



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

**Cofnod y Trafodion
The Record of Proceedings**

**Dydd Mawrth, 13 Gorffennaf 2010
Tuesday, 13 July 2010**

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

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

*Cyfarfu'r Cynulliad am 1.30 p.m. gyda'r Dirprwy Lywydd (Rosemary Butler) yn y Gadair.
The Assembly met at 1.30 p.m. with the Deputy Presiding Officer (Rosemary Butler) in the Chair.*

The Deputy Presiding Officer: I call the **Y Dirprwy Lywydd:** Trefn yn y Cynulliad.
National Assembly for Wales to order.

Ethol Dirprwy Lywydd Dros Dro Election of Temporary Deputy Presiding Officer

The Deputy Presiding Officer: In the absence of the Presiding Officer, I ask the Assembly to elect a temporary Deputy Presiding Officer for the duration of today's Plenary. Therefore, I invite nominations.

Y Dirprwy Lywydd: Yn absenoldeb y Llywydd, gofynnaf i'r Cynulliad ethol Dirprwy Lywydd dros dro am y Cyfarfod Llawn heddiw. Felly, gwahoddaf enwebiadau.

Peter Black: I nominate William Graham.

Peter Black: Yr wyf yn enwebu William Graham.

The Deputy Presiding Officer: I therefore declare that William Graham is elected as temporary Deputy Presiding Officer for the duration of today's Plenary.

Y Dirprwy Lywydd: Felly, mae William Graham wedi'i ethol yn Ddirprwy Lywydd dros dro ar gyfer Cyfarfod Llawn heddiw.

Enwebiad ar gyfer Penodi Archwilydd Cyffredinol Cymru Nomination for the Appointment of an Auditor General for Wales

Jonathan Morgan: I move that

Jonathan Morgan: Cynigiaf fod

the National Assembly for Wales:

Cynulliad Cenedlaethol Cymru:

1. expresses its gratitude for the contribution of Gillian Body during her term of office as Auditor General for Wales;

1. yn mynegi'i ddiolchgarwch am gyfraniad Gillian Body yn ystod ei thymor yn swydd Archwilydd Cyffredinol Cymru;

2. acting under paragraph 1(1) of Schedule 8 to the Government of Wales Act 2006, and having consulted representatives of local government bodies in Wales in accordance with paragraph 1(2), nominates Huw Vaughan Thomas for appointment by Her Majesty as Auditor General for Wales for a term of eight years to commence immediately after the current Auditor General for Wales ceases to hold office. (NDM4529)

2. wrth weithredu o dan baragraff 1(1) o Atodlen 8 i Ddeddf Llywodraeth Cymru 2006, ac ar ôl ymgynghori â chynrychiolwyr cyrff llywodraeth leol yng Nghymru yn unol â pharagraff 1(2), yn enwebu Huw Vaughan Thomas i'w benodi i swydd Archwilydd Cyffredinol Cymru gan Ei Mawrhydi am dymor o wyth mlynedd i ddechrau'n syth ar ôl i'r Archwilydd Cyffredinol Cymru cyfredol roi'r gorau i fod yn ddeiliad y swydd. (NDM4529)

I pay tribute to the excellent job that Gillian Body has done as the interim Auditor General for Wales. Not only has she brought the stability that was required to ensure the continuity of the Wales Audit Office's vital work, but she has also driven organisational improvements through the implementation of the international peer review

Rhoddaf deyrnged i'r gwaith rhagorol y mae Gillian Body wedi'i wneud fel Archwilydd Cyffredinol Cymru dros dro. Nid yn unig y mae hi wedi dod â'r sefydlogrwydd angenrheidiol i sicrhau dilyniant yng ngwaith hollbwysig Swyddfa Archwilio Cymru, ond mae hefyd wedi sbarduno gwelliannau yn y sefydliad drwy roi argymhellion yr adolygiad

recommendations. She leaves the Wales Audit Office in a better place than when she took on this interim role, which, given the short time that she has been in this office, is a remarkable achievement. I make it clear that the nomination that I will be recommending to you today is in no way a reflection on Gillian's performance, which has been exemplary. I also place on record how impressed I have been with the staff of the Wales Audit Office. They have demonstrated their commitment to improving public services in Wales, by forging ahead with their work during a period of considerable uncertainty.

