



Cynulliad Cenedlaethol Cymru

The National Assembly for Wales

Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol

The Constitutional and Legislative Affairs Committee

Dydd Llun, 23 Medi 2013
Monday, 23 September 2013

Cynnwys **Contents**

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datganiadau o Fuddiant
Introduction, Apologies, Substitutions and Declarations of Interest

Offerynnau nad ydynt yn Cynnwys Materion i Gyflwyno Adroddiad arnynt o dan Reolau
Sefydlog 21.2 neu 21.3
Instruments that Raise no Reporting Issues under Standing Orders 21.2 or 21.3

Papurau i'w Nodi
Papers to Note

Tystiolaeth ynghylch yr Ymchwiliad i Rôl Cymru yn y Broses o Wneud Penderfyniadau yn yr
UE
Evidence in Relation to the Inquiry into Wales' Role in the EU Decision-making Process

Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public from the Meeting

Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir
trawsgrifiad o'r cyfieithu ar y pryd.

The proceedings are reported in the language in which they were spoken in the committee. In

addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Suzy Davies	Ceidwadwyr Cymreig Welsh Conservatives
David Melding	Y Dirprwy Lywydd a Chadeirydd y Pwyllgor The Deputy Presiding Officer and Committee Chair
Eluned Parrott	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Simon Thomas	Plaid Cymru The Party of Wales
Joyce Watson	Llafur (yn dirprwyo ar ran Julie James) Labour (substitute for Julie James)

Eraill yn bresennol
Others in attendance

Rhodri Glyn Thomas	Aelod Cynulliad, Plaid Cymru Assembly Member, The Party of Wales
--------------------	---

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

Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Ruth Hatton	Dirprwy Glerc Deputy Clerk
Siân Richards	Y Gwasanaeth Ymchwil Research Service
Owain Roberts	Y Gwasanaeth Ymchwil Research Service
Alys Thomas	Y Gwasanaeth Ymchwil Research Service
Gareth Williams	Clerc Clerk

Dechreuodd y cyfarfod am 14:19.
The meeting began at 14:19.

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datganiadau o Fuddiant
Introduction, Apologies, Substitutions and Declarations of Interest

[1] **David Melding:** Good afternoon, everyone, and welcome to this meeting of the Constitutional and Legislative Affairs Committee. I am particularly pleased to welcome you all after the summer recess to the first meeting of this term. I welcome Joyce Watson, who is substituting for Julie James. I will just make the usual housekeeping announcements. No routine fire drill is planned for this afternoon, so, if you hear the alarm, please follow the instructions of the ushers, who will help us to leave the building safely. Please switch off all mobile phones and other electronic equipment, as they will interfere, even on silent, with our broadcasting equipment. These proceedings will be conducted in Welsh and in English. When Welsh is spoken, there is a translation on channel 1, and channel 0 will amplify our proceedings for those who are hard of hearing.

14:31

Offerynnau nad ydynt yn Cynnwys Materion i Gyflwyno Adroddiad arnynt o dan Reolau Sefydlog 21.2 neu 21.3
Instruments that Raise no Reporting Issues under Standing Orders 21.2 or 21.3

[2] **David Melding:** These are listed for us, and there is quite a number, obviously, as this is our first meeting of the term. If Members have any points they wish to raise or clarify, now is your opportunity. Are we content? I see that we are.

14:32

Offerynnau sy'n cynnwys materion i gyflwyno adroddiad arnynt i'r Cynulliad o dan Reol Sefydlog 21.2 neu 21.3
Instruments that raise issues to be reported to the Assembly under Standing Order 21.2 or 21.3

[3] **David Melding:** These are listed for us. Does anyone wish to speak?

[4] **Simon Thomas:** Rwyf am wneud sylw a gofyn cwestiwn ynglŷn â Rheoliadau Addysg (Hysbysiadau Cosb) (Cymru) 2013. Gwelaf fod hwn wedi'i osod yn ystod yr haf, ac i ddod i rym ar 2 Fedi, ond, wrth gwrs, o dan y weithdrefn negyddol, mae wedi dod i rym eisoes. Fodd bynnag, rwy'n gwybod bod pleidlais agos iawn ar y set gyntaf o reoliadau a aeth drwodd. Yn sicr, byddwn am i'r Cynulliad gael y cyfle i drafod hwn. Felly, mae gennyf ddau gwestiwn. Yn gyntaf, a fyddwn felly yn cyflwyno'r adroddiad byr hwn i'r Cynulliad er mwyn cyfoethogi unrhyw drafodaeth sy'n digwydd? Yn ail, hoffwn gadarnhad o'r drefn negyddol. Gan ein bod wedi bod ar doriad tan heddiw, a yw'r 40 diwrnod yn dechrau o heddiw ymlaen, er mwyn ystyried y posibilrwydd o alw'r Gorchymyn hwn yn ôl?

Simon Thomas: I want to make a comment and ask a question on the Education (Penalty Notices) (Wales) Regulations 2013. I see that this was laid during the summer, and was to come into force on 2 September, but, of course, under the negative procedure, it is already in force. However, I know that there was a very close-run vote on the first set of regulations that went through. Certainly, I would want the Assembly to have an opportunity to discuss this. Therefore, I have two questions. First of all, would we then present this brief report to the Assembly in order to enhance any discussion that takes place? Secondly, I would like confirmation of the negative procedure. As we have been in recess until today, do the 40 days start from today onwards in order to consider the possibility of calling this in?

[5] **David Melding:** I think the 40 days start today, so that answers the first point. Obviously, there is a procedure available to you to call a matter in. It is referred to in the merits report that this was an issue that was discussed in committee, and a view was taken that the Government appears not to have reflected in its final position. I am not sure that it is for this committee to do anything further, because there is a mechanism available to you.

[6] **Simon Thomas:** I just wanted clarification that all the information would be available to the Assembly if it was to be discussed.

[7] **Suzy Davies:** I have a practical question, and it is one that has arisen in our committees beforehand. It is on the indication given in the explanatory memorandum that guidance will be issued alongside the final Order. As we have had the summer recess, I am not sure whether that guidance has been issued; I do not know whether that has come on to

your table, but as it is an ongoing concern of this committee, I thought I would raise it.

[8] **David Melding:** Do we have a response?

[9] **Mr Griffiths:** I am afraid that I do not know the answer to that. Unless anybody else does, I can let you have a note on behalf of the committee.

[10] **Suzy Davies:** That will be fine.

[11] **David Melding:** Could you circulate it to all Members?

[12] **Mr Griffiths:** Yes.

[13] **David Melding:** Are there any other points?

[14] **Simon Thomas:** Hoffwn godi pwynt arall ar yr ail set o reoliadau sydd ger ein bron, sef yr un ar ddyfroedd ymdrochi. Yr ydym yn codi pwynt yn yr adroddiad nad yw'r rhain ar gael yn Gymraeg, a byddwn yn cael yr ateb arferol yn ôl gan y Llywodraeth, 'Wel, mae'r rhain wedi cael eu gwneud ar sail Cymru a Lloegr'. Fodd bynnag, yr wyf eisiau tanlinellu o ran y rheoliadau penodol hyn ba mor bwysig yr ydynt i'r diwydiant twristiaeth yng Nghymru. Maent yn effeithio'n benodol ar yr ardal yr wyf fi yn ei chynrychioli, ac ar yr arfordir gorllewinol hwnnw o Ben Llŷn i lawr i sir Benfro, sy'n ardal lle mae'r Gymraeg yn gryf iawn. Weithiau, fe allwch chi weld, pan ydym yn edrych ar rywbeth fel ymbelydredd, ac ati, fod cwestiwn ynglŷn â chael hynny yn ddwyieithog, ac mae rhyw fath o resymoldeb yn dod i mewn i hynny. Fodd bynnag, mae'r rhain yn rheoliadau sy'n effeithio'n benodol ar fusnesau a chartrefi sy'n ddibynnol ar y ffaith bod y dyfroedd ymdrochi hyn yn lân ac felly yn gefn i'r diwydiant twristiaeth.

Simon Thomas: I wish to raise another point on the second set of regulations before us, namely the one on bathing waters. We raise a point in the report that these are not available in Welsh, and we will be given the usual response by Government, 'Well, these are made on an England-and-Wales basis'. However, I wish to highlight, in the context of these specific regulations, how important they are to the tourism industry in Wales. They have a specific impact on the area that I represent, as well as on that western coastline, from the Llŷn peninsula down to Pembrokeshire, which is an area where the Welsh language is very strong. On occasion, when we look at issues such as radioactivity, and so on, there are questions with regard to having that bilingually, and some sort of reasoning comes into that. However, these are regulations that specifically impact on businesses and homes that are dependent on having clean bathing waters, and which therefore support the tourism industry.

