelwch ffyrdd, dyrennais £3.662 miliwn i awdurdodau lleol—mae'r gweddill i'w wario ar brosiectau cefnffyrdd. Rhoddaf flaenoriaeth uchel, fel y mae Aelodau Cynulliad eraill, i wella diogelwch ar ein ffyrdd ac yn ein cymdogaethau. Yr ydym wedi ymrwymo i leihau nifer y rhai a anafir gan draffig ffyrdd.

The Great Britain road safety strategy, launched in March this year, was a salutary reminder to us all. This has set us

Yr oedd strategaeth diogelwch ffyrdd Prydain Fawr, a lansiwyd ym Mawrth eleni, yn atgofiad llesol i bob un ohonom. Mae

challenging targets over the next 10 years, including a 40 per cent reduction in the number of people killed or seriously injured in road accidents, a 50 per cent reduction in the number of children killed or seriously injured, and a 10 per cent reduction in the slight casualty rates. These new targets will help everyone focus on achieving a substantial improvement in road safety. The higher target for the reduction in the number of children killed or seriously injured reflects the importance that we place on improving the safety of children on the roads. Great Britain's overall rate of serious road injuries to children is better than the EU average, but the child pedestrian record is poor and must be improved. I am sure that you would all agree that an accident to a child is an emotive issue.

4:30 p.m.

Local authorities have a key part to play in achieving the national casualty reduction targets. In August, all authorities will be presenting local transport plans to the Assembly, which must include a five-yearly local casualty reduction target and a local road safety strategy to achieve it. This strategy should set out how authorities plan to tackle road traffic casualties in their area. They will need to concentrate their activities on reducing the number and severity of casualties. To that end, they need to examine the accident casualty rate. With that in mind, we have consulted with the Welsh Local Government Association, which is keen to promote this safety measure. I have also discussed this with Committee. I would like the Assembly's endorsement of this approach to spending this money through the special grant. I am sure that it will be well received in local government.

David Davies: I raise a point of order under Standing Order No. 6.12, which relates to motions. One would take for granted that any Assembly Member may speak on any motion that is put before the Assembly. I am the Conservative spokesman for transport and

wedi gosod targedau ymestynnol i ni dros y 10 mlynedd nesaf, sydd yn cynnwys gostyngiad o 40 y cant yn nifer y rhai a leddir neu a anafir yn ddifrifol mewn damweiniau ffyrdd a 50 y cant o ostyngiad yn nifer y plant a leddir neu a anafir yn ddifrifol, a gostyngiad o 10 y cant yn y cyfraddau mân anafiadau. Bydd y targedau hyn yn helpu pawb i ganolbwyntio ar sicrhau gwelliant sylweddol mewn diogelwch ffyrdd. Mae'r targed uwch ar gyfer lleihau nifer y plant a leddir neu a anafir yn ddifrifol yn adlewyrchu'r pwys a roddwn ar wella diogelwch plant ar y ffyrdd. Mae cyfradd gyffredinol Prydain Fawr am anafiadau ffyrdd difrifol i blant yn well na chyfartaledd yr UE, ond mae'r hanes ar gerddwyr o blant yn wael a rhaid ei wella. Yr wyf yn sicr y byddech oll yn cytuno bod damwain sydd yn ymwneud â phlentyn yn fater emosiynol.

Mae gan awdurdodau lleol rôl allweddol i'w chwarae wrth gyflawni'r targedau cenedlaethol ar leihau nifer y rhai a anafir. Yn Awst, bydd yr holl awdurdodau lleol yn cyflwyno cynlluniau trafndiaeth lleol i'r Cynulliad, sydd yn gorfod cynnwys targed lleol pum-mlyneddol ar leihau'r nifer a anafir a strategaeth diogelwch ffyrdd lleol i'w gyflawni. Dylai'r strategaeth hon nodi sut y mae awdurdodau'n bwriadu ymdrin â'r rhai a anafir gan draffig ffyrdd yn eu hardal. Bydd angen iddynt ganolbwyntio eu gweithgareddau ar leihau nifer a difrifoldeb yr anafiadau. I'r perwyl hwnnw, mae angen iddynt archwilio'r gyfradd anafiadau damweiniau. Gyda golwg ar hynny, yr ydym wedi ymgynghori â Chymdeithas Llywodraeth Leol Cymru, sydd yn awyddus i hybu'r mesur diogelwch hwn. Yr wyf wedi trafod hyn â'r Pwyllgor hefyd. Hoffwn gael cefnogaeth y Cynulliad i'r dull hwn o wario'r arian hwn drwy'r grant arbennig. Yr wyf yn sicr y caiff dderbyniad da mewn llywodraeth leol.

David Davies: Codaf bwynt o drefn o dan Reol Sefydlog Rhif 6.12, sydd yn ymwneud â chynigion. Byddai rhywun yn ei gymryd yn ganiataol y câi unrhyw Aelod Cynulliad siarad ar unrhyw gynnig a roddir gerbron y Cynulliad. Myfi yw'r llefarydd Ceidwadol ar

the environment, and I wanted to say a few words on this motion. As it happens, we will vote in favour of this motion, but we have some reservations, and we would have liked the opportunity to express our reservations about the way in which this has been developed. I question whether I should vote in favour of a motion that I have not even had the opportunity to discuss. I am worried about this, because it fundamentally undermines my role as a spokesman, as a representative, and as somebody who is trying to express a Conservative Party view on transport.

The Presiding Officer: I am entirely in the hands of the Business Committee as to what business is tabled for any particular day. My duty is to ensure that business is taken forward, ensuring that both the Government of Wales and all party groups are able to express their views. I have every sympathy with you.

David Melding: Further to that point of order, we have not had a debate on local road safety grants. We have heard the Assembly Secretary speak. This is a parody of the political process.

The Presiding Officer: I agree with you that we have not had a debate, due to time constraints and because of the amount of business scheduled for today.

David Melding: Further to that point of order, you should therefore defer the vote.

The Presiding Officer: Order. It is not a matter for me to defer debate. I only operate according to the rules of order of this Assembly. I have a motion before me, which has been proposed, and we are now taking time out of the minority party debate.

Nick Bourne: Further to that point of order, we cannot take a vote on something that has not happened—we have not had a debate. It is not appropriate to have a vote on it.

The Presiding Officer: The motion is before us and we now move to a vote.

drafnidiaeth a'r amgylchedd, a dymunwn ddweud ychydig o eiriau ar y cynnig hwn. Fel y mae'n digwydd, byddwn yn pleidleisio o blaid y cynnig hwn, ond mae gennym rai amheuon, a byddem wedi hoffi cael cyfle i fynegi ein hamheuon ynghylch y modd y datblygwyd hyn. Amheuaf a ddylwn bleidleisio o blaid cynnig nad wyf hyd yn oed wedi cael cyfle i'w drafod. Pryderaf ynghylch hyn, oherwydd mae'n tanseilio'n sylfaenol fy rôl fel llefarydd, fel cynrychiolydd, ac fel rhywun sydd yn ceisio mynegi safbwynt gan y Blaid Geidwadol ar drafnidiaeth.

Y Llywydd: Yr wyf yn gyfan gwbl yn nwylo'r Pwyllgor Busnes o ran pa fusnes a gyflwynir ar gyfer unrhyw ddiwrnod penodol. Fy nyletswydd i yw sicrhau yr eir ymlaen â'r busnes, gan sicrhau bod Llywodraeth Cymru a'r holl grwpiau plaid yn gallu mynegi eu barn. Mae gennyf bob cydymdeimlad â chi.

David Melding: Ymhellach i'r pwynt o drefn hwnnw, ni chawsom ddadl ar grantiau diogelwch ffyrdd lleol. Clywsom yr Ysgrifennydd Cynulliad yn siarad. Mae hyn yn barodi ar y broses wleidyddol.

Y Llywydd: Cytunaf â chi na chawsom ddadl, oherwydd cyfyngiadau amser ac oherwydd maint y busnes a amserlennwyd ar gyfer heddiw.

David Melding: Ymhellach i'r pwynt o drefn hwnnw, dylech felly ohirio'r bleidlais.

Y Llywydd: Trefn. Nid yw'n fater i mi ohirio dadl. Nid wyf ond yn gweithredu yn ôl rheolau trefn y Cynulliad hwn. Mae gennyf gynnig o'm blaen, a gynigiwyd, ac yr ydym yn awr yn cymryd amser oddi wrth y ddadl plaid leiafrifol.

Nick Bourne: Ymhellach i'r pwynt o drefn hwnnw, ni allwn gymryd pleidlais ar rywbeth na ddigwyddodd—ni chawsom ddadl. Nid yw'n briodol inni bleidleisio arni.

Y Llywydd: Mae'r cynnig ger ein bron ac awn ymlaen yn awr at bleidlais.

Nick Bourne: We call for a recorded vote.

Nick Bourne: Galwn am bleidlais a gofnodwyd.

The Presiding Officer: Order. You are taking time from the minority party debate.

Y Llywydd: Trefn. Yr ydych yn cymryd amser oddi wrth y ddadl plaid leiafrifol.

Nick Bourne: We are making use of Standing Orders, Llywydd.

Nick Bourne: Yr ydym yn defnyddio'r Rheolau Sefydlog, Lywydd.

The Presiding Officer: Order. Indeed you are, but you are taking time from the minority party debate. I am keen to protect the rights of all party groups to have the full hour for their minority debate. It is now 4.31 p.m.

Y Llywydd: Trefn. Yr ydych yn wir, ond yr ydych yn cymryd amser oddi wrth y ddadl plaid leiafrifol. Yr wyf yn awyddus i warchod hawl pob grŵp plaid i gael yr awr gyfan ar gyfer ei ddadl plaid leiafrifol. Mae bellach yn 4.31 p.m.

Alun Cairns: If a recorded vote is called for, should we not have one?

Alun Cairns: Os gelwir am bleidlais a gofnodwyd, oni ddylem gael un?

The Presiding Officer: All votes are recorded electronically.

Y Llywydd: Cofnodir pob pleidlais yn electronig.

Alun Cairns: Can we have a confirmatory vote then?

Alun Cairns: A gawn bleidlais gadarnhau felly?

The Presiding Officer: All votes are recorded electronically. We will now vote on the Local Road Safety Grants 2000-01 Special Grant Report.

Y Llywydd: Cofnodir pob pleidlais yn electronig. Pleidleisiwn yn awr ar Adroddiad Grant Arbennig Grantiau Diogelwch Ffyrdd Lleol 2000-01.

Cynnig: O blaid 43, Ymatal 6, Yn erbyn 0.

Motion: For 43, Abstain 6, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
Feld, Val
German, Michael
Gibbons, Brian
Gregory, Janice
Gwyther, Christine
Hancock, Brian
Hart, Edwina

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Bourne, Nick
Cairns, Alun
Davies, David
Graham, William
Melding, David
Rogers, Peter

Humphreys, Christine
 Hutt, Jane
 Jarman, Pauline
 Jones, Ann
 Jones, Carwyn
 Jones, Helen Mary
 Law, Peter
 Lloyd, David
 Marek, John
 Middlehurst, Tom
 Morgan, Rhodri
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sinclair, Karen
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Kirsty
 Williams, Phil

Motion adopted.

Derbyniwyd y cynnig.

**Dadl Plaid Leiafrifol (Plaid y Democratiaid Rhyddfrydol)
 Minority Party Debate (The Liberal Democrat Party)**

**Gorchymyn Drafft i Estyn y Categoriâu o Bobl Ddigartref
 Draft Order to Extend the Categories of Homeless People**

The Presiding Officer: I have selected amendment 1 in the name of Andrew Davies. **Y Llywydd:** Yr wyf wedi dethol gwelliant 1 yn enw Andrew Davies.

Peter Black: I propose that

Peter Black: Cynigiau fod

this Assembly resolves to instruct the Assembly Secretary for Local Government and Housing to bring forward within four months a draft Order under Section 189 of the Housing Act 1996 to extend the categories of homeless people who are regarded as being in priority need of accommodation to include the following people:

y Cynulliad yn cytuno i gyfarwyddo Ysgrifennydd Llywodraeth Leol a Thai y Cynulliad i ddod â Gorchymyn drafft o dan Adran 189 o Ddeddf Tai 1996 gerbron y Cynulliad o fewn pedwar mis i estyn y categorïau o bobl ddigartref sydd yn cael eu hystyried mewn sefyllfa o flaenoriaeth o ran anghenion llety i gynnwys y bobl ganlynol:

homeless people aged 16-18;

pobl ddigartref 16 i 18 oed;

care leavers;

pobl wedi gadael gofal;

prisoners immediately after being released from custody who have no accommodation to return to;

carcharorion yn syth ar ôl iddynt gael eu rhyddhau o'r ddalfa sydd heb lety i ddychwelyd iddo;

people leaving the armed services who have no accommodation to go to;

pobl yn gadael y gwasanaethau arfog sydd heb lety i fynd iddo;

people fleeing from violence and harassment.

pobl yn dianc rhag trais ac aflonyddwch.

The Order to apply to the whole of Wales. Preparation work to commence immediately.

Y Gorchymyn i fod yn berthnasol i Gymru gyfan. Y gwaith paratoi i ddechrau ar unwaith.

When I first set foot in this building as an Assembly Member, I had great expectations for what this body could achieve. I do not believe that those were unrealistic expectations. I have been a councillor for sixteen years—I believe that I know what is and what is not possible. I understand the need to consult and consider all the implications of an action to ensure that we get it right. There is a substantial body of secondary legislation that can be scrutinised and changed by this Assembly to improve the quality of life in Wales. I do not think that it is unreasonable to have expected legislation made in Wales to have been before us in Plenary sessions by now.