The Public Accounts Committee and the Assembly Commission recognised the need to move quickly in recruiting an auditor general, while always observing the need for a process that would meet the legitimate expectations of the people of Wales for robustness and transparency. It was also vital that the process was conducted in a way that removed from it any suggestion of political interference. To that end, a full and open recruitment process, conducted in line with the Nolan principles on standards in public life, was initiated, and the post was advertised nationally. I chaired a panel to assist with the process, and to assess the applicants for this role. Alongside me sat Assembly Members Bethan Jenkins and Jeff Cuthbert, John Purcell, a former comptroller and auditor general of the Republic of Ireland, Keith Bush, the chief legal adviser to the Assembly, Steve Thomas, the chief executive of the Welsh Local Government Association, and Wendy Burton, our independent assessor. We were supported at each stage by Assembly Commission staff, to whom I am extremely grateful, and by the executive search specialists, Odgers Berndtson. By including the chief executive of the WLGA, we ensured that the requirement to consult with local government was satisfied. To that end, the legal requirements, as set out in the Act, have been satisfied.

The nomination of a person for appointment as auditor general is, in common with other

rhyngwladol gan gymheiriaid ar waith. Mae'n gadael Swyddfa Archwilio Cymru mewn gwell sefyllfa nag yr oedd pan ysgwyddodd y swydd hon dros dro. Mae hyn yn llwyddiant nodedig ac ystyried nad yw ond wedi bod yn y swydd am ychydig. Fe'i gwnaaf yn glir nad yw'r enwebiad y byddaf yn ei argymhell ichi heddiw'n adlewyrchu o gwbl ar berfformiad Gillian, sydd wedi bod yn gwbl deilwng. Yr wyf am gofnodi hefyd faint o argraff y mae staff Swyddfa Archwilio Cymru wedi'i gwneud arnaf. Maent wedi dangos eu hymrwymiad i wella gwasanaethau cyhoeddus yng Nghymru, drwy fwrw ymlaen â'u gwaith yn ystod cyfnod o gryn ansicrwydd.

Yr oedd y Pwyllgor Cyfrifon Cyhoeddus a Chomisiwn y Cynulliad yn cydnabod bod angen symud ymlaen yn gyflym i recriwtio archwilydd cyffredinol, gan gadw golwg o hyd ar y ffaith bod angen proses a fyddai'n diwallu disgwyliadau dilys pobl Cymru o ran bod y broses yn un gadarn a thryloyw. Yr oedd yn hollbwysig hefyd i'r broses gael ei chynnal yn y fath ffordd fel nad oedd unrhyw awgrym o ymyrryd gwleidyddol. I'r perwyl hwnnw, rhoddwyd cychwyn ar broses recriwtio lawn ac agored, a'i chynnal yn unol ag egwyddorion Nolan ar gyfer safonau mewn bywyd cyhoeddus. Hysbysebwyd y swydd drwy'r wlad. Bûm yn cadeirio panel i gynorthwyo â'r broses, ac i asesu'r ymgeiswyr ar gyfer y swydd hon. Ochr yn ochr â mi, eisteddai Aelodau'r Cynulliad, Bethan Jenkins a Jeff Cuthbert, John Purcell, cyn ddistain ac archwilydd cyffredinol Gweriniaeth Iwerddon, Keith Bush, prif gynghorydd cyfreithiol y Cynulliad, Steve Thomas, prif weithredwr Cymdeithas Llywodraeth Leol Cymru a Wendy Burton, ein hasesydd annibynnol. Cawsom gefnogaeth ar hyd y daith gan staff Comisiwn y Cynulliad, ac yr wyf yn eithriadol o ddiolchgar iddynt, a chan Odgers Bernston, cwmni sy'n arbenigo mewn chwilio am uwch swyddogion. Drwy gynnwys prif weithredwr Cymdeithas Llywodraeth Leol Cymru, sicrhawyd ein bod yn cydymffurfio â'r gofyniad i ymgynghori â llywodraeth leol. I'r perwyl hwnnw, cydymffurfiwyd â gofynion cyfreithiol y Ddeddf.