[15] Felly, byddwn i am i ni fel pwyllgor ysgrifennu eto er mwyn codi'r ffaith nad yw'r rhain wedi cael eu gwneud yn Gymraeg, a thanlinellu ein bod yn teimlo bod y rhain yn rheoliadau sy'n effeithio'n benodol ar gymunedau Cymraeg eu hiaith ac y dylent fod ar gael, felly, yn Gymraeg. Cofiaf, nid ymhell yn ôl, pan gafwyd ymgynghoriad ar yr ardaloedd cadwraeth morol newydd—yr ymgynghoriad sydd yn awr wedi cael ei osod heibio gan y Llywodraeth—fod nifer ohonom yn gorfod trafod gyda physgotwyr yn Gymraeg ac nid oedd y deunydd ar gael yn Gymraeg. Yr oedd honno'n enghraifft glir o'r ffaith ei bod yn rhesymol, weithiau, fod y

Therefore, I would want us as a committee to write once again to raise the fact that these have not been made in Welsh, and to highlight the fact that we feel that these are regulations that have a specific impact on Welsh-speaking communities and that they should, therefore, be available in Welsh. I recall, not so very long ago, when the consultation on the marine conservation zones was held—the consultation that has now been set aside by the Government—that many of us had to discuss with fishermen in Welsh, but the material was not available in Welsh. That was a clear example of the fact that, on occasion, it is reasonable that this

deunydd hwn ar gael i bobl yn lleol, er mwyn iddynt ddarllen y deunydd yn Gymraeg hefyd.

material should be available to people locally, so that they can read the material in Welsh also.

[16] **Mr Griffiths:** Mae'r memorandwm esboniadol yn cadarnhau, ym mharagraff 2, ei bod yn ddymunol cael cyfundrefn reoleiddio gyfun ar gyfer Cymru a Lloegr, yn ymwneud â rhoi'r gyfarwyddeb Ewropeaidd ar waith. Fodd bynnag, nid yw'n esbonio pam mae hynny'n ddymunol, ac yn fwy dymunol na chael rheoliadau ar gyfer Cymru'n unig a fyddai'n ddwyieithog.

Mr Griffiths: The explanatory memorandum confirms, in paragraph 2, that it is desirable to have a comprehensive regulatory system for England and Wales, in relation to implementing the European directive. However, that does not explain why that is desirable, and more desirable than having Wales-only regulations, which would be bilingual.

[17] **David Melding:** I think that we all sympathise with this issue, particularly as this is a serious matter of environmental policy, and, as you say, it affects all of the Welsh coastline. Much of that coastline is adjacent to strongly Welsh-speaking areas. However, we could amplify what we say in the report by my drawing this to the attention of the Minister, by letter, just saying that we feel that this is an instance where an extra effort really ought to be made. These regulations are renewed fairly frequently, are they not, so it is hardly an area of policy that comes up only once in a blue moon?

[18] **Mr Griffiths:** They replace regulations made in 2008, so it is every now and then, not annually.

[19] **David Melding:** Okay. However, we all read in our local papers, do we not, about which beaches have had the blue flag withdrawn, or whatever? Therefore, I think that we could perhaps do that, if the committee agrees. Are there any other points under item 3? Okay, we are content.

[20] Item 4 is the evidence session. May I suggest that we go to item 5 first, as we expect the witness for item 4 at about 3 p.m.? We could deal with item 5 before we return to item 4.

14:38

Papurau i'w Nodi Papers to Note

[21] **David Melding:** The first paper to note is the exchange of correspondence between me and the First Minister on the issue of commencement Orders. I am happy to hear what Members think. I think that we need to keep an eye on this. The letter is reasonably respectful, but perhaps does not go to the real point of principle that we were making. I think that if commencement Orders are used for anything other than commencement, that could raise issues, and we have marked our concern. However, I think that we will have to monitor this, because it has clearly not been ruled out, and what is just tidying up and technical needs definition and scrutiny, because, sometimes, it extends to being more than tidying up or technical. Are Members content that we leave this on the active file, as it were?

[22] **Suzy Davies:** Are we diarising a second response from the Minister? He says that he will write to us after the recess, but there are many months after the recess. Are we going to pin him down at all?

[23] **David Melding:** Yes, we can do that.

[24] **Suzy Davies:** Thank you.

[25] **David Melding:** It will be interesting to see if it is any fuller.

[26] Then there is a letter from the Minister relating to the LCM, in effect, relating to dangerous dogs and why the Government decided in the end not to pursue its own legislative course. Again, this is obviously an area of interest to us and possibly of concern sometimes, but I am not quite sure that we know yet whether the best vehicle has been chosen; the Minister thinks at the moment that this is his best approach for the reasons laid out before you.

[27] **Suzy Davies:** It is worth mentioning that, once again, we have had an opportunity here for a Wales-only Bill and an alternative course has been preferred, despite occasions in the past where that has not actually worked out as well as the Government had hoped. That is just a comment.

[28] **Simon Thomas:** Yes, he is leaving his escape routes open, is he not?

[29] **David Melding:** Indeed.

[30] **Joyce Watson:** I will not call it 'escape routes', but I will call it 'options'. He has left options on the table so that if he, in the future, wants to amend this Act and make a Wales-only Act, it is at least there. So, it is up to other people, if they so feel, to persuade him that maybe that would be the right option. The door has not been firmly closed.

[31] **David Melding:** I do not think that we want to move to a stronger statement than saying that we are keeping an eye on things. It is incumbent on Ministers to use Welsh Bills where appropriate and to not seek to use England-and-Wales legislation and then get a new Order-making power or whatever. There have to be good reasons for adopting an England-and-Wales approach and allowing Westminster to legislate on important matters on our behalf. We have exchanged correspondence and that is all we need to do at this stage. We do not want to mark a particular view on the actual decision. It is the Minister's chosen route; let us hope that it will be the most productive one in terms of securing more robust legislation in this important policy area.

[32] There was a letter from the Minister in relation to the draft Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012. That is also there for your information.

[33] I suggest that we take a 15-minute adjournment at this point and recommence at 3 p.m., when the witness will be here to give evidence. I have to say that that was the time scheduled, so that is why we have dispatched business a bit more rapidly than we had anticipated. So, we will reconvene at 3 p.m. Thank you.

Gohiriwyd y cyfarfod rhwng 14:43 a 15:00
The meeting adjourned between 14:43 and 15:00

**Tystiolaeth ynghylch yr Ymchwiliad i Rôl Cymru yn y Broses o Wneud
Penderfyniadau yn yr UE
Evidence in Relation to the Inquiry into Wales' Role in the EU Decision-
making Process**

[34] **David Melding:** I welcome you back to this meeting of the Constitutional and Legislative Affairs Committee. We now return to item 4, on evidence in relation to our

inquiry into Wales's role in European Union decision making. I am delighted to welcome Rhodri Glyn Thomas to this meeting, who is well known to us as a senior colleague here in the National Assembly. For the purposes of this inquiry, he has been an alternate member of the Committee of the Regions since January 2010 and, of particular interest to us, has been a rapporteur in relation to three opinions that have been delivered by the Committee of the Regions. So, welcome, Rhodri. We really appreciate you giving up your time to help us with our inquiry this afternoon. As someone who gets nominated to be a rapporteur, how important is that in shaping the examination of a particular subject and the opinion that is delivered on it?

[35] **Rhodri Glyn Thomas:** Diolch yn fawr iawn am y gwahoddiad. Yn amlwg, rwy'n falch iawn o fod yma i drafod â chi weithgareddau Pwyllgor y Rhanbarthau. O ran y datganiadau o farn, maent yn eithriadol o bwysig. Yr hyn a ddarganfûm, yn y lle cyntaf, ynglŷn â chael fy enwebu i fod yn eilydd ar y pwyllgor oedd bod y broses o gael eich derbyn—gan San Steffan, y Swyddfa Dramor a'r Gymanwlad ac, yn y pen draw, Brif Weinidog y Deyrnas Unedig—yn un hirfaith. Cymerodd ryw 15 mis i mi gael caniatâd swyddogol i fynychu Pwyllgor y Rhanbarthau, a darganfod ar ôl cyrraedd yno fy mod ar goll yn gyfan gwbl. Nid oedd gennyf y syniad lleiaf, mewn gwirionedd, o beth oedd yn digwydd. Rwy'n credu byddai unrhyw un sydd wedi cynrychioli'r Cynulliad neu unrhyw gorff arall yn Ewrop yn eilio hynny. Rwy'n gwybod bod Joyce wedi cael y cyfle i fod ar bwyllgorau Ewropeaidd. Rydych yn mynd i ddiwylliant cwbl wahanol.