Pan roddais droed gyntaf yn yr adeilad hwn fel Aelod Cynulliad, yr oedd fy nisgwyliadau'n fawr o ran yr hyn y gallai'r corff hwn ei gyflawni. Ni chredaf fod y rheini'n ddisgwyliadau anymarferol. Bûm yn gynghorydd ers 16 mlynedd—credaf fy mod yn gwybod yr hyn sydd a'r hyn nad yw'n bosibl. Deallaf yr angen i ymgynghori ac ystyried yr holl oblygiadau sydd i weithred er mwyn sicrhau ein bod yn ei chael yn iawn. Mae corff sylweddol o ddeddfwriaeth eilaidd y gall y Cynulliad hwn ei archwilio a'i newid er mwyn gwella ansawdd bywyd yng Nghymru. Ni chredaf ei bod yn afresymol disgwyl y byddai deddfwriaeth a wnaethpwyd yng Nghymru wedi bod ger ein bron mewn Cyfarfodydd Llawn erbyn hyn.

The homelessness issue is one where simple changes to secondary legislation can make a substantial difference. We know this because common sense tells us so, but we have also been told by Shelter, by Paul Bevan in his substantial research report commissioned by the former Welsh Office and presented to the Assembly before last Christmas, and by the housing task groups who reported to us last month. The only remaining question is why are we still waiting to act and why are we still being urged in the amendment, which is before us today, to wait still further, possibly for an indefinite period? Caution is one thing, but sheer timidity is quite another. We are not here to be afraid of change—we are here to achieve improvement in people's lives, to tackle social exclusion and injustice and to do what is right for Wales.

Mae mater digartrefedd yn un lle y gall newidiadau syml i ddeddfwriaeth eilaidd wneud gwahaniaeth sylweddol. Gwyddom hyn am fod synnwyr cyffredin yn mynnu ei bod felly, ond dywedwyd hynny wrthym hefyd gan Shelter, gan Paul Bevan yn ei adroddiad ymchwil sylweddol a gomisiynwyd gan y gyn Swyddfa Gymreig ac a gyflwynwyd i'r Cynulliad cyn y Nadolig diwethaf, a chan y grwpiau gorchwyl tai a adroddodd i ni y mis diwethaf. Yr unig gwestiwn a erys yw pam ein bod yn dal i ddisgwyl gweithredu a pham ein bod yn cael ein hannog o hyd yn y gwelliant, sydd o'n blaen heddiw, i aros yn hwy byth, efallai am gyfnod amhenodol? Un peth yw pwyll, ond peth cwbl wahanol yw ofnusrwydd llwyr. Nid ydym yma i ofni newid—yr ydym yma i sicrhau gwelliant ym mywydau pobl, i fynd i'r afael ag allgáu ac anghyfiawnder cymdeithasol ac i wneud yr hyn sydd yn iawn i Gymru.

Paul Bevan's report is comprehensive and thorough. He reports that the common experience of people who sleep rough is that they move from one type of insecure accommodation to another, eventually exhausting their access to accommodation. Some may sleep rough for only one night and

Mae adroddiad Paul Bevan yn gynhwysfawr ac yn drwyadl. Mae'n adrodd mai profiad cyffredin pobl sydd yn cysgu ar y strydoedd yw eu bod yn symud o un math o lety anniogel i un arall, gan ddihysbyddu'r mynediad sydd ganddynt i lety yn y pen draw. Gallai rhai gysgu ar y strydoedd am un

never again, whereas others sleep rough on several occasions. We all know that there is a hardcore of rough sleepers and that the appropriate support is important if we are to encourage them into more secure accommodation. However, in terms of the most vulnerable groups who may spend time sleeping rough, the categories listed in this motion make up a significant proportion.

Liberal Democrats believe, as do many housing groups, that by changing the legislation to ensure that they are afforded full assistance and appropriate accommodation across Wales, we can ensure a consistent approach by local councils that will reduce the necessity for these groups to sleep rough and reduce their reliance on temporary and insecure accommodation. On 6 May 1999—the day that we were all elected—Shelter Wales reported that a count found 150 people sleeping rough across Wales and over 1,600 in temporary accommodation. As Paul Bevan points out in his report, there are huge problems in eradicating homelessness across Wales not least the gaps in services in many areas. I acknowledge that the Assembly is starting to address some of these problems. The £3.6 million allocated for homelessness initiatives is welcome, as is the housing strategy, which has recently been produced. However, we need a statutory framework to underpin that. We need to ensure that the local councils are giving priority consistently across Wales, to all vulnerable groups.

4:40 p.m.

The need for this is evidenced by the Shelter Wales report published in February 1999. Its mystery shopper survey into Welsh local councils found that almost half of the sample did not provide up-to-date accommodation lists to those who presented themselves as homeless. Several did not even attempt to fully assess the applicant's vulnerability as required in the legislation.

This motion is the first step in the long journey that we must make if we are to eradicate homelessness. However, we cannot

noson a byth eto, tra bo eraill yn cysgu ar y strydoedd sawl gwaith. Gwyddom fod cnewyllyn o rai sydd yn cysgu ar y strydoedd a bod y gefnogaeth briodol yn bwysig os ydym i'w cymell i lety mwy diogel. Fodd bynnag, o ran y grwpiau mwyaf agored i niwed a allai dreulio amser yn cysgu ar y strydoedd, mae'r categorïau a restrir yn y cynnig hwn yn gyfran sylweddol ohonynt.

Mae'r Democratiaid Rhyddfrydol yn credu, fel y mae llawer o grwpiau tai, y gallwn, drwy newid y ddeddfwriaeth i sicrhau y rhoddir iddynt bob cymorth a llety addas ledled Cymru, sicrhau dull gweithredu cyson gan gynghorau lleol a fydd yn lleihau'r angen i'r grwpiau hyn gysgu ar y strydoedd ac yn lleihau eu dibyniaeth ar lety dros dro neu anniogel. Ar 6 Mai 1999—y diwrnod y cawsom oll ein hethol—adroddodd Shelter Cymru fod cyfrifiad wedi canfod 150 o bobl yn cysgu ar y strydoedd ledled Cymru a dros 1,600 mewn llety dros dro. Fel y noda Paul Bevan yn ei adroddiad, ceir problemau anferth wrth ddileu digartrefedd ledled Cymru, nid lleiaf yn y bylchau mewn gwasanaethau mewn llawer o ardaloedd. Cydnabyddaf fod y Cynulliad yn dechrau rhoi sylw i rai o'r problemau hyn. Mae'r £3.6 miliwn a ddyrannwyd ar gyfer mentrau digartrefedd i'w groesawu, fel y mae'r strategaeth dai, a gynhyrchwyd yn ddiweddar. Fodd bynnag, mae arnom angen fframwaith statudol i ategu hynny. Mae angen inni sicrhau bod y cynghorau lleol yn rhoi blaenoriaeth yn gyson ledled Cymru, i bob grŵp sydd yn agored i niwed.

Ceir tystiolaeth o'r angen am hyn yn yr adroddiad gan Shelter Cymru a gyhoeddwyd yn Chwefror 1999. Canfu ei arolwg siopwr dirgel ar gynghorau lleol yng Nghymru nad oedd bron hanner y sampl yn darparu rhestrau llety cyfoes i'r rhai a'u cyflwynai eu hunain yn rhai digartref. Ni wnaeth nifer ohonynt hyd yn oed geisio asesu'n llawn y graddau yr oedd yr ymgeisydd yn agored i niwed, yn unol â gofynion y ddeddfwriaeth.

Y cynnig hwn yw'r cam cyntaf ar y daith hir y mae'n rhaid inni ymgymryd â hi os ydym i ddileu digartrefedd. Fodd bynnag, ni allwn

delay taking that step much longer if we are to meet the target in 'Betterwales.com' to achieve that goal by 2003.

What are we to make of the Government's amendment? It seems that it is not opposed to the principle of the motion; after all, it acknowledges the needs of these groups. The Government cannot complain that there will not be adequate consultation, as the motion allows four months for the draft Order to come forward and instructs the Assembly Secretary to begin preparations, including consultation, immediately.

The amendment seeks to delay the subordinate legislation without a proper timetable, which will effectively put us back where we started. This desire to control the process and retain the agenda is unacceptable. It is breathtaking that the Government has also sought legal advice from the Counsel General to frustrate the will of the Assembly. There is nothing in the Standing Orders to prevent the Assembly from taking this step today. If the Executive seeks to frustrate the will of the majority on an issue that is within our competence, it will be frustrating the democratic process. We must not let this important issue wither under the gaze of lawyers and reluctant politicians. If we really stand for social justice, to help those who cannot help themselves, we must act now. If the Labour Party has lost its soul, it is a matter for the party. If it has abandoned its core values and left the homeless to defend for themselves, it has left behind its position as a party that stands up for the poor and dispossessed. We cannot be distracted by that and I ask you to support this motion unamended.

The Secretary for Local Government and Housing (Peter Law): I propose amendment 1 in the name of Andrew Davies. Delete all from 'resolves' to 'following people' and insert:

acknowledges that the following groups of people have particular and pressing housing

ohirio cymryd y cam hwnnw lawer hwy os ydym i gyflawni'r targed yn 'Gwellcymru.com' i gyrraedd y nod honno erbyn 2003.

Beth yr ydym i feddwl o welliant y Llywodraeth? Ymddengys nad yw'n gwrthwynebu egwyddor y cynnig; wedi'r cyfan, mae'n cydnabod anghenion y grwpiau hyn. Ni all y Llywodraeth gwyno na fydd digon o ymgynghori, gan fod y cynnig yn caniatáu pedwar mis i'r Gorchymyn drafft ddod ymlaen ac mae'n cyfarwyddo'r Ysgrifennydd Cynulliad i ddechrau paratoadau, gan gynnwys ymgynghori, ar unwaith.

Mae'r gwelliant yn ceisio gohirio'r is-ddeddfwriaeth heb amserlen briodol, a fydd i bob pwrpas yn mynd â ni'n ôl i ble y dechreuasom. Mae'r awydd hwn i reoli'r broses a chadw'r agenda yn annerbyniol. Mae'n syfrdanol bod y Llywodraeth hefyd wedi ceisio cyngor cyfreithiol gan y Cwnsler Cyffredinol i atal ewyllys y Cynulliad. Nid oes unrhyw beth yn y Rheolau Sefydlog i rwystro'r Cynulliad rhag cymryd y cam hwn heddiw. Os yw'r Weithrediaeth yn ceisio rhwystro ewyllys y mwyafrif ar fater sydd oddi mewn i'n gallu, bydd yn rhwystro'r broses ddemocrataidd. Rhaid inni beidio â gadael i'r mater pwysig hwn wywo o dan drem cyfreithwyr a gwleidyddion amharod. Os safwn yn wirioneddol dros gyfiawnder cymdeithasol, i helpu'r rhai na allant eu helpu eu hunain, rhaid inni weithredu'n awr. Os yw'r Blaid Lafur wedi colli ei henaid, mater i'r blaid yw hynny. Os yw wedi gadael ei gwerthoedd craidd a gadael y digartref i'w hamddiffyn eu hunain, mae wedi gadael ar ôl ei safbwynt fel plaid sydd yn sefyll dros y tlawd a'r difreintiedig. Ni allwn adael i hynny dynnu'n sylw a gofynnaf ichi gefnogi'r cynnig hwn heb ei ddiwygio.

Yr Ysgrifennydd Llywodraeth Leol a Thai (Peter Law): Cynigiau welliant 1 yn enw Andrew Davies. Dileer popeth o 'cytuno' i 'y bobl ganlynol' a rhoi yn ei le:

cydnabod bod gan y grwpiau canlynol o bobl anghenion llety arbennig a dybryd nad ydynt

needs which are often not given appropriate priority.

Delete all from 'The Order to apply' to end and insert:

and accordingly instructs the Assembly Secretary for Local Government and Housing and the Local Government and Housing Committee urgently to consider the best means of accommodating those needs in Wales, having consulted with the local authorities and other interested parties, and thereafter to bring forward any appropriate subordinate legislation.

Many happy returns to Janet Ryder. It is her birthday tomorrow, Llywydd.

The reason we tabled an amendment to Peter Black's motion is two-fold. We are concerned about the appropriateness of such motions instructing Assembly Secretaries to bring forward subordinate legislation outside the express provisions for doing so, which are set out in part seven of Standing Order No. 22. This matter is being considered by lawyers and it is inappropriate to discuss it further today, but that is why we have tabled an amendment.

The Presiding Officer: Order. I want to make it clear that there is no objection in terms of order in debating this matter fully this afternoon. It is not a matter of any further legal advice that may be taken. This matter is in order. The motion and the amendments are in order. Points relating to law can be made in the debate, but Peter Law will advance his argument for not wanting to debate the issue further. It is not a matter of fact as far as the Assembly is concerned.

Peter Law: The Office of the Counsel General has informed me that if this motion is accepted, it will have no legal requirement on me. I tabled and support this amendment because of the practicalities involved. It will be difficult for me to comply with the instruction and complete everything within four months as specified in the motion. I will need to have extensive discussions with our partners in local government and other

yn aml yn cael blaenoriaeth briodol.

Dileer popeth o 'Y Gorchymyn i fod' at y diwedd a rhoi yn ei le:

ac yn unol â hynny mae'n cyfarwyddo Ysgrifennydd Llywodraeth Leol a Thai y Cynulliad a'r Pwyllgor Llywodraeth Leol a Thai i ystyried ar frys y ffordd orau o gwrdd â'r anghenion hynny yng Nghymru, gan ymgynghori â'r awdurdodau lleol ac eraill sydd â diddordeb, ac i ddod ag unrhyw is-ddeddfwriaeth briodol gerbron wedi hynny.

Pen blwydd hapus iawn i Janet Ryder. Mae'n cael ei phen blwydd yfory, Lywydd.