Mater i Gyfarfod Llawn yn y Cynulliad yw enwebu rhywun i'w benodi'n archwilydd

appointments that are currently in the hands of the Assembly, a matter for the Assembly in Plenary. In the past, the Audit Committee—as it was then named—has taken a lead in considering and advising the Assembly on such matters. We believed that it was important that the Public Accounts Committee continued in this role, and, indeed, strengthened its ability to give informed advice. That is why we decided to add a confirmation hearing to this process—an innovative development for making this key constitutional appointment. This hearing provided open and transparent scrutiny of the candidate who had been identified as the most suitable from the recruitment process, and offered the Public Accounts Committee, and, ultimately, the Assembly, additional confidence that the preferred candidate is suitable for nomination to Her Majesty for appointment.

Following this session, the Public Accounts Committee unanimously agreed that I should recommend the nomination of Huw Vaughan Thomas to you today. Huw Vaughan Thomas has had a long and distinguished career in public service in Wales, and has significant experience in managing change in public services. His experience of working at the highest levels in central and local government is formidable. I know that some Members will have come across Huw during his time working for the Manpower Services Commission and the Department of Employment during the 1980s and 1990s, and, perhaps more directly, when he was chief executive of Gwynedd Council and, more latterly, Denbighshire County Council. He is currently the chair of the Big Lottery Fund in Wales, and is also an independent member of the Parole Board. He has held numerous voluntary positions as a fellow of the Chartered Institute of Personnel and Development and a companion of the Chartered Management Institute. The Public Accounts Committee and I are confident that Huw Vaughan Thomas has the right mix of skills, experience and commitment to take the office of auditor general forward, and to drive improvement and innovation in delivering public services in Wales. This could not be more important than at the present time.

cyffredinol, ac mae'r un peth yn wir hefyd am benodiadau eraill sydd ar hyn o bryd yn nwylo'r Cynulliad. Yn y gorffennol, mae'r Pwyllgor Archwilio—fel yr oedd bryd hynny—wedi arwain wrth ystyried materion o'r fath a chynghori'r Cynulliad yn eu cylch. Credem ei bod yn bwysig i'r Pwyllgor Cyfrifon Cyhoeddus barhau â'r rôl hon, ac, yn wir, ei fod yn cryfhau ei allu i gynnig cyngor gwybodus. Dyna pam y penderfynwyd ychwanegu gwrandawriad cadarnhau at y broses hon—datblygiad arloesol ar gyfer gwneud y penodiad cyfansoddiadol allweddol hwn. Drwy'r gwrandawriad hwn, bu modd craffu'n agored ac yn dryloyw ar yr ymgeisydd mwyaf addas yn ôl y broses recriwtio, gan gynnig mwy o hyder i'r Pwyllgor Cyfrifon Cyhoeddus, a, maes o law, i'r Cynulliad, fod y dewis ymgeisydd yn addas i'w enwebu i'w Mawrhydi ar gyfer ei benodi.