[36] Yr hyn sy'n digwydd, mewn gwirionedd, pan ydych yn cael datganiad o farn i'w gyflwyno, yw bod pobl yn sydyn yn sylweddoli pwy ydych chi ac o le rydych wedi dod. Yn sydyn, rydych yn cael eich derbyn. Felly, mae'n eithriadol o bwysig yn y cyd-destun hwnnw. Roeddwn i'n ffodus iawn; cefais fy ngosod fel eilydd ar y pwyllgor *ad hoc* yn edrych ar y gyllideb. Mae'r aelod a oedd i fod ar y pwyllgor, Geert Bourgeois, yn Weinidog yn Llywodraeth Fflandrys ac felly nid yw'n gallu mynychu'r cyfarfodydd ac roeddwn i'n gallu mynd yn ei le. Yr hyn a oedd yn fanteisiol i mi yn hynny o beth gyda'r ddau ddatganiad o farn a ddaeth o'r pwyllgor *ad hoc* oedd nad oedd yn rhaid defnyddio pwyntiau'r grŵp rwy'n perthyn iddo i'w derbyn. Rwy'n perthyn i grŵp sydd yn gymharol fach—Cynghrair Rydd Ewrop—ac mae'r pwyntiau sydd ganddo i gael datganiadau yn brin. Fodd bynnag, cefais ddau ddatganiad drwy'r pwyllgor

Rhodri Glyn Thomas: Thank you very much for the invitation. Clearly, I am very pleased to be here to discuss with you the activities of the Committee of the Regions. In terms of the opinions, they are exceptionally important. What I discovered, initially, regarding being nominated as an alternate member of the committee, was that the confirmation process—by Westminster, the Foreign and Commonwealth Office and, ultimately, the Prime Minister—was a very lengthy process. It took around 15 months, in my case, to be given official permission to attend the Committee of the Regions, and then I found, having arrived, that I was totally lost. I did not have the slightest idea of where I was or what was happening. I think that anyone who has represented the Assembly or any other body in Europe would second that. I know that Joyce has had the opportunity to be on European committees. You enter a totally different culture.

What happens, in reality, when you are given an opinion to put forward, is that people suddenly realise who you are and where you are from. All of a sudden, you are accepted. Therefore, it is exceptionally important in that context. I was very fortunate that I was placed as an alternate member of the ad hoc committee looking at the budget. The member who was supposed to be on the committee, Geert Bourgeois, is a Minister in the Flanders Government, so he is unable to attend the meetings and I could attend in his place. What was beneficial to me in that regard was that, for the two opinions that emerged from the ad hoc committee, there was no need to use the points of the group that I belong to. I belong to a relatively small group—the European Free Alliance—and the points that it has for opinions are few and far between. However, I had two opinions through that committee without having to make use of those points at all.

hwnnw heb ddefnyddio'r pwyntiau hynny o gwbl.

[37] Roedd y cyntaf ar y synergeddau rhwng y gyllideb Ewropeaidd, cyllideb aelod wladwriaeth a chyllideb is-wladwriaeth; hynny yw, beth oedd y rhaglenni a'r prosiectau ar lawr gwlad yn ei gyflawni mewn gwirionedd ac a oeddynt yn adlewyrchu'r bwriadau roedd y Comisiwn Ewropeaidd wedi eu gosod wrth gynnig y buddsoddiad. Roedd yr ail ar gytundebau cyhoeddus a phreifat, a gyfeiriwyd atom gan lywyddiaeth Gweriniaeth Iwerddon. Roedd yn awyddus iawn i edrych ar y partneriaethau hynny a gweld y synergeddau a sut y gellid eu hyrwyddo, oherwydd, yn y gorffennol, o feddwl am y sefyllfa yng Nghymru, gwyddom fod llawer o bartneriaethau preifat/cyhoeddus wedi bod, gan fod llawer iawn o arian cyhoeddus o gwmpas i'w ddefnyddio fel arian cyfatebol. Ond, erbyn hyn, mae hynny wedi mynd a rhaid edrych ar y sector preifat. Yna, cefais gyfle i wneud datganiad o farn. Rwyf newydd ei gwblhau ac mae'n mynd i'r Comisiwn Adnoddau Naturiol wythnos i ddydd Mercher i gael ei gadarnhau yn y fan honno.

The first opinion was on the synergies between the European, national and sub-national budgets; namely, what the programmes and projects were actually achieving at grass-roots level and whether they reflected the intentions set out by the European Commission in making the investment. I then had an opinion on public and private agreements, which had been selected by the Republic of Ireland presidency. It was very eager to look at those partnerships and to see the synergies and how they could be promoted, because, in the past, when we think of the situation in Wales, we know that there were many public/private partnerships, because there was a great deal of public money available to be used as match funding. However, that is no longer the case and we have to look to the private sector. I then had an opportunity to produce another opinion. I have just completed it and it will go to the Natural Resources Commission a week on Wednesday to be ratified.

[38] Fodd bynnag, maent yn ffordd i mewn i Ewrop ac yn ffordd o gael eich derbyn yn Ewrop. Yn sydyn wedyn, mae pob math o ddrysau'n agor.

However, they are a way into European process and a way of being accepted in Europe. All of a sudden, all sorts of doors are open to you.

[39] **David Melding:** I think that you said that, in relation to the second one, about synergies between public and private moneys in sub-national budgets, it had been identified by the Irish Government. Presumably, your involvement in the subjects that have been selected for opinions has been one of reacting to a list that emerges in the committee, rather than suggesting a subject yourself and then ensuring that the Welsh voice is heard in significant subject areas. Do they all come from Government or the Commission? Where do these subject areas emerge from?

[40] **Rhodri Glyn Thomas:** Mae'r pynciau ar gyfer y datganiadau o farn hyn yn dod o beirianwaith Ewrop, a hynny o ran yr hyn sy'n digwydd gyda'r Comisiwn yn arbennig, a Senedd Ewrop hefyd. Wedyn, maent yn cael eu cyflwyno i gael eu derbyn gan y gwahanol bwyllgorau, ac mae'r pwyllgorau'n gorfod penderfynu a ydynt yn mynd i symud ymlaen â'r datganiadau o farn hynny. Felly, ydynt, maent yn adweithiol yn yr ystyr honno, ond maent yn adweithio i'r math o agenda sy'n bodoli yn Ewrop. Felly, maent yn berthnasol ac yn gyfoes. Digwydd

Rhodri Glyn Thomas: The issues for these opinions come from within the European mechanism, and they emerge particularly from what happens in the Commission, and also the European Parliament. They are then put forward for adoption by the various committees, and the committees then have to decide whether they are going to progress those opinions. Therefore, yes, they are reactive in that sense, but they react to the kind of agenda that exists in Europe. So, they are relevant and current. I just happen to have been lucky that I was on this ad hoc

bod yn lwcus ydw i fy mod i ar y pwyllgor ad hoc hwn ar y gyllideb. committee on the budget.

[41] **David Melding:** I take that; I think that it is important that ‘reactive’ can still be—

[42] **Rhodri Glyn Thomas:** Positively reactive.

[43] **David Melding:** Yes, in that you can still use that mechanism to promote Welsh interests. Finally from me, can you just give us an idea of the workload involved? If you act as a rapporteur, which is a senior position, presumably, you have the trust of your colleagues, but it is a serious job in addition to your routine workload.

[44] **Rhodri Glyn Thomas:** Yn sicr, mae hynny'n wir, a'r peth pwysig yw penodi arbenigwr i weithio gyda chi. Rwyf i, a nifer o aelodau eraill o Gymru, wedi bod yn hynod ffodus o gael cefnogaeth Gregg Jones, sy'n cynrychioli Cynulliad Cenedlaethol Cymru ym Mrwsel. Mae'n fedrus iawn yn y gwaith o lunio datganiadau o farn—mae wedi gwneud hynny yn y gorffennol i Christine Chapman ac i minnau. Mae'n gweithio ar hyn o bryd gyda Mick Antoniw ar ddatganiad o farn. Yn ogystal, cawsom arbenigwr o bwyllgor y gyllideb i weithio gyda ni, ac roedd ef yn gallu cynnig ei arbenigedd.

Rhodri Glyn Thomas: Most certainly, yes, and the important thing is to appoint an expert to assist you. I, and many other Welsh members, have been very fortunate to have the support of Gregg Jones, who represents the National Assembly for Wales in Brussels. He is very skilled in the work of drawing up opinions—he has done it in the past for Christine Chapman and for me. He is currently working with Mick Antoniw on an opinion. In addition, a specialist from the budgetary committee worked with us, and he was able to provide his expertise.

[45] Yr hyn y mae'n ei olygu mewn gwirionedd yw mynd i gyfarfodydd. Er enghraifft, gyda'r datganiad o farn cyntaf a gefais, yn ogystal â gweld nifer o uwchswyddogion yn y Comisiwn, cefais dri chwarter awr gyda'r Comisiynydd Lewandowski, sy'n gyfrifol am y gyllideb. Yng nghanol trafodaethau'r gyllideb, roedd yn barod i roi tri chwarter awr o'i amser i drafod y datganiad o farn. Felly, mae rhywun yn cael mynd i weld y bobl sydd â'r dylanwad mwyaf yn y Comisiwn.

What it means in reality is to attend meetings. For example, with my first opinion, in addition to seeing a number of senior officials in the Commission, I had three quarters of an hour with Commissioner Lewandowski, who has responsibility for the budget. In the midst of those budgetary negotiations, he was willing to give three quarters of an hour of his time to discuss that opinion. So, one can access those people who have most influence in the Commission.

