

Communities, Equality and Local Government Committee

Meeting Venue:
Committee Room 2 – Senedd

Meeting date:
8 November 2012

Meeting time:
09:15

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

Policy: Marc Wyn Jones
Committee Clerk
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Agenda

Pre-meeting – 09.15 – 09.30

Legislation briefing – 09.30 – 10.00

1. Introductions, apologies and substitutions

2. Update on the Financial Inclusion and the Impact of Financial Education Report – November 2010 (10.00 – 10.30)

Wales Cooperative Centre

Katija Dew, Programme Director – Financial Inclusion

3. Papers to note

CELG(4) – 25 – 12 – Paper 1 – Additional Information from the Minister for Local Government and Communities (Pages 1 – 4)

CELG(4) – 25 – 12 – Paper 2 – Additional Information from the Minister for Environment and Sustainable Development (Pages 5 – 6)

CELG(4) - 25 - 12 - Paper 3 and 3A - Additional information from the Minister for Finance and the Leader of the House (Pages 7 - 46)

CELG(4) - 25 - 12 - Paper 4 - Regulated Mobile Home Sites (Wales) Bill - Stage 1 Consideration (Pages 47 - 61)

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



Llywodraeth Cymru
Welsh Government

Chair of Communities, Equality
and Local Government Committee

22 October 2012



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

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

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

Results Based Accountability process

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

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

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

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

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

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

Sustainable Development

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

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

The Financial Regularity Impact Assessment of Bills

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

Funding for Council Tax Benefit

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

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

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

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

The Community First Scheme

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

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

The CF partnerships leaving the programme are:

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

Funding for the Advice Sector

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

Model of funding the Fire and Rescue Services

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

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

Yours sincerely,



Carl Sargeant AC / AM

Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities

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



Llywodraeth Cymru
Welsh Government

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

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

Dee Ann

25 October 2012

Sustainable Development definition

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

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

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

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

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

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

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

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

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

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

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

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

The current Sustainable Development Scheme is consistent with these principles.

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

Best wishes,



John Griffiths AC / AM

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

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



Llywodraeth Cymru
Welsh Government

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

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

20 October 2012

Dear Ann,

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

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

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

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

Best wishes,
Jane

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

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Caerdydd • Cardiff
CF99 1NA

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Equality Impact Assessment (EIA) Template – Part 1

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

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

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

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

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

Impact

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

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

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

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

5.2 Because they are disabled?

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

5.3 Because of their gender (man or woman)?

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

5.4 Because they are transgender?

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

5.5 Because of their marriage or civil partnership?

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

5.6 Because of their pregnancy or maternity?

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

5.7 Because of their race?

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

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

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

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

5.9 Because of their sexual orientation?

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

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

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

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

7.0 Is a full Equality Impact Assessment required?

Yes / No

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

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

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

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

Outcome 1: No major change

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

Outcome 2: Adjust the policy

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

Outcome 3: Continue the policy (and justify why)

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

Outcome 4: Stop and remove the policy

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

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

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

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

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

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

2. Strengthening the policy

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

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

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

3. Making a decision

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

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

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

4. Monitoring, evaluating and reviewing

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

Please include the date the policy will be reviewed.

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

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

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

5. Declaration

***Please delete as appropriate:**

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

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

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

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

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted

Communities, Equality and Local Government Committee

Regulated Mobile Home Sites (Wales) Bill – Stage 1 consideration

To: Communities, Equality and Local Government Committee

From: Legislation Office

Date: 8 November 2012

Purpose

1. To invite members to note its agreed approach to and framework for Stage 1 scrutiny of the Regulated Mobile Home Sites (Wales) Bill ('the Bill').

Background

2. On 23 October 2012, the Business Committee referred the Bill to the Communities, Equality and Local Government Committee ('the Committee'), with a reporting deadline of 22 February 2013. The illustrative timetable as agreed by Business Committee is at [Annex A](#).

3. On 24 October 2012 Peter Black AM introduced the Bill and Explanatory Memorandum.

4. The Committee considered and agreed its approach to Stage 1 scrutiny out of committee.

Role of the Committee

5. The role of the Committee at Stage 1 is to "*consider and report on the general principles of the Bill*" (SO 26.10). There are no specific requirements in Standing Orders governing the way in which the Committee carries out this scrutiny.

6. Once the Committee has reported, there will be a Stage 1 debate in Plenary for the Assembly to agree the general principles of the Bill. If the general principles are agreed, Stage 2 of the process will involve the detailed consideration of the Bill by the Committee, including the disposal of amendments (Stage 2 is currently scheduled to take place during April and May 2013).