Ar ôl y sesiwn hon, cytunodd y Pwyllgor Cyfrifon Cyhoeddus yn unfrydol y dylwn argymhell ichi heddiw enwebu Huw Vaughan Thomas. Mae Huw Vaughan Thomas wedi cael gyrfa hir a disglair ym maes gwasanaethau cyhoeddus yng Nghymru, ac mae ganddo brofiad sylweddol o reoli newid mewn gwasanaeth cyhoeddus. Mae ganddo brofiad aruthrol o weithio ar y lefelau uchaf yn y llywodraeth ganolog ac mewn llywodraeth leol. Gwn y byd rhai Aelodau wedi dod ar draws Huw yn ystod y cyfnod pan fu'n gweithio i Gomisiwn Gwasanaethau'r Gweithlu ac i'r Adran Cyflogaeth yn ystod yr 1980au a'r 1990au, ac, efallai'n fwy uniongyrchol, pan oedd yn brif weithredwr Cyngor Gwynedd, ac yn fwy diweddar, gyda Chyngor Sir Ddinbych. Ar hyn o bryd, mae'n gadeirydd Cronfa'r Loteri Fawr yng Nghymru, ac mae hefyd yn aelod annibynnol o'r Bwrdd Parôl. Mae wedi dal sawl swydd wirfoddol ac yntau'n gymrawd yn y Sefydliad Siartredig Personél a Datblygu ac yn gydymaith yn y Sefydliad Rheolaeth Siartredig. Mae'r Pwyllgor Cyfrifon Cyhoeddus a minnau'n hyderus bod Huw Vaughan Thomas yn meddu ar y cyfuniad iawn o sgiliau, profiad ac ymrwymiad i frwr ymlaen â swydd yr archwilydd cyffredinol ac i sbarduno gwella ac arloesi wrth ddarparu gwasanaethau cyhoeddus yng Nghymru. Ni allai dim fod yn bwysicach ar yr adeg hon.

I therefore recommend to the Assembly that Huw Vaughan Thomas be nominated for appointment by Her Majesty the Queen as Auditor General for Wales for a period of eight years, immediately after the interim Auditor General ceases to hold office.

Felly, yr wyf yn argymhell i'r Cynulliad y dylid enwebu Huw Vaughan Thomas i'w benodi'n Archwilydd Cyffredinol Cymru gan Ei Mawrhydi y Frenhines am gyfnod o wyth mlynedd, gan ddechrau ar unwaith pan ddaw cyfnod yr Archwilydd Cyffredinol dros dro yn y swydd i ben.

The Deputy Presiding Officer: The proposal is to agree the motion. Does any Member object? I see that there are no objections. The motion is therefore agreed, in accordance with Standing Order No. 7.35.

Y Dirprwy Lywydd: Y cynnig yw derbyn y cynnig. A oes unrhyw Aelod yn gwrthwynebu? Gwelaf nad oes gwrthwynebiad. Derbynnir y cynnig felly, yn unol â Rheol Sefydlog Rhif 7.35.

*Derbyniwyd y cynnig.
Motion agreed.*

Cwestiynau i'r Prif Weinidog Questions to the First Minister

Papurau Newydd

Newspapers

C1 Rhodri Glyn Thomas: Pa drafodaethau mae'r Prif Weinidog wedi'u cael gyda llywodraeth leol ynghylch papurau newydd a gyhoeddir gan gynghorau? OAQ(3)3033(FM)

Q1 Rhodri Glyn Thomas: What discussions has the First Minister had with local government regarding council-run newspapers? OAQ(3)3033(FM)

Y Prif Weinidog (Carwyn Jones): Nid wyf wedi cael unrhyw drafodaethau ynglŷn â'r mater hwn.

The First Minister (Carwyn Jones): I have had no discussions on this issue.

Rhodri Glyn Thomas: A gaf fi, felly, bwysu arnoch i gynnal trafodaethau. Byddwch yn gwybod bod yr Ysgrifennydd Gwladol dros Gymunedau a Llywodraeth Leol yn San Steffan, Eric Pickles, wedi dweud na ddylai cynghorau gynhyrchu papurau newydd a all beryglu papurau lleol yn eu hardaloedd. Pan ofynnais y cwestiwn hwn i'r cyn-Brif Weinidog, mynegodd ofid ynglŷn â'r effaith y gallai'r papurau newydd hyn ei gael ar y broses o graffu ar lywodraeth leol gan bapurau lleol. Gwnaed sylwadau tebyg gan y cyn-Weinidog dros gyllid hefyd. A ydych yn rhannu'r consyrn hwn, Brif Weinidog? Yn sir Gaerfyrddin, mae'r cyngor yn gwario £130,000 ar bapur lleol. Mae'n dadlau ei fod yn derbyn £110,000 ar gyfer hysbysebion. Fodd bynnag, mewn gwirionedd, hysbysebion gan y cyngor sir yw'r rheini. A gytunwch â'r pryderon sydd wedi codi ynglŷn ag effaith hyn ar bapurau lleol ac ar y broses angenrheidiol o graffu ar lywodraeth