[46] Gyda'r ail ddatganiad, cefais gyfle i fynd i Lwcsembwrg, i swyddfa ganolog y Banc Buddsoddi Ewropeaidd, ac yn y fan honno, cefais gwrrd â rhyw 10 o'i uwchswyddogion i drafod eu gweithgareddau. Felly, mae'r buddsoddiad yn golygu deuddydd neu dridiau o ymweliadau. Yn ogystal, cawsom gyfarfod o'r rhanddeiliaid—sef unrhyw un â diddordeb—ym Mrwsel hefyd. Felly, deuddydd neu dridiau o gyfarfodydd ac yna'r gwaith o ysgrifennu—mewn gwirionedd, goruchwylio'r broses o ysgrifennu'r datganiad o farn a oedd yn nwylo'r arbenigwyr i raddau helaeth.

With the second opinion, I had an opportunity to go to Luxembourg, to the central office of the European Investment Bank, where I met around 10 of the bank's senior officials to discuss their activities. So, in terms of time invested, it would mean two or three days of visits. In addition to that, we had a stakeholder meeting—for anyone interested—in Brussels. So, two or three days of meetings followed by the work of drawing up the opinion, or rather overseeing the process of drawing up the opinion, which was in the hands of the specialists to a great extent.

[47] **David Melding:** I can see that that is a considerable workload for you, but it would not be possible to take these leadership positions if the National Assembly did not have that presence in Brussels. Is that your view?

[48] **Rhodri Glyn Thomas:** Yn sicr. Nid yw ond yn bosibl oherwydd ein bod yn y sefyllfa honno. Ar hyn o bryd, mae pedwar cynrychiolydd o Gymru—dau o'r Cynulliad. Mick Antoniwn yw'r aelod llawn ar hyn o bryd, wedi cymryd lle Christine Chapman. Mae Mick Antoniwn, hyd y gwn i, wedi torri record—priodolwyd datganiad o farn iddo cyn iddo gael ei dderbyn yn swyddogol fel aelod o Bwyllgor y Rhanbarthau. Mae Bob Bright a Chris Holley yn cynrychioli llywodraeth leol.

Rhodri Glyn Thomas: Indeed. It is only possible because we are in that position. At the moment, there are four representatives from Wales—two from the Assembly. Mick Antoniwn is currently the full member, having replaced Christine Chapman. As far as I know, Mick Antoniwn has broken a record—he had an opinion attributed to him before he was officially accepted as a member of the Committee of the Regions. Bob Bright and Chris Holley represent local government.

[49] **David Melding:** I appreciate that, but I was referring more to the office presence that the National Assembly has in Europe.

[50] **Rhodri Glyn Thomas:** Yn sicr. Mae presenoldeb Gregg Jones fel aelod parhaol yno ar ran y Cynulliad yn eithriadol o bwysig. Bu'n gweithio yn Ewrop cyn cynrychioli'r Cynulliad ac mae ganddo'r cysylltiadau angenrheidiol i wybod pwy y mae angen eu gweld a sut mae modd cysylltu â nhw a threfnu cyfarfodydd. Mae hynny'n gwbl angenrheidiol.

Rhodri Glyn Thomas: Yes, most certainly. Gregg Jones's presence as a permanent staff member there on behalf of the Assembly is exceptionally important. He worked in Europe before commencing his employment with the Assembly and has the necessary connections to know who needs to be seen and how we can get in touch with them and arrange meetings. That is entirely crucial.

[51] **David Melding:** Joyce, will you take us through the next couple of points?

[52] **Joyce Watson:** Fascinating stuff, Rhodri. You have done all this work and you have had your opinions adopted; are you satisfied with the progress on them to date?

[53] **Rhodri Glyn Thomas:** Yes, I am certainly satisfied with the progress. As I said earlier, through the opinion, doors were opened, which allowed us to meet senior members of the Commission. For the opinion itself, there was a Welsh perspective to that, which was heard by senior officials within the Commission. As well as that, the Welsh Government has responded to the opinions. Jane Hutt was in Brussels last week following up on the opinion on the private/public partnerships, and they are looking at what is possible in terms of the European Investment Bank and investment in Wales. As I said, we are looking at a situation where public capital investment is drying up. It is now very difficult to find public capital investment. Therefore, the Government is looking at ways of engaging private partners to further the work, looking specifically at the European Investment Bank. So, there has been follow-on with both those opinions. The one that we are doing now on fisheries will, hopefully, be an opportunity to try to defend what is left of our fishing fleet—you will have a specific interest in that, Joyce—to ensure that the larger players, in terms of fisheries, do not have everything their own way. Hopefully, we can ensure that the regulations defend the interests of the smaller fleets as well.

[54] **Joyce Watson:** In your opinion, how do you see Wales being perceived in Brussels? Do you feel that Welsh interests are adequately represented in the Committee of the Regions and other European institutions?

[55] **Rhodri Glyn Thomas:** I think that we have a growing presence within the various institutions in Europe. In the European Parliament, all four MEPs, for the first time, certainly in my memory, are working together as a group. Even the UKIP MEP, John Bufton, is working with his fellow MEPs. I think that that creates a situation whereby the Welsh voice is heard within the European Union.

[56] Within the Committee of the Regions, I work with colleagues—Mick from the Assembly and Bob Bright and Chris Holley as local government members—but also with other regions and countries that find themselves in a similar position to us. We work very closely with Scotland, but also with the Republic of Ireland and various other countries that have similar interests to our own. By networking, you can have an influence, but the opinions are the way of opening doors and making sure that people recognise you and know who you represent in Europe. In terms of the Committee of the Regions, I would argue that the relationship with the Commission is far stronger than the relationship with the Parliament. I think that the Committee of the Regions has to look at how it can strengthen its relationship with the Parliament, because, at the moment, there is a big power struggle within Europe, where the Parliament is getting more and more powers from the Commission and the traditional relationship between the Committee of the Regions and the Commission is then not as influential as it was at one time.

15:15

[57] **David Melding:** Simon, do you want to take us on? I beg your pardon; no wonder you look startled, it is Suzy. I beg your pardon.

[58] **Suzy Davies:** We are very similar. [*Laughter.*]

[59] I will push you a little further on this issue of the Welsh voice, because the four Members you have spoken about come from different parties. They are also part of this bigger voice of the UK and, ultimately, part of a multinational voice coming out of the opinion. When you talk about the Welsh voice, what does that mean? How do you identify what that is in such a complex relationship? What is a Welsh point of view?

[60] **Rhodri Glyn Thomas:** Yr hyn yr ydym yn edrych arno ar hyn o bryd yw bod llywydd Pwyllgor y Rhanbarthau wedi galw am adolygiad o Bwyllgor y Rhanbarthau. Mae hynny yn nodi 20 mlynedd o fodolaeth Pwyllgor y Rhanbarthau, ac mae'n gydnabyddiaeth bod angen newid pethau a bod angen datblygu Pwyllgor y Rhanbarthau yn y dyfodol. Fel Aelodau o Gymru, byddwn yn edrych i fwydo i mewn i'r adolygiad hwnnw, ac rydych yn gwbl gywir, rhaid i ni fwydo i mewn yn y lle cyntaf trwy'r ddirprwyaeth o'r Deyrnas Unedig; ar hyn o bryd, rydym ni a'r Alban yn edrych ar ein perthynas â'r ddirprwyaeth honno i sicrhau bod ein presenoldeb yn cael ei gofnodi yn y fan honno. Dyna un o'r problemau sy'n codi o fod yn wlad oddi mewn i aelod-wladwriaeth, ac mae'r cynrychiolwyr o Gymru yn ceisio sicrhau bod buddiannau Cymru yn cael eu hamddiffyn y tu mewn i'r ddirprwyaeth honno.

Rhodri Glyn Thomas: What we are looking at currently is that the president of the Committee of the Regions has asked for a review of the Committee of the Regions, which has been in existence for 20 years, so it is recognition that there is a need for change and that there is a need for development within the Committee of the Regions in the future. We, as Members from Wales, have been looking to feed into that review, and you are quite right that we do need to feed into it, in the first place, through the UK delegation; at present, we and Scotland are looking at our relationship with that delegation to ensure that our presence is recognised in that place. That is one of the problems that exist for us, being a country within a member state, and representatives from Wales try to ensure that the interests of Wales are defended within that delegation.

[61] Fodd bynnag, mae'r aelodau o Gymru wedi bod yn hynod o weithgar wrth sicrhau eu bod yn cael datganiadau. Rwy'n credu y gwnaeth Chris Chapman ddau ddatganiad o farn yn ystod ei chyfnod hi. Mae Bob Bright wedi gwneud dau neu dri yn ymwneud â thechnoleg gwybodaeth a diogelwch seiber, neu *cyber security*, beth bynnag yw hynny yn Gymraeg. Yn ogystal, fel y dywedais i, mae Mick Antoniw eisoes wedi cael datganiad o farn ynglŷn â hawliau gweithwyr. Felly, mae'r presenoldeb yn cael ei glywed yn y fan honno. Rydym hefyd yn manteisio ar y cyfleoedd sy'n deillio o'r ffaith bod nifer o uwch-swyddogion o Gymru. Mae Lowri Evans o Ben Llŷn yn uwch-swyddog yn yr adran amgylchedd a physgodfeydd ac mae wedi bod yn gefnogol iawn i'r datganiad rwyf wedi ei wneud ar hynny. Mae Gwilym Jones yn yr adran amaeth a materion gwledig, ac roedd ei dad, Hywel Ceri Jones, yn un o brif swyddogion yr Undeb Ewropeaidd a'r Comisiwn ddiwedd y ganrif ddiwethaf. Felly, mae modd defnyddio'r bobl hynny. Fodd bynnag, dim ond pedwar ohonom sydd, felly mae'n rhaid i ni weithio gyda'r pedwar Aelod o Senedd Ewrop. Pan oeddwn i'n gwneud datganiadau, cefais gyfarfodydd a thrafodaethau gyda phob un o'r pedwar hynny hefyd. Felly, mae'n fater o weithio gyda'n gilydd. Nid yw'n gynrychiolaeth fawr, ond, ar hyn o bryd, byddwn i'n dadlau ei bod yn gynrychiolaeth weddol ddylanwadol.