Terms of reference

7. In scrutinising the general principles of the Bill at Stage 1, the Committee has agreed to work within the following terms of reference:

To consider the Committee's recommendation to the Assembly in relation to whether to approve the general principles of the Bill, taking into account:

1. whether there is a need for a Bill to establish a licensing regime for mobile home sites in Wales, and to make provision in relation to the management and operation of such sites;
2. whether the Bill, as currently drafted, achieves its stated purposes;
3. the key provisions set out in the Bill, and whether they are appropriate to deliver the Bill's purposes;
4. whether there are any potential barriers to the implementation of the provisions in the Bill, and if so whether the Bill takes sufficient account of them;
5. whether there are any unintended consequences arising from the Bill as currently drafted;
6. whether there is a reasonable balance between the powers on the face of the Bill and the subordinate legislation powers to be conferred on Welsh Ministers; and
7. the views of stakeholders who will be affected by the Bill, including but not limited to mobile home owners, mobile home park owners and operators, local authorities as site licensing authorities and the Residential Property Tribunal.

Committee's approach to Stage 1 scrutiny

8. In line with the deadline set by the Business Committee, the Committee will need to complete its scrutiny of the Bill and lay its report no later than 22 February 2013.
9. The reporting deadline allows eleven sitting weeks in which to undertake this work.
10. The Committee has agreed the following approach:
 - **General call for evidence**
Issue a general call for evidence, which would be notified to the Welsh media and published on the Assembly's website. The consultation letter and list of consultation questions are attached at [Annex B](#). The reporting deadline allows for a five week consultation period, from 5 November to 7 December.

- **Invite written submissions**
Invite written submissions from selected organisations and individuals. The list of consultees is attached at [Annex C](#).
- **Oral evidence**
Invite key stakeholders to give oral evidence at future meetings (alongside the consultation exercise). A list of witnesses and outline work programme is attached at [Annex D](#).

Other committees

11. For information, Standing Orders permit both the Finance Committee and the Constitutional and Legislative Affairs Committees to report on the relevant aspects of Bill. The Bill has been drawn to the attention of both committees, and the clerk will ensure that the Committee are kept updated should either committee choose to scrutinise the Bill.

Key themes

12. The Bill as drafted includes a number of key themes, identified as follows:

- General principles;
- Licensing administration;
- Licensing enforcement;
- Management of sites;
- Contractual relationship between site operators and home owners.

13. The Committee has agreed to continue its previous practice of allocating themes to individual Committee members, with a view to enabling specialism in relation to the scrutiny of the Bill.

Action

14. Committee members are invited to note the agreed approach to and framework for Stage 1 scrutiny of the Regulated Mobile Home Sites (Wales) Bill.

**Illustrative timetable
Regulated Mobile Home Sites (Wales) Bill**

Milestone	Dates
1. Bill introduced / laid	25 October 2012 (Thurs)
2. Deadline for Stage 1 Committee consideration	22 February 2013
3. <i>Stage 1 Ends - Plenary debate on general principles</i>	6 March 2013
4. <i>Stage 2 Begins</i>	7 March 2013
5. <i>Earliest possible date for stage 2 consideration</i>	17 April 2013
6. <i>Stage 2 Ends - Deadline for stage 2 Committee</i>	10 May 2013
7. <i>Stage 3 Begins</i>	13 May 2013
8. <i>Stage 3 and Stage 4 in Plenary</i>	12 June 2013
9. <i>Royal Assent</i>	July 2012

Notes

2 Allows 11 sitting weeks for Stage 1 Committee proceedings.

October recess 29 October 2012 – 4 November 2012

Christmas recess 10 December 2012 – 7 January 2013

4 Stage 2 begins on the first working day after Stage 1 is completed.

Easter Recess 25 March 2013 – 12 April 2013

5 At least 15 working days must elapse between the start of Stage 2 and the first Committee meeting.

6 3 possible meetings have been allowed for Stage 2 proceedings.

7 Stage 3 begins on the first working day after Stage 2 is completed.

8 At least 15 working days must elapse between the start of Stage 3 and the date of the first meeting of the Assembly that considers Stage 3 proceedings.

9 This date is dependent on the 4 week reference and intervention period, and subsequently the availability of Her Majesty for Royal Assent.

Annex B

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

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Bae Caerdydd / Cardiff Bay
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Dd mm yyyy

Dear Sir/Madam

Consultation on the Regulated Mobile Home Sites (Wales) Bill

To assist its Stage 1 consideration of the Regulated Mobile Home Sites (Wales) Bill, the Communities, Equality and Local Government Committee would welcome your views on the general principles of the Bill.

What is a Bill?

A Bill is a draft law. Once a Bill has been considered and passed by the Assembly and given Royal Assent by the Queen, it becomes an 'Act of the Assembly'.