Rhodri Glyn Thomas: May I, therefore, urge you to hold such discussions. You will know that the Westminster Secretary of State for Communities and Local Government, Eric Pickles, has said that councils should not produce newspapers that endanger local newspapers in their areas. When I posed this question to former First Minister, he expressed concern about the impact that these newspapers can have on the process of scrutinising local government by local newspapers. Similar observations were also made by the former Minister for finance. Do you share this concern, First Minister? In Carmarthenshire, the council spends £130,000 on a local paper. It argues that it receives £110,000 in advertising revenue. However, these are actually advertisements from the county council. Do you share the concerns that have arisen about the impact of this on local newspapers and on the vital process of local government scrutiny in the

leol yn y gymuned leol?

Y Prif Weinidog: Mae hwn yn fater i bob cyngor yng Nghymru. Mae'n bwysig bod dwy egwyddor yn cael eu hystyried. Yn gyntaf, mae'n rhaid i gynghorau ddangos bod y cylchgronau y maent yn eu cyhoeddi yn dangos gwerth am arian. Mae hynny'n bwysig dros ben. Hefyd, mae'n bwysig nad yw unrhyw gylchgrawn neu bapur sy'n cael ei gyhoeddi gan lywodraeth leol yn cael effaith wael ar bapurau rhydd lleol. Mae'n bwysig dros ben bod papurau lleol ar gael er mwyn craffu ar gynghorau. Mater iddynt hwy yw hwn ac mae'r egwyddorion hynny yn bwysig iawn.

Lorraine Barrett: First Minister, do you agree—and I say this as a former councillor of many years' service—that one of the most important things that individual councils should be doing is engaging with the communities that they represent and ensuring that constituents are fully aware of what is happening locally as well as across the local authority area? Would you welcome the provisions that are contained in the Proposed Local Government (Wales) Measure, which was recently laid by the Minister for Social Justice and Local Government, Carl Sargeant, which supports this?

The First Minister: Very much so, Lorraine. All councillors need to be extremely proactive—and I am sure that most of them are—so that people understand not just what they do, but what the council is doing for their community. If people are better informed about the work of councillors, they can better hold those councillors to account. Therefore, I warmly welcome the provisions in the proposed Measure.

William Graham: First Minister, in your discussions, you may care to bear in mind the actions of Monmouthshire County Council, which is Conservative run, which has stopped printing its quarterly magazine and has moved to an online version, although paper, large print and Braille editions are available on request. This has meant that the costs have reduced from £28,000 to £3,000. Plaid-Cymru-controlled Caerphilly has reduced

local community?

The First Minister: This is a matter for every council in Wales. It is important that two principles are considered. First, councils must show that the magazines that they publish demonstrate value for money. That is extremely important. Also, it is important that any magazine or paper that is published by local government does not have a negative impact on local free papers. It is extremely important that local newspapers are available in order to scrutinise councils. This is a matter for them and those principles are very important.

Lorraine Barrett: Brif Weinidog, a ydych yn cytuno—a dywedaf hyn a minnau wedi gwasanaethu ar gyngor am flynyddoedd lawer—mai un o'r pethau pwysicaf y dylai cynghorau unigol fod yn ei wneud yw meithrin cysylltiad â'r cymunedau y maent yn eu cynrychioli a sicrhau bod etholwyr yn gwbl ymwybodol o'r hyn sy'n digwydd yn lleol yn ogystal ag ar hyd ac ar led ardal yr awdurdod? A fydddech yn croesawu'r darpariaethau ym Mesur Llywodraeth Leol Arfaethedig (Cymru), a osodwyd gan y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol, Carl Sargeant, yn ddiweddar, sy'n cefnogi hyn?