[62] **Suzy Davies:** Ydy hi'n deg dweud, pan fydd datganiad yn dod mas, ei bod yn bosibl i weld elfen sy'n *made-in-Wales* ynddo? Ydy hi'n bosibl i ddilyn rhyw syniad trwy'r datganiad a dweud amdano, 'Mae hwn wedi dechrau gyda rhai o Gymru'?

[63] **Rhodri Glyn Thomas:** Ydy. Ym mhob un o'r datganiadau rwyf wedi eu gwneud, rwyf wedi ceisio sicrhau bod y dystiolaeth yn codi o Gymru. Roeddwn i mewn trafferthion gydag un o'r datganiadau mewn pwyllgor ad hoc ar y gyllideb, lle gwnaeth un o'r cynrychiolwyr gwyno fy mod wedi enwi Derek Vaughan. Gwnes i ei enwi fe achos roedd yn digwydd bod yn ysgrifennu datganiad yn Senedd Ewrop ar y gyllideb ar yr un pryd. Dywedwyd nad oedd hynny'n dderbyniol. Dyna'r tro cyntaf imi gael fy

However, members from Wales have been very active in ensuring that they put opinions forward. Chris Chapman made two statements of opinion during her time. Bob Bright has made two or three relating to information technology and cyber security. Also, as I said, Mick Antoniw has already put forward an opinion regarding workers' rights. So, that presence is heard in that place. We also take advantage of the opportunity that arises from the fact that there are a number of senior officials from Wales. Lowri Evans from the Llŷn peninsula is a senior official in the environment and fisheries department, and she has been very supportive of the opinion that I put forward. Gwilym Jones is in the agriculture and rural affairs department, and his father, Hywel Ceri Jones, was one of the chief officials within the European Union and the Commission during the last century. So, those people can be utilised as well. However, we are only four, so we have to work with the four Members of the European Parliament. When I was putting statements of opinion forward, I had meetings with each of the four MEPs. So, it is a matter of working together to try to achieve things. It is not a large representation, but, at the moment, I would argue that we are very influential.

Suzy Davies: Is it fair to say that, when an opinion is put out there, it is possible to see a made-in-Wales element to it? Is it possible to follow through a concept within the opinion and to identify it as having been made in Wales?

Rhodri Glyn Thomas: Yes. In all the opinions that I have put forward, I have tried to ensure that there is evidence that arises from Wales. I got into trouble with one of the opinions in an ad hoc committee on the budget, whereby one of the representatives complained that I had named Derek Vaughan. I named him because he happened to be writing an opinion in the European Parliament on the budget at the same time. It was said that that was not acceptable. That is the first time that I have been criticised for

ngheryddu am ganmol gwaith aelod o'r Blaid Lafur. Yr ydym yn gweithio'n agos iawn gyda'n gilydd. Felly, mae modd llywio'r datganiad fel ei bod yn glir iawn mai o Gymru y mae'n dod a bod buddiannau Cymru'n cael eu nodi o fewn y datganiad.

singing the praises of a member of the Labour Party. We do work very closely together. So, the opinion can be steered so that it is quite clear that it comes from Wales and that Welsh interests are noted within the opinion.

[64] **Suzy Davies:** Diolch yn fawr. Going back to influence again, we have heard ungenerous statements, shall we say, made by previous witnesses saying that you are just an advisory body—not exactly a talking shop—but you have given us some examples of where you think that the opinions have made a difference. I know that it is difficult for you to answer on behalf of the opinions that you have not worked on, but how many of these opinions just end up on a shelf gathering dust? What was the hit rate of something being effective?

[65] **Rhodri Glyn Thomas:** I think that you just have to make the best of any situation in which you find yourself. Obviously, for those of us coming from Wales, we try to take advantage of those situations in order to promote the interests of Wales. From my experience, certainly with the two opinions on the budgets, it has meant that I have seen senior figures within Europe. With the second one, not only did I meet the European Investment Bank, but I also met the European Association of Public Banks and its senior officials. In that sense, it did open doors. I do not think that those opinions will be left on the shelf to gather dust. Hopefully, the opinion on fisheries will also be a means of trying to support the industry in Wales, especially the added-on value. The Welsh fishing fleet now is very small, but there is still a market for developing onshore added value to the product. If we can do that, that will be useful.

[66] So, it does depend on the nature of the opinion, and I have been fortunate with the ones that I have had. It depends on whether you can, or whether you choose to, bring some evidence from Wales—and some reflections on the situation in Wales—into that discussion, but you can influence, especially with the Commission. It is more difficult with the Parliament, but I am fortunate in the sense that, as well as belonging to the European Alliance group in the Committee of the Regions, I have also been elected as the vice-president of the European Free Alliance, which serves a group in the European Parliament. Therefore, I have direct connections with representatives of a number of countries in Europe that are in similar situations to Wales in the European Free Alliance. So, that again is helpful in terms of influencing in the Parliament. However, that is more difficult because of the historic connections between the Committee of the Regions and the Commission.

[67] **Suzy Davies:** Great. Thank you. I have just one other brief question. Can you give one sort of fairly obvious barrier? What, do you think, is the greatest barrier that you have to actual co-operative working when there are so many nations and regions trying to work together? What, do you think, is the thing that gets in the way the most?

[68] **Rhodri Glyn Thomas:** It is the sheer size of Europe and the numbers involved. Therefore, you have to identify your allies, the people who you need to work with, and the people who have similar interests to yourself. Otherwise, you can just get lost totally in the workings of any institution within Europe. It is a matter of identifying your allies, building up those relationships, and using them in order to promote the interests of Wales, as far as we are concerned.

[69] **Suzy Davies:** Diolch.

[70] **Eluned Parrott:** Rhodri, I wanted to put to you some of the other perceived weaknesses that people have raised in evidence with us. I apologise, therefore, as I am using

other people's words and I hope that you realise that it is nothing personal, but just business, as the phrase goes. One of the points that were raised with us is that the Committee of the Regions is not well organised: that it has bureaucratic procedures, and you have talked about that a little bit. Do you think that that means that the committee can be too slow, perhaps, to respond to changing circumstances? Why, do you think, is it perceived to be bureaucratic and is that fair or is it not fair?

[71] **Rhodri Glyn Thomas:** I think that it is a reflection on Europe. Everything that happens in Brussels, be it in the Parliament, the Commission, the Council of Ministers or the Committee of the Regions, is all very bureaucratic, and you have to work your way around that bureaucracy. I think that the Committee of the Regions has changed. It has changed during the time that I have been there, which is only four years, or just less than four years—just over three years. People who have been there a long time say that it has changed to the extent where it can react, yes, but in a dynamic way, which impacts on decisions. However, I would say that, hopefully, one thing that will come out of the review that the president of the Committee of the Regions has called for will be an improvement to the relationship with the Parliament itself.

[72] With the Commission, you cannot argue with a position where you can have a meeting with a Commissioner on an opinion, and you can meet as many senior officials as you want. The Commission will be represented when the opinion comes back to the committee and when it comes back to the plenary; that relationship works well. With the situation where the Parliament is getting more and more power—as it should be, because it has the elected Members—it is about how we ensure that that relationship with the Parliament develops as well.

[73] It is not ideal; yes, it is very bureaucratic, especially the plenary sessions, where you are voting on hundreds of amendments—unless you are listening very attentively, it is very difficult to know on what amendment. I saw a very well-respected leading member of the UK delegation getting up to speak on the wrong amendment, but he is so respected that nobody pointed out to him that he was speaking on the wrong amendment—they allowed him to continue. [*Laughter.*] That is part and parcel of it, and you have to accept that. However, I think that the influence is certainly there, as long as you use the system and try to do that effectively. When you then look at the relationship with the Assembly, the fact is that, on both of the opinions that I did on the budget, the Welsh Government responded very positively and it is actually working on the basis of those two. You can, therefore, influence your own Government as well.

[74] **Eluned Parrott:** Do you think that those bureaucratic processes get in the way of the committee having a, if you like, more punchy strategic focus? Who is providing that strategic leadership for the committee?