Mae'r rheswm pam y cyflwynasom welliant i gynig Peter Black yn un deublyg. Yr ydym yn bryderus ynghylch priodoldeb cynigion o'r fath sydd yn cyfarwyddo Ysgrifenyddion Cynulliad i gyflwyno is-ddeddfwriaeth y tu allan i'r darpariaethau pendant ar gyfer gwneud hynny, a nodir yn rhan saith o Reol Sefydlog Rhif 22. Ystyrir y mater hwn gan gyfreithwyr ac amhriodol yw ei drafod ymhellach heddiw, ond dyna pam y cyflwynasom welliant.

Y Llywydd: Trefn. Dymunaf roi ar ddeall nad oes gwrthwynebiad o ran trefn i drafod y mater hwn yn llawn y prynhawn yma. Nid yw'n fater o unrhyw gyngor cyfreithiol pellach y gellid ei dderbyn. Mae'r mater hwn mewn trefn. Mae'r cynnig a'r gwelliannau mewn trefn. Gellir gwneud pwyntiau sydd yn ymwneud â'r gyfraith yn y ddadl, ond bydd Peter Law yn cyflwyno ei ddadl dros beidio â dymuno trafod y mater ymhellach. Nid yw'n fater o ffaith mewn cysylltiad â'r Cynulliad.

Peter Law: Mae Swyddfa'r Cwnsler Cyffredinol wedi fy hysbysu na fydd gorfodaeth gyfreithiol arnaf o'r cynnig hwn, os caiff ei dderbyn. Cyflwynais a chefnogaf y gwelliant hwn oherwydd yr ystyriaethau ymarferol sydd yn gysylltiedig. Bydd yn anodd imi gydymffurfio â'r cyfarwyddyd a chwblhau popeth o fewn pedwar mis fel y nodir yn y cynnig. Bydd angen imi gael trafodaethau helaeth â'n partneriaid mewn

bodies.

Michael German: What is the Presiding Officer's attitude to motions that have been accepted by the Assembly being carried out by the Executive?

The Presiding Officer: It is a matter for the Executive how it carries out the Assembly's motions. However, it is in a position to respond to the Assembly's wishes generally. The Assembly can give instructions to Assembly Secretaries under Standing Order No. 22. However, that refers specifically to a mechanism for carrying out the Assembly's wishes as expressed through the procedure, which is the equivalent of private Members' legislation. It is to safeguard the possibility of private Members' legislation being enacted. That is not a catch-all that affects all Assembly procedures. The fact that it is specified in one aspect of our Standing Orders that instructions should be given does not mean that indications of view should not be given in other areas. It is my view that, according to our resolution on delegation to Assembly Secretaries through the First Secretary, the Assembly's overall powers remain.

Peter Law: I will not pursue that further. It is a matter for you and others.

On the second point about this amendment, it would be difficult for me to comply with the instruction and complete everything within four months as specified in the motion. I would need to have extensive discussions with our partners in local government and other bodies. These consultations would identify considerable revenue cost implications for implementing Orders. Those costs will mainly fall on local authorities, which will insist that we either provide additional resources, or tell them to stop doing something. Additional costs will also mean that I would need the Cabinet's approval in accordance with the provisions of Standing Order No. 22.11 before such an Order can be made. I would also need to involve the Local Government and Housing Committee because of the possible budgetary

llywodraeth leol a chyrff eraill.

Michael German: Beth yw agwedd y Llywydd at gyflawni cynigion a dderbyniwyd gan y Cynulliad gan y Weithrediaeth?

Y Llywydd: Mater i'r Weithrediaeth yw'r modd y mae'n cyflawni cynigion y Cynulliad. Fodd bynnag, mae mewn sefyllfa i ymateb i ddymuniadau'r Cynulliad yn gyffredinol. Caiff y Cynulliad roi cyfarwyddiadau i Ysgrifenyddion Cynulliad o dan Reol Sefydlog Rhif 22. Fodd bynnag, mae honno'n cyfeirio'n benodol at ddull ar gyfer cyflawni dymuniadau'r Cynulliad fel y'u mynegir drwy'r weithdrefn, sydd yn cyfateb i ddeddfwriaeth Aelodau preifat. Ei bwrpas yw diogelu'r posibilrwydd o fabwysiadu deddfwriaeth Aelodau preifat. Nid yw hynny'n ddull dal popeth sydd yn effeithio ar holl weithdrefnau'r Cynulliad. Nid yw'r ffaith ei bod wedi ei nodi mewn un agwedd o'n Rheolau Sefydlog y dylid rhoi cyfarwyddiadau yn golygu na ddylid mynegi barn mewn meysydd eraill. Fy marn i yw, yn unol â'n penderfyniad ar ddirprwyo i Ysgrifenyddion Cynulliad drwy'r Prif Ysgrifennydd, fod pwerau cyffredinol y Cynulliad yn sefyll o hyd.

Peter Law: Ni wnaaf ddilyn hynny ymhellach. Mae'n fater i chi ac eraill.

Ar yr ail bwynt am y gwelliant hwn, byddai'n anodd imi gydymffurfio â'r cyfarwyddyd a chwblhau popeth o fewn pedwar mis fel y nodir yn y cynnig. Byddai angen imi gael trafodaethau helaeth â'n partneriaid mewn llywodraeth leol a chyrff eraill. Byddai'r ymgynghoriadau hyn yn dynodi goblygiadau costau refeniw sylweddol o weithredu Gorchmynion. Bydd y costau hynny'n dod i ran awdurdodau lleol yn bennaf, a byddant yn mynnu ein bod un ai'n darparu adnoddau ychwanegol, neu'n dweud wrthynt am roi'r gorau i wneud rhywbeth. Bydd costau ychwanegol hefyd yn golygu y byddai angen imi gael cymeradwyaeth y Cabinet yn unol â darpariaethau Rheol Sefydlog Rhif 22.11 cyn y gellir gwneud Gorchymyn o'r fath. Byddai angen imi hefyd gynnwys y Pwyllgor

implications and the need for it to consider this matter in accordance with procedures outlined in Standing Order No. 19. This will require time. It may be impossible to secure the necessary agreements required to bring forward an Order. In view of this, I urge the Assembly to support our amendment. If it does not, I advise Members of my group to abstain from the substantive motion for the reasons I outlined. I cannot agree to a motion that instructs me in this way and fetters my discretion.

I welcome the motion's intention. Those of you who work with me and members of the Committee will know that I am committed to ensuring that nobody has to sleep rough in Wales. I do not want to hide behind a smoke screen. Therefore, if I give an assurance today that I will bring forward the appropriate legislation after consultation, Peter Black knows that I will do so, because I have proven my word in the past. We can put all the political hype to one side. I have visited many homelessness projects in Wales that are funded by the Assembly. For example, I was pleased to attend the rough sleep-out at the rear of Marks & Spencer at Christmas. Jane Davidson and Geraint Davies also attended and stayed out all night. Other Assembly Members were also present. We must ensure that we are seen, are known and are there to talk to. I have met and talked to many homeless people who benefit from the provisions of homelessness funding from the Assembly. I identify with them, which is why I increased the section 180 funding for homelessness by 75 per cent from just over £1 million to £1.85 million this year. I made a one-off allocation of £3.6 million to local authorities to develop better strategic approaches to homelessness and tackle related problems of houses in multiple occupation. That is another positive step. This clearly demonstrates the commitment and priority that I, as Secretary for Local Government and Housing, attach to this important issue.

Llywodraeth Leol a Thai oherwydd y goblygiadau cyllidebol posibl a'r angen iddo ystyried y mater yn unol â gweithdrefnau a ddisgrifir yn Rheol Sefydlog Rhif 19. Bydd hyn yn gofyn amser. Gallai fod yn amhosibl sicrhau'r cytundebau angenrheidiol sydd yn ofynnol i gyflwyno Gorchymyn. Yng ngolwg hynny, anogaf y Cynulliad i gefnogi ein gwelliant. Os nad yw, cynghoraf Aelodau o'm grŵp i ymatal rhag y cynnig gwreiddiol am y rhesymau a ddisgrifiais. Ni allaf gytuno â chynnig sydd yn fy nghyfarwyddo fel hyn ac yn rhwymo fy rhyddid i weithredu.

Croesawaf fwriad y cynnig. Bydd y rhai ohonoch sydd yn gweithio gyda mi ac aelodau o'r Pwyllgor yn gwybod fy mod wedi ymrwymo i sicrhau nad oes neb yn gorfod cysgu ar y strydoedd yng Nghymru. Ni ddymunaf guddio y tu ôl i eiriau gwag. Felly, pe bawn yn rhoi ymrwymiad heddiw y byddaf yn cyflwyno'r ddeddfwriaeth briodol ar ôl ymgynghori, gŵyr Peter Black y byddaf yn gwneud hynny, oherwydd yr wyf wedi cadw at fy ngair yn y gorffennol. Gallwn roi'r holl frolio gwleidyddol o'r naill ochr. Ymwelais â llawer o brosiectau digartrefedd yng Nghymru a ariannir gan y Cynulliad. Er enghraifft, yr oeddwn yn falch o fod yn bresennol yn y gwerysll cysgu ar y strydoedd yng nghefn Marks and Spencer adeg y Nadolig. Yr oedd Jane Davidson a Geraint Davies yn bresennol hefyd ac arosasant allan drwy'r nos. Yr oedd Aelodau Cynulliad eraill yn bresennol hefyd. Rhaid inni sicrhau ein bod yn cael ein gweld, ein bod yn adnabyddus a'n bod yno i gael sgwrs. Yr wyf wedi cwrdd a siarad â llawer o bobl ddigartref sydd yn cael budd o'r darpariaethau o arian digartrefedd o'r Cynulliad. Yr wyf yn uniaethu â hwy, a dyna pam y cynyddais y cyllid adran 180 ar gyfer digartrefedd 75 y cant o ychydig dros £1 filiwn i £1.85 miliwn eleni. Gwneuthum ddyraniad unigryw o £3.6 miliwn i awdurdodau lleol i ddatblygu gwell strategaethau ynghylch digartrefedd ac ymdrin â phroblemau cysylltiedig tai ambreswyliaeth. Dyna gam cadarnhaol arall. Mae hyn yn dangos yn eglur yr ymrwymiad a'r flaenoriaeth a roddaf fi, fel yr Ysgrifennydd Llywodraeth Leol a Thai, i'r mater pwysig hwn.

I want to show you this letter. Our Committee members went to Wrexham to see the foyer movement on 1 March and they were rightly concerned about the funding of foyers having been lobbied. I gave an assurance that I would consider that. This letter from the Foyer Federation says:

‘Your support for the foyer movement, particularly in relation to this issue is very much welcomed by all those concerned with the operation of existing foyers and the development of new projects.

We are aware that you have made an important commitment to foyers, and would like to express our thanks to you for this and especially for the speed at which you have responded to the request for assistance and the proposals of the Welsh foyer network’.

4:50 p.m.

That is another example, in a short time, of a positive move to try to give help to those who need it. Those of us who work with foyers completely understand that. That is devolution. That is the National Assembly in action. That is Welsh solutions to Welsh problems. I have been proud to be involved in it.

The task groups that are taking forward our national housing strategy have been concerned with issues of housing need and with the needs of the most vulnerable people in society. Task group 4 has made specific recommendations about the powers that the Assembly has to change, by regulation, the categories of homeless people in priority need of housing. ‘Rough Sleeping in Wales’, the report published by the Assembly earlier this year, to which Peter Black referred, made similar recommendations. I needed all of that information together. I could not act with only one part of it. That is why I have now considered all of it.

The Department of the Environment, Transport and the Regions’ Green Paper on

Dymunaf ddangos y llythyr hwn i chi. Aeth aelodau o’n Pwyllgor i Wrexham i weld y mudiad foyer ar 1 Mawrth ac yr oedd ganddynt bryder priodol ynghylch ariannu foyers ar ôl cael eu lobïo. Rhoddais ymrwymiad y byddwn yn ystyried hynny. Dywed y llythyr hwn oddi wrth Ffederasiwn Foyer:

‘Mae croeso mawr i’ch cefnogaeth i’r mudiad foyer, yn enwedig mewn perthynas â’r mater hwn, ymhlith pawb sydd yn gysylltiedig â gweithredu’r foyers presennol a datblygu prosiectau newydd.

Yr ydym yn ymwybodol ichi roi ymrwymiad pwysig i foyers, a hoffem ddatgan ein diolch i chi am hyn ac yn enwedig am gyflymder eich ymateb i’r cais am gymorth ac i gynigion rhwydwaith foyer Cymru’.

Dyna enghraifft arall, mewn cyfnod byr, o gam cadarnhaol i geisio rhoi cymorth i’r rhai sydd ei angen. Mae’r rhai ohonom sydd yn gweithio gyda foyers yn deall hynny’n llwyr. Dyna ddatganoli. Dyna’r Cynulliad Cenedlaethol ar waith. Dyna atebion Cymreig i broblemau Cymreig. Bûm yn falch o gael cysylltiad â hynny.

Mae’r grwpiau gorchwyl sydd yn hybu ein strategaeth dai genedlaethol wedi bod yn ymwneud â materion anghenion tai ac anghenion y bobl sydd yn fwyaf agored i niwed mewn cymdeithas. Gwnaeth grŵp gorchwyl 4 argymhellion penodol ynghylch y pwerau sydd gan y Cynulliad i newid, drwy reoleiddio, y categorïau o bobl ddigartref sydd ag angen blaenoriaeth am dai. Gwnaethpwyd argymhellion tebyg gan ‘Rough Sleeping in Wales’, yr adroddiad a gyhoeddwyd gan y Cynulliad yn gynharach eleni, y cyfeiriodd Peter Black ato. Yr oedd arnaf angen yr holl wybodaeth honno gyda’i gilydd. Ni allwn weithredu ag un rhan ohoni’n unig. Dyna pam yr wyf bellach wedi ystyried y cwbl ohoni.