Y Prif Weinidog: Byddwn yn sicr, Lorraine. Mae angen i bob cynghorydd fod yn eithriadol o ragweithiol—ac yr wyf yn siŵr bod y rhan fwyaf ohonynt—er mwyn i bobl ddeall nid dim ond yr hyn y maent hwy'n ei wneud, ond yr hyn y mae'r cyngor yn ei wneud dros eu cymuned. Os bydd pobl yn gwybod mwy am waith cynghorwyr, gallant ddal y cynghorwyr hynny'n atebol. Felly, yr wyf yn croesawu darpariaethau'r Mesur arfaethedig yn gynnes.

William Graham: Brif Weinidog, yn eich trafodaethau, efallai y byddai'n dda gennych gadw mewn cof y camau a gymerwyd gan Gyngor Sir Fynwy. Cyngor o dan reolaeth y Ceidwadwyr yw hwnnw ac mae wedi rhoi'r gorau i argraffu ei gylchgrawn misol gan symud at fersiwn ar-lein, er bod rhifynnau ar bapur, mewn print mawr ac mewn Braille ar gael, dim ond i rywun ofyn. Mae hyn wedi golygu bod y costau wedi gostwng o £28,000

costs from £110,000 to just over £49,000. Newport council, which publishes *Newport Matters*, has recouped the expenses incurred in its production by carrying advertisements from approved businesses and service providers. In this time of austerity, I am sure that you would agree that this is certainly the way forward.

The First Minister: As I have said, it is a matter for councils to decide how they spend their money, but it is important that councils can demonstrate value for money when they produce these publications.

Funding

Q2 Chris Franks: Will the First Minister make a statement on funding for GP services? OAQ(3)3026(FM)

The First Minister: Funding for GP services is provided through the general medical services contract.

Chris Franks: You will be aware that, in today's *South Wales Echo*, there is a report regarding moving NHS staff from our hospitals into our communities. One important aspect of this strategy is to make services more available to the public and more user-friendly. What assurances can you give about GP services across my region, including those in Butetown and Hirwaun, and for the changes to services currently provided by clinics across Barry?

Since 2007, the Welsh NHS has been put back on its feet. What impact will the announcement by the Conservatives and Liberal Democrats for the English NHS to be run along market principles—

The Deputy Presiding Officer: Order. Can we have a question, please?

Chris Franks: What will be the impact on Wales of the proposed changes in England?

The First Minister: There will be no impact on Welsh health policy. We will continue to take forward plans for Butetown and

i £3,000. Mae Caerffili, o dan reolaeth Plaid Cymru, wedi gostwng eu costau o £110,000 i ychydig dros £49,000. Mae cyngor Casnewydd, sy'n cyhoeddi *Newport Matters*, wedi adennill costau cynhyrchu'r papur drwy gynnwys hysbysebion gan fusnesau a darparwyr gwasanaethau cymeradwy. Yn yr oes lem hon, yr wyf yn siŵr y cytunech mai dyma'r ffordd ymlaen yn bendant.

Y Prif Weinidog: Fel yr wyf wedi dweud, gwaith cynghorau yw penderfynu sut y byddant yn gwario'u harian, ond mae'n bwysig i gynghorau allu dangos gwerth am arian wrth iddynt gynhyrchu'r cyhoeddiadau hyn.

Cyllid

C2 Chris Franks: A wnaiff y Prif Weinidog ddatganiad am gyllid ar gyfer gwasanaethau meddygon teulu? OAQ(3)3026(FM)

Y Prif Weinidog: Darperir arian ar gyfer gwasanaethau meddygon teulu drwy'r contract gwasanaethau meddygol cyffredinol.

Chris Franks: Byddwch yn gwybod am yr adroddiad yn y *South Wales Echo* heddiw sy'n sôn am symud staff y GIG o'n hysbytai i'n cymunedau. Un agwedd bwysig ar y strategaeth hon yw sicrhau bod gwasanaethau ar gael yn haws ac yn fwy hwylus i'r cyhoedd. Pa sicrwydd y gallwch ei roi ynglŷn â gwasanaethau meddygon teulu drwy fy rhanbarth, gan gynnwys y rheini yn Butetown ac yn Hirwaun ac am y newidiadau i'r gwasanaethau a ddarperir gan glinigau yn y Barri?