[75] **Rhodri Glyn Thomas:** Obviously, the officials who work for the elected members who are in the senior positions are pushing as hard as they can. The problem is that you have a lot of people there who are representing various interests. I think that the major weakness is that they have come to a meeting of the Committee of the Regions—either a plenary or a committee meeting—intent on reading out the statement that they prepared before they left for the meeting. They will read out that statement irrespective of what has happened and you start thinking, 'Hang on, we have moved on from there; that has already been discussed'. In that sense, the idea that you would actually go there and make a rousing speech and change everybody's minds just does not happen. So, in that sense, there is that bureaucracy, unless we can get people to change their whole mindsets so that they feel, first and foremost, that they have to take part in the discussions, rather than think about what they want to put in their local papers when they get back to their own countries and regions.

[76] **Eluned Parrott:** Another thing that was suggested to us was that this lack of strategic focus was, perhaps, because the committee was trying to take on too much. As you say, we have a huge variety in terms of membership, with national members and regional members with different kinds of responsibilities back home. Do you think that that is a fair comment that you are trying to do too much? If you were to try to streamline things and be more focused in the work and opinions that you are producing, the question that comes to me is how you would decide what the strategic priorities would be. It seems that there is a lack of that leadership at the moment.

[77] **Rhodri Glyn Thomas:** We had that very discussion in the ad hoc budget committee—the last meeting was a week ago—because that accusation had been made. First of all, the question was being raised: why has the Committee of the Regions got an ad hoc budget committee that is looking at the European budget? We argued that we had an interest, and that that interest was at the sub-state level. It has taken a long while to persuade them that it is not at a sub-national level—it is at a sub-state level, and the two are very different—but I have got there in the end.

15:30

[78] We were discussing an opinion that, in the end, after a very long discussion, we decided to proceed with: how the European budget is actually distributed within the regions and the countries at a sub-state level. The accusation was made that that is none of the business of the Committee of the Regions, and that we should not be discussing it. The argument that I and several other people put forward was, ‘Well, it depends’. If you are just going to put forward a general opinion, then that is a waste of time, and you are just going through the motions, and not contributing anything; but if we seriously look at what is happening in the regions and countries at a sub-state level, then we can put forward a perspective that otherwise might well not have been heard. It depends on whether you are going to be specific about the work you are doing, and trying to add on to what happens in other institutions, or whether you just try to go through the motions. If that was the case, then I think the accusation would be fair, and that is what we are trying to avoid at the moment. It is an ongoing discussion within the Committee of the Regions: what we should be doing, on what we should be concentrating, and how we can make a difference and offer something that would not arise in any other institutions within the European Union.

[79] **Eluned Parrott:** Finally from me, I wonder whether I can ask for your personal opinion: do you feel frustrated that, because you have such a wide variety of interests, the opinions that you are putting forward are perhaps not as pointed, sharp or directional as you might otherwise have liked?

[80] **Rhodri Glyn Thomas:** No, I have been fortunate with the opinions that I have had. I have felt—not only in terms of the discussion in Europe, but in terms of what we could contribute from Wales to the discussion—that there were areas that I felt were very important, and areas on which I was keen to communicate on a European level. So, that level of frustration was no more than what any politician feels within any institution. I often feel frustrated here with the discussions that go on, but you have to persevere in politics and try to concentrate on what you think you need to do, and work your way through the obstacles at whatever level.

[81] **Eluned Parrott:** Thank you.

[82] **Simon Thomas:** Os ewch yn ôl i **Simon Thomas:** If you look back to the fwrw golwg ar darddiad Pwyllgor y setting up of the Committee of the Regions Rhanbarthau yn dilyn Maastricht, fe welwch following the Maastricht treaty, you will see fod trafodaeth y pryd hynny mai rhyw fath o that there was discussion at the time that the

drydydd fforwm oedd Pwyllgor y Rhanbarthau—roedd gennych y Comisiwn, y Senedd a Phwyllgor y Rhanbarthau. Roedd pobl hyd yn oed yn dechrau trafod, yng nghyd-destun rhyw fath o Ewrop ffederal, y byddai'r pwyllgor efallai yn datblygu i fod yn dŷ arall, fel petai. Nid yw hynny wedi digwydd—mae hynny'n amlwg iawn—a'r hyn sydd wedi digwydd yn lle hynny, wrth gwrs, fel yr ydych newydd argymhell, yw bod y Senedd ei hunan wedi ei chryfhau, ac wedi dwyn pwerau oddi ar y Comisiwn. Y cwestiwn cyntaf yw hyn: roeddech yn sôn yn eich tystiolaeth eich bod yn meddwl bod y dylanwad a'r ymwneud yn gryfach gyda'r Comisiwn nag â'r Senedd; a yw hynny oherwydd bod y Senedd yn teimlo bod Pwyllgor y Rhanbarthau yn ceisio damsiel ar ei thir hi, a'n dweud, 'Wel, na, ni yw'r Senedd etholedig; cadwch draw o'r pethau hyn, da chi. Rydych chi ond yn gorff trafod; ni yw'r corff sy'n cynrychioli'?

[83] **Rhodri Glyn Thomas:** Yn hynny o beth, mae Pwyllgor y Rhanbarthau hefyd yn gorff etholedig, yn yr ystyr bod yr aelodau sydd wedi eu henwebu—

[84] **Simon Thomas:** Ond nid yn uniongyrchol.

[85] **Rhodri Glyn Thomas:** Yn anuniongyrchol—maent wedi eu henwebu ar Bwyllgor y Rhanbarthau, ond maent wedi eu hethol i wahanol lefelau o lywodraeth yn eu gwledydd a'u rhanbarthau eu hunain. Yn sicr, wrth i'r pendil symud oddi wrth y Comisiwn i'r Senedd o ran dylanwad, mae'n rhaid i Bwyllgor y Rhanbarthau ffeindio ffordd o ymwneud yn llawer iawn mwy positif â'r Undeb Ewropeaidd a Senedd Ewrop. Os yw unrhyw un yn meddwl bod Pwyllgor y Rhanbarthau yn fiwrocraidaidd, yna mae Senedd Ewrop yn llawer iawn mwy biwrocraidaidd, ac mae'n llawer iawn anos i ddylanwadu yn y fan honno.

[86] Rwy'n digwydd bod yn lwcus fy mod yn aelod o fwrdd Cynghrair Rydd Ewrop, ac felly rwy'n cael mynediad, nid yn unig at Aelodau Seneddol Ewropeaidd o Gymru, ond at y rhai sydd o wledydd eraill hefyd. Fodd bynnag, mae'n anodd iawn i ddylanwadu. Mae'r Comisiwn yn rhyngweithio'n greadigol iawn gyda

Committee of the Regions was some sort of third forum—you had the Commission, the Parliament and the Committee of the Regions. People were even starting to discuss, in some sort of a federal Europe context, that the committee could perhaps be developed to be another house. That has not happened—that is obvious—and what has happened instead, of course, as you just mentioned, is that the Parliament itself has been strengthened, and has taken powers from the Commission. The first question is this: you said earlier in your evidence that the influence and involvement is stronger with the Commission than the Parliament; is that because the Parliament feels perhaps that the Committee of the Regions is trying to step onto its territory, and is saying, 'Well, no, we are the elected Parliament; you should keep away. You are just a place for discussion; we are the representative body'?

Rhodri Glyn Thomas: In that regard, the Committee of the Regions is also an elected body, in the sense that the members who are nominated—

Simon Thomas: But not directly.

Rhodri Glyn Thomas: Indirectly—they are nominated to the Committee of the Regions, but they have been elected to various levels of government in their own nations and regions. Certainly, as the pendulum swings away from the Commission towards the Parliament in terms of influence, the Committee of the Regions has to find a way of having a far more positive involvement with the European Union and the European Parliament. If anyone thinks that the Committee of the Regions is bureaucratic, then the European Parliament is much more bureaucratic, and it is far more difficult to bring influence to bear there.

I happen to be lucky that I am a member of the European Free Alliance board, and therefore I have access, not only to the Welsh Members of European Parliament, but to those of other countries as well. However, it is very difficult to bring influence to bear. The Commission interacts very creatively with the Committee of the Regions, but the

Phwyllgor y Rhanbarthau, ond rwy'n meddwl y bydd yn rhaid i'r adolygiad hwn sy'n mynd i gael ei fabwysiadu yn y gwanwyn—Mawrth neu Ebrill y flwyddyn nesaf—edrych ar y berthynas rhwng Pwyllgor y Rhanbarthau a'r Senedd. Mae'n amlwg mai i'r cyfeiriad hwnnw y mae'r dylanwad yn mynd. Bydd yn rhaid i'r Comisiwn fod yn atebol i raddau helaethach o lawer i Senedd Ewrop.

[87] **Simon Thomas:** Sonioch yn gynharach am y datganiadau o farn hyn, sef yr unig ffordd y mae Pwyllgor y Rhanbarthau'n gallu rhoi ei farn. Roeddech yn sôn am sut oedd y datganiadau hynny'n gallu bod yn fuddiol, naill ai wrth drafod ac ymwneud â chomisiynwyr, neu yn ei gweithrediadau, trwy ddylanwadu—sonioch am ddylanwad posibl ar Lywodraeth Cymru, er enghraifft. Beth sy'n digwydd i'r datganiadau hyn o ran Senedd Ewrop? A oes unrhyw ddull wedi'i osod i'w cymryd ymlaen? A ydynt yn mynd i bwyllgorau'r Senedd? Beth sy'n digwydd iddynt ar ôl iddynt gael eu ffurfio gan Bwyllgor y Rhanbarthau? Beth yw'r cam nesaf o safbwynt y broses ddemocrataidd?