There is a four stage process for the consideration of a Bill. Stage 1 involves consideration of the general principles of the Bill by a committee (which includes the taking of written and oral evidence from interested parties and stakeholders), and the agreement of those general principles by the Assembly.

What does this Bill seek to achieve?

The Explanatory Memorandum that accompanies the Bill states:

“The Bill has a number of objectives. Firstly, to introduce a new licensing regime for mobile home sites and to give local authorities sufficient powers to enforce that regime. This will include ensuring that site owners and managers pass a fit and proper person test [...].

The Bill will also give the Welsh Ministers powers to approve a code of practice with regard to the management of sites as well as powers to make management regulations. Additionally, the Bill seeks to modernise a number of aspects of the contractual relationship between mobile home owners and site operators, including changes to the process by which homes are bought and sold.”

“The Bill does not affect the law relating to holiday or touring caravan sites, although it will affect mixed use sites [...] as far as the residential parts are concerned.”

What is the Committee’s role?

The role of the Committee is to consider and report on the general principles of the Bill. In doing so, the Committee has agreed to work within the following framework:

To consider the Committee’s recommendation to the Assembly in relation to whether to approve the general principles of the Bill, taking into account:

1. whether there is a need for a Bill to establish a licensing regime for mobile home sites in Wales, and to make provision in relation to the management and operation of such sites;
2. whether the Bill, as currently drafted, achieves its stated purposes;
3. the key provisions set out in the Bill, and whether they are appropriate to deliver the Bill’s purposes;
4. whether there are any potential barriers to the implementation of the provisions in the Bill, and if so whether the Bill takes sufficient account of them;
5. whether there are any unintended consequences arising from the Bill as currently drafted;
6. whether there is a reasonable balance between the powers on the face of the Bill and the subordinate legislation powers to be conferred on Welsh Ministers; and
7. the views of stakeholders who will be affected by the Bill, including but not limited to mobile home owners, mobile home

park owners and operators, local authorities as site licensing authorities and the Residential Property Tribunal.

Invitation to contribute to the inquiry

We appreciate that you may recently have been invited to respond to a consultation exercise undertaken by Peter Black AM, which sought your views on a range of policy proposals in order to inform the drafting of the Bill.

As a Committee, we would like to invite you to submit written evidence to assist us in our scrutiny of the Bill, and are therefore seeking your views on the aims and objectives of the Bill as it has been drafted, and on the impact which the Bill will have. **In particular, we would welcome your views on the questions listed in Annex 1.**

How to contribute

There are a number of ways in which you can submit evidence, but all submissions must arrive by **7 December 2012**. It may not be possible for us to take responses received after this date into account.

Email

If you wish to submit evidence by email, please send an electronic copy of your submission to CELG.committee@wales.gov.uk, using “Consultation – Regulated Mobile Home Sites (Wales) Bill” in the subject line.

Online

If you wish to submit evidence online, the consultation questions are available at <https://www.surveymonkey.com/s/Regulated-Mobile-Home-Sites-Bill>.

Letter

If you wish to write to us, the address is:

Helen Finlayson
Clerk
Legislation Office
National Assembly for Wales
Cardiff Bay
CF99 1NA

When preparing your submission, please keep the following in mind:

- your response should address the issues before the Committee;
- the National Assembly normally makes responses to public consultation available for public scrutiny and they may also be seen and discussed by Assembly Members at Committee meetings. If you do not want your response or name published, it is important that you clearly specify this in your submission;
- please indicate whether you are responding on behalf of an organisation, or as an individual; and
- please indicate whether or not you would be prepared to give oral evidence to the Committee.

The Committee welcomes contributions in English and Welsh and we ask organisations with Welsh Language policies/schemes to provide bilingual submissions, in line with their public information policies. The Committee will consider responses to the written consultation and hold oral evidence sessions during the autumn and spring terms.

For your information, the Committee has invited submissions from those on the attached distribution list (see Annex 2). The Committee would be grateful if you could forward a copy of the letter to any individuals or organisations that are not included on this list, but who might like to contribute to the inquiry. A copy of this letter has been placed on the National Assembly's website with an open invitation to submit views.

Disclosure of information

It is normal practice for the National Assembly to publish evidence provided to a committee. Consequently your response may appear in a report or in supplementary evidence to a report. The National Assembly will not publish information which it considers to be personal data.

In the event of a request for information submitted under UK legislation, it may be necessary to disclose the information that you provide. This may include information which has previously been removed by the National Assembly for publication purposes.

If you are providing any information, other than personal data, which you feel is not suitable for public disclosure, it is up to you to stipulate which parts should not be published and to provide a reasoned argument to support this. The National Assembly will take this into account when publishing information or responding to requests for information.

If you have any queries, please contact the Committee's clerk, Helen Finlayson, on 029 2089 8600 or at Helen.Finlayson@wales.gov.uk.