Mae Papur Gwyrdd Adran yr Amgylchedd, Trafnidiaeth a’r Rhanbarthau ar dai, ‘Quality

housing, 'Quality and Choice—A Decent Home For All', contains proposals to strengthen the protection that is available to the homeless. It extends the statutory safety net to a wider group of vulnerable homeless people, gives flexibility to authorities to help non-priority homeless people such as childless couples and single homeless people and extends duties to provide advice and support. I welcome the contribution that this Green Paper makes to the debate on housing policy, which is already well advanced in Wales. However, it is only at a consultation stage. I will also consult widely on my response to the many proposals arising from the task group reports. This is the key part.

The allocation of local authority housing is governed by part VI of the Housing Act 1996, which came fully into force on 1 April 1997. Local authorities are required by the Act to have regard to guidance issued by the Secretary of State. A statutory Code of Guidance on Allocations and Homelessness was issued in October 1996 under sections 169 and 182 of the Act. The code has been amended from time to time since then to reflect new secondary legislation. A revised edition of the code was issued for consultation on 8 March 2000. The revisions are aimed at clarifying advice in the existing code, exhorting authorities to work proactively to prevent homelessness and to strengthen the social inclusion messages wherever appropriate. The consultation period ended on 12 June and I am currently examining the responses.

With regard to the motion before us today, the revised code provides new guidance on the vulnerability of care leavers and 16 and 17-year-olds, and on homelessness and threatened homelessness where applicants are at risk of domestic violence or racial harassment or have been asked to leave by their landlord. Although it is open to authorities to apply residential criteria, the code also suggests several groups of people that should be included in the housing register, notwithstanding the fact that they fail to meet a residence criterion. These

and Choice—A Decent Home For All', yn cynnwys cynigion i gryfhau'r amddiffyniad sydd ar gael i'r digartref. Mae'n ymestyn y rhwyd diogelwch statudol i grŵp ehangach o bobl ddigartref sydd yn agored i niwed, yn rhoi hyblygrwydd i awdurdodau helpu pobl ddigartref nad oes blaenoriaeth iddynt fel parau heb blant a phobl ddigartref sengl ac yn ymestyn dyletswyddau i ddarparu cyngor a chefnogaeth. Croesawaf y cyfraniad gan y Papur Gwyrdd hwn i'r ddadl ar bolisi tai, sydd eisoes yn mynd rhagddo'n dda yng Nghymru. Fodd bynnag, nid yw ond mewn cyfnod ymgynghori. Byddaf hefyd yn ymgynghori'n eang ar fy ymateb i'r cynigion lu sydd yn codi o adroddiadau'r grwpiau gorchwyl. Dyma'r rhan allweddol.

Rheolir dyraniad tai awdurdodau lleol gan ran VI o'r Ddeddf Tai 1996, a ddaeth i rym yn gyflawn ar 1 Ebrill 1997. Mae'r Ddeddf yn mynnu bod awdurdodau lleol yn ystyried cyfarwyddyd a gyhoeddir gan yr Ysgrifennydd Gwladol. Cyhoeddwyd Cod statudol o Gyfarwyddyd ar Ddyraniadau a Digartrefedd yn Hydref 1996 o dan adrannau 169 a 182 o'r Ddeddf. Diwygiwyd y cod o bryd i'w gilydd ers hynny i adlewyrchu deddfwriaeth eilaidd newydd. Cyhoeddwyd golygiad diwygiedig o'r cod ar gyfer ymgynghori ar 8 Mawrth 2000. Bwriad y diwygiadau yw rhoi gwedd eglurach ar y cyngor yn y cod presennol, annog awdurdodau i weithio'n rhagweithiol i atal digartrefedd a chryfhau'r negeseuon cynhwysiant cymdeithasol lle bynnag y bo'n briodol. Daeth y cyfnod ymgynghori i ben ar 12 Mehefin ac yr wyf yn ystyried yr ymatebion ar hyn o bryd.

O ran y cynnig sydd ger ein bron heddiw, mae'r cod diwygiedig yn darparu cyfarwyddyd newydd ar hyglwyfedd rhai sydd wedi gadael gofal a rhai 16 a 17 mlwydd oed, ac ar ddigartrefedd a'r bygythiad o ddigartrefedd pan fo ymgeiswyr mewn perygl oddi wrth drais yn y cartref neu aflonyddwch hiliol neu pan ofynnwyd iddynt adael gan eu landlord. Er bod rhyddid i awdurdodau gymhwyso meini prawf preswyl, mae'r cod hefyd yn awgrymu nifer o grwpiau o bobl y dylid eu cynnwys yn y gofrestr tai, er eu bod yn methu â chyflawni'r maen prawf

include people who have experienced domestic violence who either need to be rehoused away from the area where they were originally accommodated to avoid further violence or intimidation or who wish to return to an area they were previously forced to leave. They also include ex-service personnel, especially those who leave the forces in exceptional circumstances, for example, the death of a spouse in action, or who return to a locality in which they lived before joining the forces. They also include people leaving prison whose previous residence was in the area.

We are keen to develop a policy on allocations that meets our objectives of social inclusion, community sustainability and equal opportunity for all. If the Assembly is to make subordinate legislation, as the motion proposes, it will be necessary to consult widely with the Welsh Local Government Association and local authorities on the practical and financial implications. The consultation must include the voluntary sector, which provides many of the services to the vulnerable people involved. I greatly appreciate its commitment.

The consultation timescale must ensure that we continue in our inclusive and comprehensive approach to such exercises. We have duties of consultation through our partnerships. A four month overall timescale would not be sufficient. The motion as amended instructs me and the Local Government and Housing Committee to consider the best means of accommodating these needs in Wales after consultation and thereafter to bring forward any appropriate subordinate legislation. That is the right approach. As I have underlined, these issues are already very much on my agenda. However, I stress that we must take these matters forward inclusively, giving opportunities to our colleagues in local government and the voluntary sector to express their views and consider the implications.

As far as I am concerned, there is no timidity

preswyl. Mae'r rhain yn cynnwys pobl a brofodd drais yn y cartref y mae angen un ai eu hailgartrefu oddi wrth yr ardal lle y'u cartrefwyd yn wreiddiol er mwyn osgoi trais neu fygwth pellach neu sydd yn dymuno dychwelyd i ardal y'u gorfodwyd i'w gadael cynt. Maent hefyd yn cynnwys cyn-bersonél y lluoedd arfog, yn enwedig y rheini sydd yn gadael y lluoedd arfog mewn amgylchiadau eithriadol, er enghraifft, marwolaeth priod ar faes y gad, neu rai sydd yn dychwelyd i ardal lle'r oeddent yn byw cyn ymuno â'r lluoedd arfog. Maent hefyd yn cynnwys pobl sydd yn gadael carchar yr oedd eu cartref blaenorol yn yr ardal.

Yr ydym yn awyddus i ddatblygu polisi ar rannu sydd yn cyflawni ein hamcanion o gynhwysiant cymdeithasol, cynaliadwyedd cymunedol a chyfle cyfartal i bawb. Os yw'r Cynulliad i wneud is-ddeddfwriaeth, yn ôl bwriad y cynnig, bydd angen ymgynghori'n eang â Chymdeithas Llywodraeth Leol Cymru ac awdurdodau lleol ar y goblygiadau ymarferol ac ariannol. Rhaid i'r ymgynghoriad gynnwys y sector gwirfoddol, sydd yn darparu llawer o'r gwasanaethau i'r bobl sydd yn agored i niwed sydd yn gysylltiedig. Gwerthfawrogaf ei ymrwymiad yn fawr.

Rhaid i amserlen yr ymgynghoriad sicrhau ein bod yn parhau â'n dull cynhwysol a chynhwysfawr o ymdrin ag ymarferiadau o'r fath. Mae gennym ddyletswyddau ymgynghori drwy ein partneriaethau. Ni fyddai amserlen gyfan o bedwar mis yn ddigonol. Mae'r cynnig fel y'i diwygir yn fy nghyfarwyddo i a'r Pwyllgor Llywodraeth Leol a Thai i ystyried y dull gorau o ateb yr anghenion hyn yng Nghymru ar ôl ymgynghori ac wedyn drwy gyflwyno unrhyw is-ddeddfwriaeth briodol. Dyna'r dull gweithredu cywir. Fel y pwysleisiais, mae'r materion hyn eisoes yn amlwg iawn ar fy agenda. Fodd bynnag, pwysleisiaf fod rhaid inni fwrw ymlaen â'r materion hyn yn gynhwysol, gan roi cyfleoedd i'n cydweithwyr mewn llywodraeth leol ac yn y sector gwirfoddol fynegi eu barn ac ystyried y goblygiadau.

O'm rhan i, nid oes unrhyw ofnusrwydd

in dealing with this important subject, which deals with the cutting edge of social inclusion and problems that I want to resolve. If you do not believe me, ask Shelter Cymru, The Big Issue Cymru, the Salvation Army, Cyrenians Cymru or Cymdeithas Caer Las. The Labour Government of Wales and the National Assembly can take pride in the most radical homeless policies that we have ever seen in this country since we came into being on 6 May, 1999. You cannot get away from what we have done. That is what people will tell you outside. Shelter Wales will say that it wants more but that it is impressed that we are tackling this problem. Major changes are happening. As the Assembly Secretary for Local Government and Housing, my commitment is absolute. I ask you to support the amendment today so that we can proceed in a reasoned and sensible way.

Janet Ryder: Thank you, Peter, for your kind wishes but I am afraid that it will not alter how we will vote today. It is a great pity that such an important issue has been embroiled in yet another legal wrangle. There are many definitions of homelessness. If you talk to the different groups that work in this sector, you would probably get a different definition from each of them. However, they agree that 'homelessness' as it is used in statutory terms must be redefined. Homelessness services, and the present categories that are used, tend to be limited and reactive. Services are only able to assist certain categories of people. They do not look at the broader issues of sustainability and suitability. There is no long-term strategy to avoid homelessness before it arises. The definition used at present offers little help to the most common group of homeless people—people who are single, both young and elderly, who often find themselves homeless following a breakdown in relationships with either relatives or partners.

Plaid Cymru—The Party of Wales, believes

ynghylch ymdrin â'r pwnc pwysig hwn, sydd yn ymdrin ag ymyl dorri cynhwysiant cymdeithasol a phroblemau yr wyf am eu datrys. Os na chredwch fi, gofynnwch i Shelter Cymru, The Big Issue Cymru, Byddin yr Iachawdwriaeth, Cyreniaid Cymru neu Gymdeithas Caer Las. Gall Llywodraeth Lafur Cymru a'r Cynulliad Cenedlaethol ymfalchïo yn y polisiau digartref mwyaf radicalaidd a welwyd erioed yn y wlad hon ers inni ddod i fodolaeth ar 6 Mai 1999. Ni allwch anwybyddu'r hyn a wnaethom. Dyna'r hyn a ddywed pobl wrthyh y tu allan. Bydd Shelter Cymru yn dweud bod arno angen mwy ond mae'r ffaith ein bod yn mynd i'r afael â'r broblem hon wedi gwneud argraff arno. Mae newidiadau mawr yn digwydd. Fel Ysgrifennydd Llywodraeth Leol a Thai y Cynulliad, yr wyf wedi ymrwymo'n llwyr i hyn. Gofynnaf ichi gefnogi'r gwelliant heddiw fel y gallwn fynd ymlaen mewn modd rhesymedig a synhwyrol.

Janet Ryder: Diolch i chi, Peter, am eich dymuniadau caredig ond mae arnaf ofn na fydd yn newid y modd y byddwn yn pleidleisio heddiw. Mae'n drueni mawr i fater mor bwysig gael ei faglu mewn anghydfod gyfreithiol arall eto byth. Mae llawer o ddiffiniadau o ddigartrefedd. Os siaradwch â'r gwahanol grwpiau sydd yn gweithio yn y sector hwn, caech wahanol ddiffiniadau gan bob un ohonynt yn ôl pob tebyg. Fodd bynnag, cytunant fod rhaid ailddiffinio 'digartrefedd' fel y'i defnyddir mewn termau statudol. Mae gwasanaethau digartrefedd, a'r categorïau presennol a ddefnyddir yn tueddu i fod yn gyfyng ac yn adweithiol. Nid yw gwasanaethau ond yn gallu cynorthwyo rhai categorïau o bobl. Nid ydynt yn edrych ar y materion ehangach o gynaliadwyedd ac addasrwydd. Nid oes strategaeth dymor hir i osgoi digartrefedd cyn iddi ddigwydd. Prin yw'r cymorth y mae'r diffiniad a ddefnyddir ar hyn o bryd yn ei gynnig i'r grŵp mwyaf cyffredin o bobl ddigartref—pobl sydd yn sengl, yn ifanc ac yn oedranus, sydd yn aml yn eu cael eu hunain yn ddigartref ar ôl chwalfa mewn perthynas â pherthnasau neu gymheiriaid.

Mae Plaid Cymru—The Party of Wales, yn

that as well as widening the categories, a strategy needs to be developed to support these people, to prevent homelessness and to help those people housed to sustain that new home. Such a strategy would need to include adequate support for people leaving care and to help people to sustain their tenancies through support and resettlement by providing access to quality advice services for those who need it most. By preventing homelessness, health problems would be avoided. Many health and social problems would not develop. It is therefore a more sensible way of preventing social problems. Homelessness itself could be seen in a wider sense as being a spectrum with rough sleeping at the sharp end right through to people in temporary accommodation—people in hostels, bed and breakfasts, living with friends and relatives. That is hidden homelessness. It could even be extended to include people in supported housing, short-term lets, or even those in poor or unsuitable housing at the other end of the scale.

Another definition of homelessness could be people who are unable to access or maintain suitable, sustainable housing. In fact, should we be thinking of moving to a much wider definition such as rooflessness? This motion will not include those people who can be termed as roofless. While it extends the category of homelessness to 16 to 18-year-olds and those leaving care, which is perhaps the largest and most vulnerable group, it does not include a definition of rooflessness. Therefore, it does not cover those young or old people who may be sleeping with friends, on the floor or on the settee, or staying temporarily with relatives. Given the many definitions, it is not surprising that we would like to see this extended further.