[88] **Rhodri Glyn Thomas:** Eto, rwyf wedi bod yn ffodus yn yr ystyr bod Derek Vaughan ar bwyllgor cyllideb Senedd Ewrop, ac o weithio'n weddol agos gyda Derek, rydym wedi llwyddo i gael cydnabyddiaeth o'r datganiadau o fewn y pwyllgorau. Wrth baratoi datganiad, rydym yn edrych ar yr hyn sy'n digwydd yn Senedd Ewrop i weld a oes pobl yn gweithio ar ddatganiadau sy'n gorgyffwrdd mewn unrhyw ffordd, neu a oes pobl sydd wedi cyhoeddi datganiadau yn yr un maes yn y gorffennol, a mynd atynt hwy. Felly, yn ffurfiol, caiff datganiadau eu cyfeirio at y pwyllgorau perthnasol yn Senedd Ewrop, ond rhaid trio darganfod ble mae'r unigolion a fyddai'n codi'r pynciau hynny. Felly, rhaid gweithio gyda'r system er mwyn sicrhau bod y datganiadau hynny'n chwarae rhan yn nhrafodaethau ehangach y Senedd.

[89] **Simon Thomas:** Heb y gallu i adnabod neu ganfod rhywun sydd yn y sefyllfa honno, a oes tueddiad i'r datganiadau hyn—ac mae lot o ddatganiadau yn dod mas o Bwyllgor y Rhanbarthau—syrthio ar dir

review that is to be adopted in the spring—next March or April—will have to look at the relationship between the Committee of the Regions and the Parliament. It is clear that that is the direction of travel in terms of influence. The Commission will have to be far more accountable to the European Parliament.

Simon Thomas: You spoke earlier about these statements of opinion, which is the only way that the Committee of the Regions can express opinion. You talked about how these opinions can be beneficial, either in discussions involving commissioners, or in its actions, through influencing—you spoke about possible influence on the Welsh Government, for example. What happens to these opinions in terms of the European Parliament? Is there any means for them to be taken forward? Do they go to the Parliament committees? What happens to them once they have been formed by the Committee of the Regions? What is the next step with regard to the democratic process?

Rhodri Glyn Thomas: Again, I have been fortunate in the sense that Derek Vaughan is a member of the European Parliament's budgetary committee, and from working closely with him, we have succeeded to get recognition of the opinions within committees. In preparing an opinion, we look at what happens in the European Parliament to see whether there are people working on opinions that overlap in some way, or whether there are people who have put forward opinions in the same area in the past, and then we approach them. So, formally, the opinions are referred to the relevant committees in the European Parliament, but you have to try to find individuals who would be willing to raise those issues. So, you have to work with the system to ensure that those opinions become part of the broader discussions in the Parliament.

Simon Thomas: Without the ability to know or recognise someone in that position, is there a tendency for these opinions—and there are a lot of them that come out of the Committee of the Regions—to fall by the wayside?

diffwrwyth?

[90] **Rhodri Glyn Thomas:** Mae'n siŵr. Os nad oes trafodaethau yn mynd yn eu blaenau yn Senedd Ewrop ar y pynciau hynny, mae tueddiad iddynt gael eu hanwybyddu, i ryw raddau, fel gydag unrhyw beth. Dim ond am ryw gyfnod o amser y bydd dylanwad y datganiad o farn hwnnw'n para, felly, o fewn y flwyddyn gyntaf, mae'n rhaid ichi sicrhau eich bod wedi cysylltu â'r bobl sy'n mynd i wthio'r peth ymlaen, neu fe gaiff ei golli.

[91] **Simon Thomas:** Wedyn, fe fydd rhywbeth arall yn disodli'r peth.

[92] **Rhodri Glyn Thomas:** Bydd. Mae hynny'n wir am unrhyw sefydliad gwleidyddol. Os nad ydych yn sicrhau bod yr hyn rydych chi'n ei wneud yn cael ei wthio ymlaen, fe gaiff ei golli. Fodd bynnag, mae mwy o berygl i hynny ddigwydd yn Ewrop ac ym Mhwylgor y Rhanbarthau, oherwydd nid oes ganddo'r gallu i wneud y penderfyniadau tyngedfennol yn Ewrop. Er, byddwn i'n dadlau bod rhai o'r cytundebau a wnaed rhwng y gwahanol ranbarthau a gwledydd wedi bod yn ddylanwadol. Os edrychwch ar y cytundeb rhwng y meiri—ni fyddai rywun yn meddwl y gallai meiri lleol fod yn ddylanwadol—fe welwch fod rhai o'r cytundebau maent wedi'u gwneud ar yr amgylchedd, ar heddwch ac ar ddatblygu gwledig wedi bod yn ddylanwadol iawn.

[93] **Simon Thomas:** O edrych i lawr pen arall y telesgop, fel petai—o Bwyllgor y Rhanbarthau yn ôl i Gymru—roeddech yn sôn am y datganiad o farn ynglŷn â Banc Canolog Ewrop, ac efallai bod hwnnw wedi dod yn ôl i'r Gweinidog yn y fan hon. Fodd bynnag, a oes rhywbeth yn yr adolygiad o waith y Pwyllgor y Rhanbarthau, neu rywbeth cyffredinol, y gallwch feddwl amdano sy'n dangos bod modd i ni yng Nghymru, nid dim ond yn y Cynulliad, ond mewn llywodraeth leol hefyd—caiff y ddwy lefel ei chynrychioli—wybod mwy am yr hyn sy'n digwydd yno, fel ein bod yn gallu cael dylanwad ehangach ar y broses, fel petai?

[94] **Rhodri Glyn Thomas:** Banc Buddsoddi Ewrop ydoedd, nid Banc Canolog Ewrop. Nid wyf wedi llwyddo i ddylanwadu

Rhodri Glyn Thomas: I am sure that that is the case. Unless there are ongoing debates in the European Parliament on those issues, there is a tendency for them to be ignored, to a certain extent, as is the case with anything. That opinion will only have influence over a short period of time, so, within the first year, you have to ensure that you have made contact with the people who will push it forward, or it will fall by the wayside.

Simon Thomas: Then, something else will replace it.

Rhodri Glyn Thomas: Yes. That is true of any political institution. If you do not ensure that what you do is driven forward, it will fall by the wayside. However, there is a greater risk of that within Europe, particularly within the Committee of the Regions, because it does not have the power to make those crucial decisions in Europe. Although, I would argue that some of the issues that have been agreed between the various regions and nations have been influential. If you look at the agreement between the mayors—one would not think that local mayors could be influential—you will see that some of the decisions that they have made on the environment, peace and the development of rural areas have been very influential indeed.

Simon Thomas: Looking at it from the other end of the telescope, as it were—from the Committee of the Regions back to Wales—you mentioned the opinion regarding the European Central Bank and that has perhaps come back to the Minister here. However, is there something in the review of the work of the Committee of the Regions, or something generally, that you can think of, that shows that there is a means for us in Wales, not just in the Assembly, but in local government as well—both levels are represented—to be better informed about what happens there, so that we can have a wider influence on the process, as it were?

Rhodri Glyn Thomas: It was the European Investment Bank, not the European Central Bank. I have not succeeded in influencing the

ar y banc canolog, ond rwy'n dal i weithio ar hynny. Rwy'n siwr cyn diwedd fy nghyfnod—

[95] **Simon Thomas:** Cariwch ymlaen—mewn 15 mlynedd arall, mae'n siwr.

[96] **Rhodri Glyn Thomas:** Eto, rwyf wedi bod yn ffodus yn yr ystyr bod Gweinidogion yn Llywodraeth Cymru wedi dangos diddordeb yn y gwaith. Cefais gyfle hefyd i fynd i drafod gyda'r bartneriaeth o ran y cronfeydd strwythurol. Felly, mae hynny'n bwysig. O ran y bwydo'n ôl, rwy'n credu bod lle i ni wella ar hynny, er bod Gregg Jones yn ysgrifennu'n fisol at Aelodau Cynulliad yn dweud beth sy'n digwydd yn Ewrop o bersbectif Cymru. Rwy'n credu bod hwnnw'n adnodd gwerthfawr iawn. Felly, mae modd i bobl weld beth mae'r cynrychiolwyr, nid yn unig ar Bwyllgor y Rhanbarthau, ond yn Senedd Ewrop hefyd, yn ei wneud. Os oes gennym ddiddordeb, mae modd datblygu ar hynny.