Yours faithfully

A handwritten signature in black ink that reads "Ann Jones". The signature is written in a cursive style with a large initial 'A'.

Ann Jones AC / AM
Cadeirydd / Chair

Consultation Questions

General

1. Is there a need for a Bill to amend the arrangements for licensing and make provision for the management and operation of regulated mobile home sites in Wales? Please explain your answer.
2. Do you think the Bill, as drafted, delivers the stated objectives as set out in the Explanatory Memorandum? Please explain your answer.
3. In your view, will the licensing and enforcement regime established by the Bill be suitable? If not, how does the Bill need to change?
4. Are the Bill's proposals in relation to a fit and proper person test for site owners and operators appropriate, and what will the implications be?
5. Are the amendments to the contractual relationship between mobile home owners and site owners which would result from the Bill appropriate? If not, how does the Bill need to change?
6. In your view, how will the Bill change the requirements on site owners/operators, and what impact will such changes have, if any?
7. Do you agree that the Residential Property Tribunal should have jurisdiction to deal with all disputes relating to this Bill, aside from criminal prosecutions? Please give your reasons.
8. What are the potential barriers to implementing the provisions of the Bill (if any) and does the Bill take account of them?

Powers to make subordinate legislation

9. What are your views on powers in the Bill for Welsh Ministers to make subordinate legislation (i.e. statutory instruments, including regulations, orders and directions)?

In answering this question, you may wish to consider Section 5 of the Explanatory Memorandum, which contains a table summarising the powers delegated to Welsh Ministers in the Bill.

Financial implications

10. In your view, what are the financial implications of the Bill? Please consider the scale and distribution of the financial implications.

In answering this question you may wish to consider Part 2 of the Explanatory Memorandum (the Regulatory Impact Assessment), which includes an estimate of the costs and benefits of implementation of the Bill.

Other comments

11. Are there any other comments you wish to make about specific sections of the Bill?

List of consultees

Category	Organisation/name
	Residential Property Tribunal Wales
	Huw Lewis AM (Minister for Housing)
Local authorities	All Welsh local authorities
	Welsh Local Government Association (WLGA)
Police	Association of Chief Police Officers
UK Parliament	House of Commons Communities and Local Government Select Committee
	Mark Prisk MP (Minister for Housing)
	Peter Aldous MP (Private Member's Bill)
	All Party Group on Mobile Homes
Scotland	Cross Party Group on Park Homes
	Scottish Government
Mobile home owners	National Association of Park Home Residents
	Park Home Owners Justice Campaign
	Park Home Residents Action Alliance (PHRAA)
Mobile home site owners	Site owners
	British Holiday & Homes Park Association
	Guild of Residential Landlords
	Wyldecrest Parks
	Country Land and Business Association

Category	Organisation/name
	National Caravan Council
Advisory bodies	Independent Park Homes Advisory Service
	National Supporting People Network (SPIN)
	Tenant Participation Advisory Service (TPAS) Cymru
	Citizens Advice Bureau
	Consumer Focus Wales
Business organisations	CBI Wales
	FSB Wales
	Guild of Park Home Services
Academics	Cardiff University, Regeneration Institute
	University of York, Centre for Housing Policy
	Sheffield University, Department of Town and Regional Planning
	Wales Rural Observatory
	Cardiff Met University, Cardiff School of Health Sciences (Housing)
	Wales Governance Centre
Housing organisations	Caer Las Cymru
	Care and Repair Cymru
	Chartered Institute of Housing Cymru
	Community Housing Cymru
	Cymorth Cymru
	Cymuned

Category	Organisation/name
	Houses in Multiple Occupation (HMO) Network
	National Association of Estate Agents (NAEA)
	National Federation of Builders
	National Homelessness Network
	National Landlords Association
	Welsh Tenants Federation
	Residential Landlords Association
	Royal Institution of Chartered Surveyors (RICS)
	Shelter Cymru
Other	Equality and Human Rights Commission
	Joseph Rowntree Foundation
	NACRO
	Stonewall Cymru
	The Presbyterian Church of Wales
	The Wallich
	Older People's Commissioner
	Age Cymru

Outline work programme

Date	Suggested activity
w/c 5 November	Consultation opens
14 November	Peter Black AM Consumer Focus Wales
22 November	Residential Property Tribunal Local authorities
28 November	Representatives of mobile home site owners/operators Representatives of mobile home owners
6 December	Huw Lewis AM, Minister for Housing
7 December	Consultation closes
Christmas recess (10 December to 4 January)	
9 January	Peter Black AM Key issues discussion
17 January	Possible further key issues discussion if required
6 February	Consider draft report
Half term recess (11 to 15 February)	
22 February	Deadline for reporting on Stage 1
6 March	Stage 1 Debate