To return to that group of vulnerable, roofless people, at some point, we need to consider them carefully. There may be an opportunity during the consultation period—although I accept that that consultation period, given the wording of the motion, will be short and will take place over the summer,

credu bod angen, yn ogystal ag ehangu'r categorïau, ddatblygu strategaeth a fyddai'n cynorthwyo'r bobl hyn, atal digartrefedd a helpu'r bobl hynny a gartrefir i gynnal y cartref newydd hwnnw. Byddai angen i strategaeth o'r fath gynnwys cymorth digonol i bobl sydd yn gadael gofal a helpu pobl i gynnal eu tenantiaethau drwy gymorth ac ailsefydlu drwy gynnig mynediad i wasanaethau cynghori o ansawdd da i'r rhai sydd â'r angen mwyaf amdanynt. Drwy atal digartrefedd, byddai problemau iechyd yn cael eu hosgoi. Ni fyddai llawer o broblemau iechyd a chymdeithasol yn datblygu. Mae felly'n ffordd fwy synhwyrol o atal problemau cymdeithasol. Gellid ystyried digartrefedd ei hun ar ystyr ehangach fel sbectrwm gyda chysgu ar y strydoedd ar y pen garw drwodd hyd at bobl mewn llety dros dro—pobl mewn hosteli, llety gwely a brecwast, byw gyda ffrindiau a pherthnasau. Digartrefedd cudd yw hynny. Gellid ei ymestyn i gynnwys hyd yn oed pobl mewn tai â chymorth, gosodiadau tymor byr, neu hyd yn oed y rhai hynny mewn tai gwael neu anaddas ym mhen arall y raddfa.

Diffiniad arall posibl o ddigartrefedd yw pobl sydd yn analluog i gael neu gynnal tai addas, cynaliadwy. Mewn gwirionedd, a ddylem feddwl am symud tuag at ddiffiniad llawer ehangach fel didöedd? Ni fydd y cynnig hwn yn cynnwys y bobl hynny y gellid eu galw yn rhai sydd heb do uwch eu pennau. Er ei fod yn ymestyn y categori o ddigartrefedd i'r rhai sydd yn 16 i 18 oed ac i'r rhai sydd yn gadael gofal, sef y grŵp mwyaf a'r mwyaf agored i niwed o bosibl, nid yw'n cynnwys diffiniad o ddidöedd. Felly, nid yw'n cynnwys y bobl ifanc neu hen hynny a allai fod yn cysgu gyda ffrindiau, ar y llawr neu ar y soffa, neu'n aros dros dro gyda pherthnasau. O ystyried y llu o ddiffiniadau, nid yw'n syndod yr hoffem weld hyn yn cael ei ymestyn ym mhellach.

I ddychwelyd at y grŵp hwnnw o bobl sydd yn agored i niwed sydd heb do uwch eu pennau, ar ryw adeg, mae angen inni eu hystyried yn ofalus. Efallai y bydd cyfle yn ystod y cyfnod ymgynghori—er y derbyniaf y bydd y cyfnod ymgynghori hwnnw, o ystyried geiriad y cynnig, yn fyr ac y bydd yn

which is perhaps the worse time of all to have a consultation period—to widen this proposal. However, widening the categories or redefining homelessness will not solve the problems in itself. I am sure that both Peters will agree with that. There is also a need, as we said, to establish, alongside the proposals, a requirement for local authorities to put in place structures to fully support those people when they are housed, enabling them to sustain their placement in a home. We should consider how different agencies can best work together to support and help those people, some of whom need to be helped with independent living and perhaps with coping with the responsibilities that having a home brings.

5:00 p.m.

This could and should be developed into a system of supporting people before they become homeless. That would be an achievement. Housing any homeless person should be done in a way that is sustainable, which will require the appropriate support structures to be in place. Homelessness and the demands on the local authority to house the homeless are very difficult to quantify. Therefore it is difficult to predict how many people will be seeking this service from local authorities should this motion be adopted today.

If this motion is adopted, I ask that it be monitored carefully during its first year of implementation. We need to consider county-by-county, and track county-by-county, the extra demand on housing services that this extended definition might bring. If that exercise is to be carried out, perhaps a report should be brought forward at the end of the year, showing what and where the demand was. It should indicate in which categories homeless people were, show geographically where that demand was and whether the demand came from within the placing counties or not. It would be interesting also to know how many of those people housed as a result of an extended definition were able to sustain any placement, although I accept that that may be a little harder to track. This monitoring, however, would show what extra resources local authorities need to deal with

digwydd dros yr haf sef yr adeg waethaf oll o bosibl i gael cyfnod ymgynghori—i ehangu'r bwriad hwn. Fodd bynnag, ni fydd ehangu'r categorïau neu ailddiffinio digartrefedd yn datrys y problemau ynddynt eu hunain. Yr wyf yn sicr y bydd y ddau Peter yn cytuno â hynny. Mae angen hefyd, fel y dywedasom, i sefydlu, ochr yn ochr â'r cynigion, ofyniad ar awdurdodau lleol i sefydlu'r strwythurau i roi pob cymorth i'r bobl hynny pan ydynt wedi eu cartrefu, gan eu galluogi i gynnal eu lleoliad mewn cartref. Dylem ystyried sut y gall gwahanol asiantaethau weithio gyda'i gilydd orau i gynnal a helpu'r bobl hynny, y bydd ar rai ohonynt angen cymorth i fyw'n annibynnol ac efallai i ymdopi â'r cyfrifoldebau a ddaw o gael cartref.

Gellid a dylid datblygu hyn yn system o gynorthwyo pobl cyn iddynt ddod yn ddigartref. Byddai hynny'n gyflawniad. Dylid cartrefu unrhyw un digartref mewn modd sydd yn gynaliadwy, a fydd yn gofyn i strwythurau cymorth priodol fod yn eu lle. Mae digartrefedd a'r gofynion ar yr awdurdod lleol i gartrefu'r digartref yn anodd iawn eu mesur. Mae felly'n anodd rhagweld pa nifer o bobl a fydd yn ceisio'r gwasanaeth hwn gan awdurdodau lleol os derbynnir y cynnig hwn heddiw.

Os derbynnir y cynnig hwn, gofynnaf am ei fonitro'n ofalus yn ystod y flwyddyn gyntaf o'i weithredu. Mae angen inni ystyried fesul sir, a dilyn fesul sir, y galw ychwanegol ar wasanaethau tai a allai ddod gyda'r diffiniad estynedig hwn. Os yw'r ymarferiad hwnnw i'w gyflawni, efallai y dylid cyflwyno adroddiad erbyn diwedd y flwyddyn, yn dangos maint y galw a lle'r oedd. Dylai nodi ym mha gategorïau yr oedd y bobl ddigartref, dangos yn ddaeryddol ym mha le yr oedd y galw hwnnw ac a gododd y galw oddi mewn i'r siroedd lleoli ai peidio. Byddai hefyd yn ddiddorol gwybod faint o'r bobl hynny a gartrefwyd o ganlyniad i ddiffiniad estynedig a oedd wedi gallu cynnal unrhyw lleoliad, er fy mod yn derbyn y gallai hynny fod ychydig yn fwy anodd ei ddilyn. Fodd bynnag, byddai'r monitro hwn yn dangos pa adnoddau ychwanegol y mae ar awdurdodau

this new demand, because I am also aware that the adoption of this motion today will have budgetary implications for local authorities. That needs to be addressed.

I believe that the last code of guidance that appeared in the Housing Act 1996 suggested that local authorities should assist priority groups, but that it was not legally binding. If this motion is adopted today, local authorities will have a duty to assist priority groups. If any local authority were to fail in this statutory duty, then it would be subject to judicial review by such bodies as Shelter. Therefore this monitoring is important to help us gauge the help and support that the authorities themselves will need to respond to any extra demand and obligations.

This will also produce a situation where Wales is moving in a different direction to England, even if this will be for a short time until any new housing Green Paper becomes a housing Bill. If we look ahead to when that Green Paper becomes a Bill, we can see that it will redefine homelessness, perhaps along similar lines to today's definition. There is a strong case, when the new Bill becomes law, to include a clear duty on local authorities to prevent homelessness, as well as to provide secure accommodation for the homeless.

This motion today will go some way towards tackling the problems of people sleeping rough and therefore, although we do not think that it goes far enough to redefine homelessness, and we feel that it needs monitoring carefully, we will support this as a starting point—as Peter has said—for consultation and for us to really develop homeless strategies in Wales.

Jenny Randerson: I will leave the details of the legal response to Peter Law's comments to Mike German, who will sum up. I am, however, disappointed by the Labour Party and the Cabinet's response to this motion,

lleol eu hangen i ddelio â'r galw newydd hwn, oherwydd yr wyf hefyd yn ymwybodol y bydd goblygiadau cyllidebol i awdurdodau lleol o dderbyn y cynnig hwn heddiw. Mae angen rhoi sylw i hynny.

Credaf fod y cod cyfarwyddyd diwethaf a ymddangosodd yn y Ddeddf Tai 1996 yn awgrymu y dylai awdurdodau lleol gynorthwyo grwpiau blaenoriaeth, ond nad oedd yn orfodol o dan y gyfraith. Os derbynnir y cynnig hwn heddiw, bydd ar awdurdodau lleol ddyletswydd i gynorthwyo grwpiau blaenoriaeth. Pe bai unrhyw awdurdod lleol yn methu yn y ddyletswydd statudol honno, byddai wedyn yn agored i adolygiad barnwrol gan gyrff fel Shelter. Felly mae'r monitro hwn yn bwysig i'n helpu i fesur y cymorth a'r gefnogaeth y bydd ar yr awdurdodau hyn eu hangen i ymateb i unrhyw alw a rhwymedigaeth ychwanegol.

Bydd hyn hefyd yn creu sefyllfa lle y mae Cymru'n symud i gyfeiriad gwahanol i Loegr, hyd yn oed pa bai hynny ond am gyfnod byr hyd nes i unrhyw Bapur Gwyrdd ar dai ddod yn Fesur tai. Os edrychwn ymlaen at yr adeg pan ddaw'r Papur Gwyrdd hwnnw'n Fesur, gallwn weld y bydd yn ailddiffinio digartrefedd, efallai mewn modd tebyg i'r diffiniad heddiw. Mae dadl gryf, pan ddaw'r Mesur newydd yn ddeddf, dros gynnwys dyletswydd eglur ar awdurdodau lleol i atal digartrefedd, yn ogystal â darparu llety diogel i'r digartref.

Bydd y cynnig hwn heddiw yn mynd rywfaint o'r ffordd tuag at fynd i'r afael â phroblemau pobl sydd yn cysgu ar y strydoedd ac felly, er na chredwn ei fod yn mynd yn ddigon pell i ailddiffinio digartrefedd, a theimlwn fod angen ei fonitro'n ofalus, byddwn yn cefnogi hyn fel man cychwyn—fel y dywedodd Peter—ar gyfer ymgynghori ac er mwyn inni ddatblygu strategaethau digartref o ddifrif yng Nghymru.

Jenny Randerson: Gadawaf fanylion yr ymateb cyfreithiol i sylwadau Peter Law i Mike German, a fydd yn crynhoi. Fodd bynnag, fe'm siomwyd gan ymateb y Blaid Lafur a'r Cabinet i'r cynnig hwn, sydd—fel y

which is—as Janet Ryder has just pointed out—a relatively modest approach to dealing with a serious problem. It is important that the Cabinet consider whether it is appropriate to attempt to block minority party motions when they are a minority Cabinet. We have a hybrid situation here, not a classic cabinet model. Above all, I am concerned that the legal wrangle, the constitutional issue, is in danger of obliterating debate on a vital topic.

The problem of homelessness in Wales is probably most acute in Cardiff, which is not surprising. Peter Law referred to that in his comments. It is, after all, a capital city, to which people are drawn when looking for accommodation. In 1998, a survey showed that 12 to 20 people were people were sleeping rough in the city centre on any one night. This is in addition to the numerous people in hostels, many of which are full to overflowing. In a four-month period in early 1999, Cardiff Action for the Single Homeless allowed 59 people to sleep in the lounge of its emergency unit because there were no hostel beds available. I recently spent a morning with the Wallich Clifford community. I went on its breakfast run and visited its hostel, people sleeping rough on the streets, people in longer term accommodation and alcoholics successfully re-housed by the Wallich Clifford community in homes in which they sustain themselves after years of sleeping rough on Cardiff's streets. Many people involved in this work receive training. Wallich Clifford community's statistics show that 111 men and 18 women used its breakfast run for the four-month period from December to March 2000. In other words, these men and women were sleeping rough. The night shelter accommodated 83 men and 15 women. It is worrying that about half of those people were under the age of 26. They were probably embarking on a life of homelessness.

We need to appreciate that this motion is just a first small step. From our point of view, that is why it is disappointing that Labour is not happy to support it wholeheartedly. We are, today, establishing important new

mae Janet Ryder newydd nodi—yn ddull cymharol ddiymhongar o ddelio â phroblem ddifrifol. Mae'n bwysig i'r Cabinet ystyried a yw'n briodol ceisio rhwystro cynigion pleidiau lleiafrifol pan ydynt yn Gabinet lleiafrifol. Mae gennym sefyllfa gymysgryw yma, nid patrwm cabinet clasurol. Yn fwy na dim, pryderaf fod perygl i'r anghydfod cyfreithiol, y mater cyfansoddiadol, ddileu dadl ar bwnc holl bwysig.