[97] Mae'r Llywydd wedi sefydlu patrwm o gyfarfodydd cyson gyda'r Aelodau Seneddol Ewropeaidd, ond hwyrach bod eisiau i Mick Antoniw a finau edrych ar sut y gallwn adrodd yn ôl. Dyma'r trydydd pwyllgor rwyf wedi bod ynddo—bûm gyda'r Pwyllgor Cyllid, sy'n cael ei gadeirio gan Jocelyn Davies, y Pwyllgor Amgylchedd a Chynaliadwyedd, sy'n cael ei gadeirio gan Dafydd Elis-Thomas, ac rwyf yn awr yn y pwyllgor hwn. Mae hynny'n ffordd i ni drafod ein rôl a'n gwaith, ond hwyrach bod rhywbeth mwy ffurfiol fel adroddiad y dylem fod yn ei wneud yn flynyddol hefyd am y gwaith.

[98] **Simon Thomas:** Yn olaf, o gofio ein bod yn y fan hon yn ceisio edrych ar y dulliau gwahanol o benderfynu y tu mewn i'r Undeb Ewropeaidd, a sut mae Cymru yn gallu bod yn rhan o'r broses honno—un rheswm dros ofyn i chi ddod mewn yw oherwydd ein bod yn edrych ar un o'r ychydig gyrff lle caiff Cymru ei chynrychioli'n uniongyrchol, er yn rhan o ddirprwyaeth y Deyrnas Gyfunol. Fodd bynnag, o edrych ar y pictiwr cyfan, a oes unrhyw beth amlwg yn eich tyb chi neu rywbeth o'ch profiad chi y gallem ei wneud i wella'r ffordd y mae rôl Cymru yn cael ei chwarae yn y broses benderfynu yn yr

central bank yet, but I am still working on that. I am sure that before the end of my period—

Simon Thomas: Carry on—in about another 15 years, probably.

Rhodri Glyn Thomas: Again, I have been fortunate that Ministers in the Welsh Government have taken an interest in the work. I also had the opportunity to discuss the structural funds with the partnership. So, that is important. In terms of the feedback, I think that we have room for improvement on that, although Gregg Jones writes a monthly briefing to Assembly Members about what is happening in Europe from Wales's perspective. I believe that that is a very valuable resource. Therefore, there is a way for people to see what the representatives, not only on the Committee of the Regions, but also in the European Parliament, are doing. If we have an interest, there is way of developing that.

The Presiding Officer has established a pattern of regular meetings with Members of the European Parliament, but Mick Antoniw and I may need to look at how we can report back. This is the third committee that I have attended—I have been with the Finance Committee, chaired by Jocelyn Davies, the Environment and Sustainability Committee, chaired by Dafydd Elis-Thomas, and I am now in this committee. That is a way for us to discuss our role and work, but perhaps we should be publishing something more formal such as an annual report as well.

Simon Thomas: Finally, bearing in mind that we here are trying to look at the different decision-making processes within the European Union, and how Wales can be part of that process—one reason for asking you to come in is because we are looking at one of the few bodies where Wales is directly represented, albeit as part of the United Kingdom delegation. However, in looking at the broader picture, is there anything obvious in your opinion or experience that we could do to improve the role that Wales plays in the decision-making process within the union?

undeb?

[99] **Rhodri Glyn Thomas:** Un o'r pethau rydym wedi ei benderfynu yw bod y pedwar ohonom yn mynd i fod yn dipyn mwy deinamig wrth weithio gyda'n gilydd o fewn dirprwyaeth y Deyrnas Unedig. Mae'n rhaid i mi gyfaddef fod bai arnaf—nid wyf wedi mynychu'r cyfarfodydd hynny oherwydd natur y sefyllfa yn y fan hon. Hynny yw, yn amlwg, nid wyf yn gallu cymryd dyddiau i ffwrdd o'r trafodaethau yn y fan hon i fynd i Ewrop. Mae Mick yn yr un sefyllfa, ac roedd Chris yn yr un sefyllfa'n flaenorol. Felly, rydym yn gorfod mynd i mewn ar gyfer y cyfarfodydd a dod oddi yno. Felly, nid yw fy ymwneud i â dirprwyaeth y Deyrnas Unedig wedi bod yn gryf iawn, ond rydym yn gweld bellach bod rhaid inni edrych ar hynny ac ar ein perthynas gyda'r Alban yn arbennig, ond gyda Gogledd Iwerddon hefyd, o fewn y ddirprwyaeth honno i sicrhau bod y gwledydd hynny yn cael eu cynrychioli, fel nad barn Lloegr yn unig sy'n cael ei chynrychioli a'i chlywed fwyaf o fewn y ddirprwyaeth honno. Rydym yn gwneud hynny yng nghyd-destun yr adolygiad ehangach o weithgaredd Pwyllgor y Rhanbarthau, i weld a allwn ni sicrhau bod ein lleisiau ni a llais Cymru yn cael eu clywed.

[100] **Simon Thomas:** A oes rhywbeth y dylai'r Cynulliad ei wneud i gryfhau hynny hefyd felly?

[101] **Rhodri Glyn Thomas:** Nid wyf yn siŵr. Roedd yn ddi-ddorol iawn, oherwydd un o'r rhesymau pam y gwnaeth y Comisiynydd Lewandowski roi tri chwarter i mi yng nghanol y trafodaethau ar y gyllideb oedd oherwydd ei fod yn awyddus iawn i glywed llais Cymru, ac i lais Cymru gael ei glywed. Roedd yn amlwg bod y Llywodraeth glymblaid yn San Steffan yn gwneud synau negyddol iawn am y gyllideb, ac yn sôn am yr ad-daliad a sut y gellid sicrhau bod y Deyrnas Unedig yn cyfrannu llai a llai i goffrau Ewrop. Dywedodd y comisiynydd ei fod yn bwysig fod llais Cymru yn cael ei glywed. Os cofiwch, gwnaeth y Prif Weinidog nifer o ddatganiadau cryf iawn ynglŷn â'r buddiannau i Gymru a bod yn rhaid eu diogelu. Fe wnaeth Alun Davies a Gweinidogion eraill—Jane Hutt ymysg

Rhodri Glyn Thomas: One of the things that we have decided is that the four of us will be more dynamic in working together within the UK delegation. I must admit that I am at fault—I have not attended those meetings because of the nature of the situation here. That is, obviously, I cannot take days off from discussions here to go to Europe. Mick is in the same situation, and Chris was in the same situation previously. So, we have to go into the meetings and come out again. So, my involvement with the UK delegation has not been particularly robust, but we now see that we have to look at that and look at our relationship with Scotland in particular, but also with Northern Ireland, within that delegation to ensure that those nations are represented, so that it is not England's opinion that is most represented and heard within that delegation. We are doing that in the context of the wider review of the Committee of the Regions's activity to see whether we can ensure that our voices and Wales's voice are heard.

Simon Thomas: Therefore, is there anything that the Assembly should also do to strengthen that?

Rhodri Glyn Thomas: I am not sure. It was very interesting, because one of the reasons why Commissioner Lewandowski gave me three quarters of an hour in the middle of the budget discussions was because he was very eager to hear Wales's voice, and for the voice of Wales to be heard. It was clear that the Westminster coalition Government was making very negative noises about the budget, and was talking about the rebate and how it could be ensured that the United Kingdom contributed ever decreasingly to Europe's coffers. The commissioner said that it was important for Wales's voice to be heard. If you recall, the First Minister made several very strong statements on Welsh interests and that they needed to be safeguarded. Alun Davies and other Ministers—Jane Hutt among others—also

eraill—wneud datganiadau tebyg hefyd. Nid wyf yn honni mai fy nylanwad i a oedd yn gyfrifol am hynny, ond mi wnes i gyfleu'r neges yn ôl iddynt ac fe benderfynon nhw hefyd bod hi'n bwysig bod llais Cymru yn cael ei glywed. Mae modd gwneud pethau felly drwy gysylltiadau.

made similar statements. I do not claim that that was down to my influence, but I conveyed that message back to them and they also decided that it was important that the Welsh voice should be heard. It is possible to do these things through connections.

15:45

[102] **David Melding:** That concludes the questions that we had prepared for you, Rhodri, unless there is anything you think that we have not captured that would be useful evidence that you want to raise now. If not, that will conclude the session, but I give you that opportunity to add something if you want.

[103] **Rhodri Glyn Thomas:** No, but, perhaps, as we develop our response to the review or the Committee of the Regions, it may be useful if I feed back through the secretariat of your committee when the four of us have decided on our position, both within the UK delegation and in terms of our work in the Committee of the Regions. We can feed that back to you.

[104] **David Melding:** That would be very useful. Thank you very much for spending part of your Monday afternoon with us, keeping us up to date.

[105] **Rhodri Glyn Thomas:** I cannot think of anything better to do on a Monday afternoon. [*Laughter.*]

[106] **David Melding:** There may be some, but there would be far worse things to do as well. I thought that we got to some very interesting subjects in your evidence, and it is going to greatly assist us in our inquiry, so, many thanks again, Rhodri.

[107] **Rhodri Glyn Thomas:** Diolch yn fawr.

[108] **David Melding:** Diolch yn fawr.

15:46

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r
Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public from
the Meeting**

[109] **David Melding:** I move that

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42(vi).

[110] I do not see any objections.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 15:46.
The public part of the meeting ended at 15:46.*