Y broblem digartrefedd yng Nghaerdydd yw'r un fwyaf difrifol yng Nghymru, yn ôl pob tebyg, ac nid yw hynny'n peri syndod. Cyfeiriodd Peter Law at hynny yn ei sylwadau. Prifddinas ydyw, wedi'r cyfan, sydd yn denu pobl pan ydynt yn chwilio am le i fyw. Yn 1998, dangosodd arolwg fod 12 i 20 o bobl yn cysgu ar y strydoedd yng nghanol y ddinas ar unrhyw noson. Mae hyn yn ychwanegol at y nifer fawr o bobl mewn hosteli, y mae llawer ohonynt yn llawn neu'n orlawn. Mewn cyfnod o bedwar mis yn gynnar yn 1999, caniatodd Cardiff Action for the Single Homeless i 59 o bobl gysgu yn lolfa ei uned argyfwng am nad oedd gwelyau ar gael mewn hosteli. Yn ddiweddar treuliais fore gyda chymuned Wallich Clifford. Euthum ar ei rhawd brechwast ac ymwelais â'i hostel, pobl yn cysgu ar y strydoedd, pobl mewn llety tymor hwy ac alcoholigion a ailgartrefwyd yn llwyddiannus gan gymuned Wallich Clifford mewn cartrefi lle y maent yn eu cynnal eu hunain ar ôl blynyddoedd o gysgu ar strydoedd Caerdydd. Mae pobl sydd yn ymwneud â'r gwaith hwn yn derbyn hyfforddiant. Mae ystadegau cymuned Wallich Clifford yn dangos bod 111 o ddynion a 18 o fenywod wedi defnyddio ei rhawd brechwast yn y cyfnod o bedwar mis o Ragfyr i Fawrth 2000. Mewn geiriau eraill, yr oedd y dynion a'r benywod hyn yn cysgu ar y strydoedd. Rhoddodd y lloches nos lety i 83 o ddynion a 15 o fenywod. Mae'n destun gofid bod tua hanner y bobl hynny o dan 26 oed. Yr oeddent yn cychwyn ar oes o ddigartrefedd yn ôl pob tebyg.

Mae angen inni sylweddoli nad yw'r cynnig hwn ond yn gam bach cyntaf. O'n safbwynt ni, dyna pam yr ydym yn siomedig nad yw Llafur yn fodlon ei gefnogi'n llwyr. Heddiw, yr ydym yn sefydlu categorïau newydd

categories of priority housing need, which are an attempt to draw into the system key groups of people who are in need. In spite of these categories, there will be vulnerable people who fall outside all categories and who defy definition. Recognition of this vulnerability needs to underpin the implementation of this motion, which must be properly funded and managed.

Cardiff City and County Council is quite good in terms of re-housing people. Looking at its categories and its approach to them, you will see that the homeless between the ages of 16 and 18 are not dealt with unless they are pregnant or have medical needs; care leavers are not dealt with unless they have medical problems; ex-prisoners are not dealt with unless they have medical problems or have dependent children living with them and ex-armed forces personnel are dealt with in the same way. Until recently, people fleeing from violence had to provide evidence of the criminal convictions of their persecutors, which is no longer needed. However, that is the way in which a relatively good council applies its rules.

There are two groups to which I will refer briefly. The one about which I am most concerned is the care leavers. These young people have already been failed, advertently or inadvertently by their families. They have usually been failed by the education system—on average they have a low level of academic qualifications—and have known great instability as most of them are moved on continually.

Peter Law: I endorse what you have said about the good work of Wallich Clifford and the approach of Cardiff council. However, as a long serving county councillor, do you accept that four months is too short a period for someone in my position to consult on the financial and legislative implications of introducing this to the voluntary organisations and local government, bearing in mind that the summer recess is almost upon us? That is a point that I have already

pwysig o anghenion tai â blaenoriaeth, sydd yn ymgais i gynnwys yn y system grwpiau allweddol o bobl sydd mewn angen. Er gwaethaf y categorïau hyn, bydd pobl sydd yn agored i niwed sydd y tu allan i'r holl categorïau ac na ellir eu diffinio. Rhaid i gydnabyddiaeth o'r hyglwyfedd hwnnw fod yn sylfaen wrth weithredu'r cynnig hwn, y mae'n rhaid iddo gael ei ariannu a'i reoli'n briodol.

Mae Cyngor Dinas a Sir Caerdydd yn eithaf da o ran ailgartrefu pobl. O edrych ar ei categorïau a'i ddull o ymdrin â hwy, gwelwch nad ymdrinnir â'r digartref rhwng 16 a 18 oed oni bai eu bod yn feichiog neu am fod ganddynt anghenion meddygol; nid ymdrinnir â rhai sydd wedi gadael gofal oni bai fod ganddynt broblemau meddygol; nid ymdrinnir â chyn-garcharorion oni bai fod ganddynt broblemau meddygol neu blant dibynnol sydd yn byw gyda hwy ac ymdrinnir â chyn-bersonél y lluoedd arfog yn yr un modd. Hyd yn eithaf diweddar, yr oedd yn rhaid i bobl a oedd yn ffoi rhag trais ddangos tystiolaeth o euogfarnau troseddol eu herlidwyr, nad oes ei hangen bellach. Fodd bynnag, dyna'r modd y mae cyngor cymharol dda yn cymhwyso ei reolau.

Mae dau grŵp y dymunaf gyfeirio atynt yn fyr. Yr un y pryderaf fwyaf yn ei gylch yw'r rhai sydd yn gadael gofal. Mae'r bobl ifanc hyn wedi eu siomi eisoes, yn fwiadol neu'n anfwriadol, gan eu teuluoedd. Fel arfer maent wedi eu siomi gan y system addysg—ar gyfartaledd mae ganddynt lefel isel o gymwysterau academiaidd—ac maent yn gyfarwydd ag ansefydlogrwydd mawr gan fod y rhan fwyaf ohonynt yn cael eu symud yn barhaus.

Peter Law: Cefnogaf yr hyn a ddywedasocho am waith da Wallich Clifford a dull gweithredu cyngor Caerdydd. Fodd bynnag, fel cynghorydd sir hir eich gwasanaeth, a dderbyniwch fod pedwar mis yn gyfnod rhy fyr i rywun yn fy sefyllfa i i ymgynghori ar y goblygiadau ariannol a deddfwriaethol o gyflwyno hyn i'r mudiadau gwirfoddol ac i lywodraeth leol, o gofio bod toriad yr haf bron ar ein gwarthaf? Mae hynny'n bwynt a wneuthum eisoes. A chithau o gefndir

made. Coming from a local authority background, I am sure that you will accept that the timescale is too short.

Jenny Randerson: I appreciate that consultation takes time. However, our consultations led us to believe that that was a practical timescale—demanding but practical. This Assembly would look upon you positively if you were to return in four months having made good progress. You might not have got there but you will have shown definite intention of getting there.

5:10 p.m.

Young people who leave care have experienced great instability because most of them have been moved on from time to time. I recently attended a conference held by the organisation, Voices from Care. Jane Hutt was also present. It outlined the instability of young people's backgrounds and was moving. At 16, these young people are more or less abandoned, almost always in rented rooms and often fall into homelessness. It is small wonder that they often find their way to the courts. As someone who was a juvenile magistrate for more than 15 years, I know that they were frequent customers in the courts.

One of Wales's largest prisons is in my constituency therefore I am concerned about ex-prisoners. Homelessness is not part of their sentence. Prisoners who have broken the law, like it or not, have a right to be rehoused. That is particularly true if you consider the high levels of mental illness and low educational qualifications among prisoners. Around 90,000 people are released from prison in the UK each year and many of them are not able to hold on to their original homes during their period in prison. As a result, around 40 per cent find themselves homeless on release and services have found that around half of those sleeping rough are ex-prisoners.

Research by the University of York in 1996 showed that although most prisoners wanted

awdurdod lleol, yr wyf yn sicr y derbyniwch fod yr amserlen yn rhy fyr.

Jenny Randerson: Gwerthfawrogaf fod angen amser i ymgynghori. Fodd bynnag, credem o ganlyniad i'n hymgynghoriadau fod hynny'n amserlen ymarferol—yn ymestynnol ond yn ymarferol. Byddai'r Cynulliad hwn yn edrych arnoch yn gadarnhaol pe dychwelech ymhen pedwar mis ar ôl gwneud cynnydd da. Efallai na fydddech wedi cyrraedd pen y daith ond byddwch wedi dangos bwriad pendant o gyrraedd.

Mae pobl ifanc sydd yn gadael gofal wedi profi ansefydlogrwydd mawr am fod y rhan fwyaf ohonynt wedi eu symud ymlaen o bryd i'w gilydd. Bûm mewn cynhadledd yn ddiweddar a gynhaliwyd gan y mudiad Voices from Care. Yr oedd Jane Hutt yn bresennol hefyd. Disgrifiodd ansefydlogrwydd cefndiroedd pobl ifanc ac yr oedd yn ysgytwol. Yn 16, caiff y bobl ifanc hyn eu gadael fwy neu lai, bron bob amser mewn ystafelloedd ar osod ac ânt yn ddigartref yn aml. Nid oes ryfedd eu bod yn cyrraedd y llysoedd mewn llawer achos. Fel un a fu'n ynad ieuenctid am fwy na 15 mlynedd, gwn eu bod yn gwsmeriaid mynych yn y llysoedd.

Mae un o garchardai mwyaf Cymru yn fy etholaeth i felly pryderaf ynghylch cyn-garcharorion. Nid yw digartrefedd yn rhan o'u dedfryd. Mae gan garcharorion a dorrodd y gyfraith hawl i gael eu hailgartrefu, pa un a ydych yn hoffi hynny ai peidio. Mae hynny'n arbennig o wir os ystyriwch y lefelau uchel o salwch meddwl a chymwysterau addysgol isel ymysg carcharorion. Rhyddheir tua 90,000 o bobl o'r carchar yn y DU bob blwyddyn ac mae llawer ohonynt na allant ddal gafael ar eu cartrefi gwreiddiol yn ystod eu cyfnod yn y carchar. O ganlyniad, mae tua 40 y cant yn eu cael eu hunain yn ddigartref pan ryddheir hwy ac mae gwasanaethau wedi darganfod bod tua hanner o'r rhai sydd yn cysgu ar y strydoedd yn gyn-garcharorion.

Dangosodd ymchwil gan Brifysgol Caerefrog yn 1996 fod y rhan fwyaf o garcharorion yn

to return to their original homes on release, less than half do so. They could not arrange accommodation before release because local authorities and housing associations refuse to accept prisoners onto their lists. Women ex-prisoners with children found themselves in a horrendous catch-22 situation. They needed accommodation before they could regain custody of their children but they were not considered to have dependent children unless they had custody, and were, therefore, not considered to be in priority need. Investment in housing provision for ex-prisoners has a clear payback in terms of reduced expenditure on prisons and policing. Around 65 per cent of ex-prisoners, who had no accommodation to return to, re-offended within 12 months. That compares with a re-offending rate of only 25 per cent among those who had accommodation.

That is putting it in financial terms, but above all, we must consider the impact of these people on society and the fact that they are most likely to fall into crime because they are homeless. Putting the issue in human terms is one important step towards improving our society. We should be looking at homelessness and dealing with these categories of people in relation to homelessness and in terms of the cost to society as a whole in the wider sense of the definition of cost.

David Davies: The Welsh Conservative Party welcomes this motion tabled by the Liberal Democrats because we all know that the Labour Government is not doing enough to tackle homelessness. This motion is a useful first step, but that is all. I suspect that homeless people do not care how they are categorised and are more concerned about having a roof over their heads and somewhere warm to sleep. We have managed to spend inordinate amounts of time deciding where to house 60 Assembly Members but we have not done much to tackle the problem of homelessness. When Labour came to power, John Prescott was put in charge of housing and promised to improve housing provision, reduce homelessness and regenerate our cities.

dymuno dychwelyd i'w cartrefi gwreiddiol pan ryddheir hwy, ond mai llai na'u hanner sydd yn gwneud hynny. Ni allent drefnu lle i fyw cyn eu rhyddhau am fod awdurdodau lleol a chymdeithasau tai'n gwrthod derbyn carcharorion ar eu rhestrau. Yr oedd cyn-garcharorion benywaidd â phlant yn eu cael eu hunain mewn caethgyfle arswydus. Yr oedd arnynt angen lle i fyw cyn y gallent ailennill gwarchodaeth ar eu plant ond nid ystyrid bod ganddynt blant dibynnol oni bai fod ganddynt warchodaeth, ac felly, nid ystyrid hwy'n angen â blaenoriaeth. Ceir addaliad amlwg o fuddsoddi mewn darpariaeth tai i gyn-garcharorion o ran gwariant llai ar garcharau a phlisma. Aildroseddodd tua 65 y cant o gyn-garcharorion, nad oedd ganddynt le i fyw i ddychwelyd iddo, o fewn 12 mis. Mae hynny'n cymharu â chyfradd aildroseddu o 25 y cant yn unig ymysg y rhai yr oedd ganddynt le i fyw.

Ei ddatgan mewn termau ariannol yw hynny, ond yn fwy na dim, rhaid inni ystyried effaith y bobl hyn ar gymdeithas a'r ffaith eu bod yn debygol o ddechrau troseddu am eu bod yn ddigartref. Mae datgan y mater mewn termau dynol yn un cam pwysig tuag at wella ein cymdeithas. Dylem edrych ar ddigartrefedd ac ymdrin â'r categorïau hyn o bobl mewn perthynas â digartrefedd ac yn nhermau'r gost i gymdeithas yn ei chyfanrwydd ar ystyr ehangach y diffiniad o gost.

David Davies: Mae Plaid Geidwadol Cymru'n croesawu'r cynnig hwn a gyflwynwyd gan y Democratiaid Rhyddfrydol am fod pawb ohonom yn gwybod nad yw'r Llywodraeth Lafur yn gwneud digon i fynd i'r afael â digartrefedd. Mae'r cynnig hwn yn gam defnyddiol cyntaf, ond dyna'r cwbl. Amheuf nad yw o bwys gan bobl ddigartref sut y cânt eu categorio a'u bod yn pryderu'n fwy ynghylch cael to uwch eu pennau a rhywle cynnes i gysgu. Llwyddasom i dreulio llawer gormod o amser yn penderfynu ymhle i gartrefu 60 Aelod Cynulliad ond ni wnaethom lawer i fynd i'r afael â phroblem digartrefedd. Pan ddaeth Llafur i rym, rhoddwyd tai o dan ofal John Prescott ac addawodd wella'r ddarpariaeth tai, lleihau

digartrefedd ac adfywio ein dinasoedd.

What has come of the radical housing policy to which Peter Law referred? The Assembly statistics show that the number of people categorised as homeless and in priority need has risen from 4,297 in 1997 to 4,371 in 1998, which was the last year for which figures are available. What was the radical policy that was introduced to deal with this problem that appears to be of Labour's own making? They appointed another tsar—a £90,000 per year street tsar. She is on record as saying that she wanted to destroy the culture of kindness and take away the warm clothing and soup from the homeless. That is not quite what we expected from a warm, caring Labour Government.

Beth a ddaeth o'r polisi tai radicalaidd y cyfeiriodd Peter Law ato? Mae ystadegau'r Cynulliad yn dangos bod nifer y bobl a gategoreiddir yn ddigartref a chanddynt angen blaenoriaeth wedi codi o 4,297 yn 1997 i 4,371 yn 1998, sef y flwyddyn ddiwethaf y mae ffigurau ar gael ar ei chyfer. Beth oedd y polisi radicalaidd a gyflwynwyd i ddelio â'r broblem hon yr ymddengys ei bod o wneuthuriad Llafur ei hun? Penododd tsar arall—tsar strydoedd £90,000 y flwyddyn. Mae wedi dweud ar goedd ei bod yn dymuno dinistrio'r diwylliant o garedigrwydd a chymryd y dillad cynnes a'r cawl oddi wrth y digartref. Nid hynny a ddisgwyliem yn hollol gan Lywodraeth Lafur gynnes, ofalgar.

Kirsty Williams: On the point of 'taking away', do you agree that some of the most vulnerable homeless people are young people and that discriminatory benefit rules introduced by the Conservative Government in Westminster to reduce benefit levels for 16 and 17-year-olds and discriminatory housing benefit rules have been responsible for placing young people in vulnerable economic situations? The last time I looked, it cost the same to rent a flat whether you were 16 or 26 years old.

Kirsty Williams: Ar bwynt 'cymryd oddi wrth', a ydych yn cytuno mai rhai o'r bobl ddigartref sydd yn fwyaf agored i niwed yw pobl ifanc a bod rheolau budd-dal gwahaniaethol a gyflwynwyd gan y Llywodraeth Geidwadol yn San Steffan i leihau lefelau budd-dal i rai 16 a 17 mlwydd oed a rheolau budd-dal tai gwahaniaethol wedi bod yn gyfrifol am roi pobl ifanc mewn sefyllfaoedd economaidd lle y maent yn agored i niwed? Y tro diwethaf imi edrych, costiai'r un faint i rentu fflat pa un a oeddech yn 16 neu'n 26 mlwydd oed.

David Davies: I would not agree with that because those rules were introduced to ensure that 16 to 17-year-olds did not just leave home thereby adding to the shortage of housing when they could have stayed at home with their parents.

David Davies: Ni chytunaf â hynny oherwydd cyflwynwyd y rheolau hynny er mwyn sicrhau nad oedd rhai 16 i 17 mlwydd oed yn gadael cartref a drwy hynny ychwanegu at brinder tai pan allent aros gartref gyda'u rhieni.

Kirsty Williams: Under what circumstances could they stay at home, David?

Kirsty Williams: O dan ba amgylchiadau y caent aros gartref, David?

David Davies: I only have six minutes to speak.

David Davies: Nid oes gennyf ond chwe munud i siarad.

The Presiding Officer: Order. You do not have six minutes. The standard speech time in this Assembly is five minutes. You have had three minutes already.

Y Llywydd: Trefn. Nid oes gennych chwe munud. Hyd yr araith arferol yn y Cynulliad hwn yw pum munud. Cawsoch dri munud eisoes.

David Davies: I shall rush ahead then

David Davies: Brysiau ymlaen felly,

Llywydd—

Peter Law: We are not talking about a street tsar, we are talking about an increase of 75 per cent of the homeless budget for Wales. That is what the radical Government of Wales has achieved since the Assembly started. Do you not accept that?

David Davies: We are talking about a radical increase in the number of homeless since you took office. Do you accept that?

Peter Law: No.

David Davies: We should be coming up with common sense policies as well as the worthy words of the motion. We must encourage the regeneration of rundown urban areas. The present Government's policy of giving a green card to developers to ride roughshod over our green fields is not good enough. We should try to regenerate rundown urban areas. We should change the planning law so that people can live above shops and encourage a change in the tax regulations so that it is easier to develop brownfield sites because that is where the most vulnerable people in society need to be housed, close to jobs and public transport.

Janet Davies: Can you specify some of these green areas and come up with some brown areas that could be regenerated?

David Davies: If I had a couple of hours, I could give you many examples.

The Presiding Officer: Order. You do not have a couple of hours. I appeal for brevity.

David Davies: People do not think positively enough about the private sector. When I first bought a house several years ago, I rented out rooms to students knowing that because I lived there, if things went wrong and the tenants did not pay the rent, I would have the power to ask them to leave. If that safeguard had not existed, I would not have rented out any rooms. There would have been two units less on the housing market. If you magnify that by a few thousand, the cost increases. It is difficult to evict a tenant from a property

Lywydd—

Peter Law: Nid ydym yn sôn am tsar strydoedd, yr ydym yn sôn am gynnydd o 75 y cant yn y gyllideb digartref i Gymru. Dyna'r hyn a gyflawnodd Llywodraeth radicalaidd Cymru ers i'r Cynulliad ddechrau. A dderbyniwch hynny?

David Davies: Yr ydym yn sôn am gynnydd sylfaenol yn nifer y digartref ers ichi ddod i rym. A ydych yn derbyn hynny?

Peter Law: Nac ydwyf.

David Davies: Dylem ddyfeisio polisïau synnwyr cyffredin yn ogystal â geiriau teilwng y cynnig. Rhaid inni hybu adfywiad ardaloedd trefol dirywiedig. Nid yw polisi presennol y Llywodraeth o roi rhwydd hynt i ddatblygwyr sathru ein caeau glas dan draed yn ddigon da. Dylem geisio adfywio ardaloedd trefol dirywiedig. Dylem newid y gyfraith cynllunio fel y caiff pobl fyw uwchben siopau ac annog newid yn y rheoliadau treth fel ei bod yn haws datblygu safleoedd tir llwyd oherwydd dyna'r lle y mae angen cartrefu'r bobl sydd yn fwyaf agored i niwed yn y gymdeithas, yn agos at swyddi a thrafnidiaeth gyhoeddus.

Janet Davies: A allwch nodi rhai o'r ardaloedd glas hynny a meddwl am rai ardaloedd maes llwyd y gellid eu hadfywio?

David Davies: Pe bai gennyf rai oriau, gallwn roi llawer o enghreifftiau i chi.

Y Llywydd: Trefn. Nid oes gennych rai oriau. Apeliaf am grynder.

David Davies: Nid yw pobl yn meddwl yn ddigon cadarnhaol ynghylch y sector preifat. Pan brynais dŷ rai blynyddoedd yn ôl, rhoddais ystafelloedd ar osod i fyfyrwyr gan wybod, am fy mod yn byw yno, os âi pethau o chwith ac os na thalai'r tenantiaid y rhent, y byddai gennyf y pŵer i ofyn iddynt adael. Pe na bai'r amddiffyniad hwnnw'n bod, ni fyddwn wedi rhoi unrhyw ystafelloedd ar osod. Buasai dwy uned yn llai ar y farchnad dai. Os chwyddwch hynny o ychydig filoedd, mae'r gost yn cynyddu. Mae'n anodd troi

in which you do not live. All sorts of stringent rules and regulations have been introduced to protect tenants from being made homeless. However, because of those rules people are less willing to rent out second homes or homes that they have moved away from because they are working elsewhere, therefore, there are fewer houses on the market and the price artificially increases. In a nutshell, if we support the private sector and landlords, it may not sound like it would help homelessness, but it would.

Perhaps we should also consider the scandal of empty council houses. The number of vacant council houses has risen from 4,722 in April 1997 to 6,475 in April 1999. That is an absolute disgrace. There is a clear role for the Assembly to tackle the problem. First, rundown council houses that have been empty for more than two years could be transferred to the private sector for redevelopment. Those developers could be encouraged to renovate and sell the houses to first time buyers, which would increase the amount of social housing available. Secondly, we could empower people by bringing about real devolution—devolution that is down to the individual—by giving individuals grants to transform rundown, dilapidated council houses and flats. Once those properties have been renovated, they will be able to move from social housing, freeing it up for someone else.

5:20 p.m.

We also need to look after homeowners. According to figures from the Council of Mortgage Lenders, home repossessions rose in the first half of 1998, reversing a constant downward trend from 1992. People who are having problems paying their mortgages one day can go on to the homeless list the next.

I could give you more practical suggestions but time is short. I want to end by stressing that the Conservative Party is, and always has been, committed to the concept of a home-owning democracy. The last Conservative Government recognised the fact that the vast majority of people aspire

tenant o eiddo nad ydych yn byw ynddo. Cyflwynwyd pob math o reolau a rheoliadau caeth i amddiffyn tenantiaid rhag eu gwneud yn ddiartref. Fodd bynnag, oherwydd y rheolau hynny mae pobl yn llai parod i roi ar osod ail gartrefi a chartrefi y maent wedi eu gadael am eu bod yn gweithio yn rhywle arall, felly, mae llai o dai ar y farchnad ac mae'r pris yn codi'n artiffisial. Yn gryno, os cefnogwn y sector preifat a landlordiaid, efallai na fyddai'n swnio fel pe bai'n helpu digartrefedd, ond byddai.

Efallai y dylem hefyd ystyried gwarth tai cyngor gwag. Mae nifer y tai cyngor gwag wedi codi o 4,722 yn Ebrill 1997 i 6,475 yn Ebrill 1999. Mae hynny'n gywilydd llwyr. Mae rôl amlwg i'r Cynulliad i fynd i'r afael â'r broblem. Yn gyntaf, gellid trosglwyddo tai cyngor dirywiedig a fu'n wag am fwy na dwy flynedd i'r sector preifat i'w hailddatblygu. Gellid annog y datblygwyr hynny i adnewyddu a gwerthu'r tai i brynwyr tro cyntaf, a fyddai'n cynyddu nifer y tai cymdeithasol sydd ar gael. Yn ail, gallem alluogi pobl drwy greu datganoli gwirioneddol—datganoli i lawr at yr unigolyn—drwy roi grantiau i unigolion i drawsnewid tai a fflatiau cyngor dirywiedig, adfeiliedig. Ar ôl adnewyddu'r tai hyn, byddant yn gallu symud o dai cymdeithasol, gan eu rhyddhau ar gyfer rhywun arall.

Mae angen inni hefyd ofalu am berchnogion tai. Yn ôl ffigurau o Gyngor y Benthycwyr Morgeisi, cododd nifer y cartrefi a adfeddiannwyd yn hanner cyntaf 1998, gan wrthdroi tuedd gyson ar i lawr ers 1992. Gall pobl sydd yn ei chael yn anodd talu eu morgesei un diwrnod fynd ar restr y digartref y diwrnod wedyn.

Gallwn roi mwy o awgrymiadau ymarferol i chi ond mae amser yn brin. Dymunaf orffen drwy bwysleisio bod y Blaid Geidwadol wedi ymrwymo yn awr ac erioed i'r syniad o ddemocratiaeth o berchnogion tai. Cydnabu'r Llywodraeth Geidwadol y ffaith mai uchelgais y rhan helaethaf o bobl yw bod yn

towards owning their own home, which seems to have escaped the notice of my colleagues from other parties who sit in this area of the Chamber. We did not just go around saying that and proposing worthy motions. We brought about policies that allowed millions of people to fulfil their aspiration to own their own homes. We did so in the face of opposition from Labour who would prefer as many people as possible to depend on the state to put a roof over their heads. They want people to rely on the state because they know that people who are dependent on the state for their most basic need can be influenced by the state. We believe in empowering people and giving everyone the freedom to live their lives as far as possible from state interference, while providing a safety net for the unfortunate few who are unable to look after themselves. We support this motion. As far as Andrew Davies's amendment is concerned, the phrase 'the three Fs' sums it up: field it, fudge it and forget it.

Michael German: I am grateful for nearly all the contributions that have been made. It has been a good debate, which shows the interest in this matter. Some people have not yet had a chance to speak. Running out of time when debating this motion is not helpful and we should return to this issue. I ask you not to support the amendment.

Val Feld: I am glad that you said that. I have been sitting here in frustration because I wanted to speak. In view of the fact that there is so much to be discussed, do you agree that it would have made more sense to deal with this in the Committee before going out to consultation, rather than bypass the Committee process? Do you agree that it undermines rather than strengthens the Committee process if a resolution of this nature is brought directly by one party to Plenary when Committees are still discussing the issue? Is it not your wish, as I have heard you say on many occasions, to try to strengthen the role of the Committees?

Michael German: This is a first and modest step. If the Assembly as a whole cannot

berchen ar eu cartref eu hunain, rhywbeth na sylwyd arno gan fy nghyd-Aelodau mewn pleidiau eraill sydd yn eistedd yn rhan hon o'r Siambr yn ôl pob golwg. Gwnaethom fwy na mynd o gwmpas yn dweud hynny ac yn cynnig cynigion teilwng. Creasom bolisiâu a ganiataodd i filiynau o bobl gyflawni eu huchelgais i fod yn berchen ar eu cartref eu hunain. Gwnaethom hynny yn wyneb gwrthwynebiad Llafur, y byddai'n well ganddo gael cynifer ag y bo modd yn dibynnu ar y wladwriaeth i roi to uwch eu pen. Dymunant i bobl ddibynnu ar y wladwriaeth am y gwyddant fod pobl sydd yn ddibynnol ar y wladwriaeth am y rhan fwyaf o'u hanghenion yn rhai y gall y wladwriaeth ddylanwadu arnynt. Credwn mewn galluogi pobl a rhoi i bawb y rhyddid i fyw eu bywydau mor bell ag y bo modd o ymyrraeth y wladwriaeth, gan ddarparu rhwyd diogelwch i'r ychydig anffodus na allant ofalu amdanynt eu hunain. Cefnogwn y cynnig hwn. Am welliant Andrew Davies, mae'r ymadrodd hwn yn ei grynhoi: daliwch ef, bwnglerwch ef ac anghofiwch ef.

Michael German: Yr wyf yn ddiolchgar am bron y cyfan o'r cyfraniadau a wnaethpwyd. Bu'n ddadl dda, sydd yn dangos y diddordeb yn y mater hwn. Mae rhai sydd heb gael cyfle i siarad eto. Nid yw dod i ben ein hamser wrth drafod y cynnig hwn o gymorth a dylem ddod yn ôl at y mater hwn eto. Gofynnaf ichi beidio â chefnogi'r gwelliant.

Val Feld: Yr wyf yn falch ichi ddweud hynny. Bùm yn eistedd yma'n rhwystredig am fy mod yn dymuno siarad. Yng ngolwg y ffaith bod cymaint i'w drafod, a gytunwch y buasai'n fwy synhwyrol delio â hyn yn y Pwyllgor cyn mynd allan i ymgynghori, yn hytrach nag osgoi'r broses Pwyllgor? A gytunwch ei bod yn tanseilio yn hytrach nag yn cryfhau'r broses Pwyllgor os cyflwynir cynnig o'r math hwn yn uniongyrchol gan un blaid i'r Cyfarfod Llawn pan fo Pwyllgorau'n dal i drafod y mater? Onid eich dymuniad, fel y'ch clywais yn dweud ar lawer achlysur, yw ceisio cryfhau rôl y Pwyllgorau?

Michael German: Cam cyntaf a chymedrol yw hwn. Os na all y Cynulliad fel cyfangorff

debate issues of great social concern, we are not fulfilling our purpose. This is a first step. After all, this motion is saying that it is a chance for the Assembly to act. It is a chance for us to do something worthwhile for the people of Wales.

Peter Black: This has been debated a number of times in Committee. We have had the Paul Bevan report, 'Rough Sleeping in Wales', and several sessions looking at the housing strategy for Wales. We have gone through this in great detail. It is reasonable after so much discussion that we take action on the many reports on the main Committee discussions.

Val Feld: Will you take an intervention?

Michael German: This is not the time for a debate on whether the Committee has dealt with the matter.

Val Feld: Did you bring this directly to Plenary because your party's representative on the Committee and your party are frustrated that the Committee has not dealt with it adequately? Have you raised that in Committee?

Michael German: No. We are genuinely frustrated with the lack of specific Welsh legislation to give us specific Welsh solutions. That is the issue before us today. The only problem is the amendment and we must deal with it. Peter Law has made two arguments for supporting his amendment. One is a legal argument and one relates to practicality. I will deal with the issue of practicality first. There is a simple telling fact. Peter Law says that four months is not enough time for him to consult local government and the voluntary sector. However, from mid July, he is giving local government two months to respond to the new formula for funding every service that local government provides. That beggars belief.

The second issue concerns the reasonableness of the amendment. I will ask

drafod materion o bwys cymdeithasol mawr, nid ydym yn cyflawni ein pwrpas. Cam cyntaf yw hwn. Wedi'r cwbl, mae'r cynnig hwn yn dweud ei fod yn gyfle i'r Cynulliad weithredu. Mae'n gyfle inni wneud rhywbeth buddiol er mwyn pobl Cymru.

Peter Black: Trafodwyd hyn nifer o weithiau yn y Pwyllgor. Cawsom adroddiad Paul Bevan, 'Rough Sleeping in Wales', a sawl sesiwn yn edrych ar y strategaeth dai i Gymru. Aethom drwy hyn yn fanwl iawn. Mae'n rhesymol ar ôl cymaint o drafod inni weithredu ar y llu o adroddiadau ar brif drafodaethau'r Pwyllgor.

Val Feld: A dderbyniwch ymyriad?

Michael German: Nid hon yw'r adeg ar gyfer dadl ynghylch a yw'r Pwyllgor wedi ymdrin â'r mater.

Val Feld: A ddaethoch â hyn yn uniongyrchol i'r Cyfarfod Llawn am fod cynrychiolydd eich plaid ar y Pwyllgor a'ch plaid yn rhwystredig am nad yw'r Pwyllgor wedi ymdrin ag ef yn ddigonol? A ydych wedi codi hynny yn y Pwyllgor?

Michael German: Nac ydym. Yr ydym yn wirioneddol rwystredig oherwydd diffyg deddfwriaeth benodol Gymreig i roi atebion penodol Cymreig inni. Dyna'r mater sydd ger ein bron heddiw. Yr unig broblem yw'r gwelliant a rhaid inni ymdrin ag ef. Cyflwynodd Peter Law ddwy ddadl dros gefnogi'r gwelliant. Un yw'r ddadl gyfreithiol ac mae un yn ymwneud ag ymarferoldeb. Ymdriniaf â mater ymarferoldeb yn gyntaf. Mae un ffaith drawiadol syml. Dywed Peter Law nad yw pedwar mis yn ddigon o amser iddo ymgynghori â llywodraeth leol a'r sector gwirfoddol. Fodd bynnag, o ganol Gorffennaf, mae'n rhoi dau fis i lywodraeth leol ymateb i'r fformwla newydd ar gyfer ariannu pob gwasanaeth y mae llywodraeth leol yn ei ddarparu. Mae hynny y tu hwnt i grediniaeth.

Mae'r ail fater yn ymwneud â rhesymoldeb y gwelliant. Byddaf yn gofyn i'r Llywydd a

the Presiding Officer whether he agrees with me and ask him to interpret this Assembly resolution. We decided as an Assembly in the delegations resolution on 16 June 1999 that nothing in the delegation of resolutions to any Assembly Secretary or the First Secretary would reduce the pre-eminence of the authority of the full Assembly. I hope that dismisses the idea that we cannot pass such resolutions. How do you rule on the matter, Presiding Officer?

The Presiding Officer: You ask for a ruling on the matter. My understanding is as you suggest, which is that the delegation of powers resolution, which is under section 62.8 of the Government of Wales Act 1998, ensures that there is delegation of powers from the Assembly to the First Secretary, and hence the Assembly Secretary. That does not prevent the Assembly itself from passing a resolution that would seek to obtain a response from the Assembly Secretary, following on from that Assembly resolution. The fact that the Assembly, under circumstances covered by Standing Order No. 22, can specifically instruct the Assembly Secretary to provide for a draft of an Order does not mean that this is the only area within the Assembly's function where it is unable to pass a resolution or to try to ensure by resolution the Government of Wales' response. That is my considered view.

Michael German: I am grateful for that. That dismisses the Labour administration's arguments for supporting its amendment. Let us deal with the resolution. This is a chance for you to act on an issue of grave social concern. The motion is not perfect or comprehensive but it is the first step in a walk down a long road. I am grateful to Janet Ryder for saying that we are moving down the road. I agree with her that we must monitor the results or we will not know the effectiveness of this resolution.

We accept that there will be costs associated with passing this resolution but there will also be enormous benefits. There will be many social as well as financial benefits. In

yw'n cytuno â mi ac yn gofyn iddo ddehongli'r cynnig Cynulliad hwn. Penderfynasom fel Cynulliad yn y penderfyniad ar ddirprwyaethau ar 16 Mehefin 1999 na fyddai dim yn y dirprwyo o benderfyniadau i unrhyw Ysgrifennydd Cynulliad nac i'r Prif Ysgrifennydd yn lleihau goruchafiaeth awdurdod y Cynulliad llawn. Gobeithiaf fod hynny'n troi heibio'r syniad na allwn basio penderfyniadau o'r fath. Sut y dyfarnwch ar y mater, Lywydd?

Y Llywydd: Gofynnwch am ddyfarniad ar y mater. Mae'r hyn a ddeallaf fi fel yr awgrymwch, sef bod y penderfyniad ar ddirprwyo pwerau, sydd o dan adran 62.8 Deddf Llywodraeth Cymru 1998, yn sicrhau dirprwyo pwerau o'r Cynulliad i'r Prif Ysgrifennydd, ac oddi wrtho i'r Ysgrifennydd Cynulliad. Nid yw hynny'n atal y Cynulliad ei hun rhag pasio penderfyniad a fyddai'n ceisio sicrhau ymateb gan yr Ysgrifennydd Cynulliad, gan ddilyn y penderfyniad Cynulliad hwnnw. Nid yw'r ffaith bod y Cynulliad, o dan amgylchiadau yr ymdrinnir â hwy gan Reol Sefydlog Rhif 22, yn gallu cyfarwyddo'r Ysgrifennydd Cynulliad yn benodol i ddarparu ar gyfer drafft o Orchymyn yn golygu mai hwnnw yw'r unig faes oddi mewn i swyddogaeth y Cynulliad lle nad yw'n gallu pasio penderfyniad neu geisio sicrhau drwy benderfyniad ymateb gan Lywodraeth Cymru. Dyna fy marn ystyriol i.

Michael German: Yr wyf yn ddiolchgar am hynny. Mae hynny'n troi heibio ddadleuon y weinyddiaeth Lafur dros gefnogi ei gwelliant. Gadewch inni ymdrin â'r cynnig. Mae hyn yn gyfle ichi weithredu ar fater o bwys cymdeithasol difrifol. Nid yw'r cynnig yn berffaith na'n gynhwysfawr ond y cam cyntaf ydyw ar daith ar hyd ffordd hir. Yr wyf yn ddiolchgar i Janet Ryder am ddweud ein bod yn symud ar hyd y ffordd. Cytunaf â hi fod rhaid inni fonitro'r canlyniadau neu ni fyddwn yn gwybod am effeithiolrwydd y cynnig hwn.

Derbyniwn y bydd costau'n gysylltiedig â phasio'r cynnig hwn ond bydd manteision aruthrol hefyd. Bydd llawer o fanteision cymdeithasol yn ogystal â rhai ariannol. Yn

1990, reports suggested that around 65 per cent of ex-prisoners who had no accommodation to which to return reoffended within 12 months of release, compared with 25 per cent of those for whom accommodation was available. Rough sleeping produces costs in terms of policing. It also produces costs for the national health service, which deals with the ill health caused by homelessness and particularly by rough sleeping. Homelessness reduction makes fiscal as well as moral and political sense.

I ask you all to oppose the amendment. Use your vote today to exercise the strength of the Assembly. Let us start using the laws and the legislative powers that are available to us to deal with this appalling social issue. I ask you to support the motion unamended.

1990, yr oedd adroddiadau'n awgrymu bod tua 65 y cant o gyn-garcharorion a oedd heb le i fyw y gallent ddychwelyd iddo wedi aildroseddu o fewn 12 mis ar ôl eu rhyddhau, o'i gymharu â 25 y cant o'r rhai yr oedd lle i fyw ar eu cyfer. Mae cysgu ar y strydoedd yn creu costau o ran plismona. Mae hefyd yn creu costau i'r gwasanaeth iechyd gwladol, sydd yn delio â'r iechyd gwael a achosir gan ddigartrefedd ac yn enwedig gan gysgu ar y strydoedd. Mae lleihau digartrefedd yn gwneud synnwyr cyllidol yn ogystal â synnwyr moesol a gwleidyddol.

Gofynnaf ichi wrthwynebu'r gwelliant. Defnyddiwch eich pleidlais heddiw i arfer grym y Cynulliad. Gadewch inni ddechrau defnyddio'r deddfau a'r pwerau deddfwriaethol sydd ar gael i ni i ymdrin â'r mater cymdeithasol gwarthus hwn. Gofynnaf ichi gefnogi'r cynnig heb ei ddiwygio.

*Gwelliant 1: O blaid 27, Ymatal 0, Yn erbyn 29.
Amendment 1: For 27, Abstain 0, Against 29.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Butler, Rosemary
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
Feld, Val
Gibbons, Brian
Gregory, Janice
Gwyther, Christine
Halford, Alison
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw
Marek, John
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sinclair, Karen
Thomas, Gwenda

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bates, Mick
Black, Peter
Bourne, Nick
Cairns, Alun
Dafis, Cynog
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
German, Michael
Graham, William
Hancock, Brian
Humphreys, Christine
Jarman, Pauline
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lloyd, David
Melding, David
Morgan, Jonathan
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Amendment rejected.

Gwrthodwyd y gwelliant.

Cynnig: O blaid 29, Ymatal 26, Yn erbyn 0.

Motion: For 29, Abstain 26, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bates, Mick
Black, Peter
Bourne, Nick
Cairns, Alun
Dafis, Cynog
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
German, Michael
Graham, William
Hancock, Brian
Humphreys, Christine
Jarman, Pauline
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lloyd, David
Melding, David
Morgan, Jonathan
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Barrett, Lorraine
Butler, Rosemary
Chapman, Christine
Davidson, Jane
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
Feld, Val
Gibbons, Brian
Gregory, Janice
Gwyther, Christine
Halford, Alison
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw
Marek, John
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sinclair, Karen
Thomas, Gwenda

Motion adopted.

Derbyniwyd y cynnig.

Y Llywydd: Dyna ddiwedd busnes heddiw.
Diolch am eich cydweithrediad.

The Presiding Officer: That is the end of
today's business. Thank you for your co-
operation.

Daeth y cyfarfod i ben am 5.37 p.m.

The session ended at 5.37 p.m.