Er 2007, mae GIG Cymru wedi cael ei draed dano eto. Pa effaith a gaiff y cyhoeddiad gan y Ceidwadwyr a'r Democratiaid Rhyddfrydol ynglŷn â rhedeg GIG Lloegr ar sail egwyddorion y farchnad—

Y Dirprwy Lywydd: Trefn. A gawn gwestiwn, os gwelwch yn dda?

Chris Franks: Pa effaith a gaiff y newidiadau arfaethedig yn Lloegr ar Gymru?

Y Prif Weinidog: Ni fydd yr un effaith ar bolisi iechyd yng Nghymru. Byddwn yn parhau i fwrw ymlaen â'r cynlluniau ar gyfer

Hirwaun. As you are aware, Chris, the funding for Barry was approved in December 2008 and construction of the facility that is being built at Hood road is progressing well.

Butetown a Hirwaun. Fel y gwyddoch, Chris, cymeradwywyd yr arian ar gyfer y Barri ym mis Rhagfyr 2008 ac mae'r gwaith adeiladu ar y cyfleuster hwnnw a godir yn Hood Road yn mynd rhagddo'n dda.

1.40 p.m.

Val Lloyd: First Minister, I am sure that you will agree that providing accessible information and improving access to health services is crucial if we want to enable people to change their lifestyles and improve their health. Could you please give an update on progress on the project funded by the Labour-led Assembly Government, My Health Online, which will allow patients to order repeat prescriptions and book appointments with their GP via the internet?

Val Lloyd: Brif Weinidog, yr wyf yn siŵr y cytunwch ei bod yn hollbwysig darparu gwybodaeth hwylus a gwella'r mynediad at wasanaethau iechyd er mwyn galluogi pobl i newid eu ffordd o fyw a gwella'u hiechyd. A allech roi'r wybodaeth ddiweddaraf inni am y cynnydd gyda'r prosiect a ariennir gan y Llywodraeth o dan arweiniad Llafur yn y Cynulliad, Fy Iechyd Ar-lein, a fydd yn caniatáu i gleifion ailarchebu presgripsiynau a threfnu apwyntiadau gyda'u meddyg teulu dros y rhyngwrwyd?

The First Minister: The phased roll-out of My Health Online will begin in the autumn. It will begin to be available to a number of early adopter GPs. It will allow patients to use the internet to book appointments at their GP surgery and to request repeat prescriptions. The service will be available nation-wide in spring 2011. There are, of course, GP surgeries that are doing this already. It is important that others learn from their good example.

Y Prif Weinidog: Dechreuir lledaenu Fy Iechyd Ar-lein fesul cam yn yr hydref. Bydd yn dechrau bod ar gael i nifer o feddygon teulu a fydd yn mabwysiadu'r cynllun yn gynnar. Bydd modd i gleifion ddefnyddio'r rhyngwrwyd i drefnu apwyntiad yn eu meddygfa leol ac i ailarchebu presgripsiwn. Bydd y gwasanaeth ar gael drwy'r wlad yng ngwanwyn 2011. Wrth gwrs, mae rhai meddygfeydd yn gwneud hyn eisoes. Mae'n bwysig i eraill ddysgu yn sgil eu hesiampl dda.

Andrew R.T. Davies: One commitment in your manifesto for the Labour leadership was to increase the accessibility of GP surgeries. Many practices vary in their approaches. I visited surgeries in Pontyclun and in Cardiff and they had different approaches to how patients can book appointments. What discussions have you had with the Minister for Health and Social Services about the resource implications of increasing access to GP surgeries and, above all, about taking that commitment forward so that people can book appointments that best suit their lifestyles?

Andrew R.T. Davies: Un ymrwymiad yn eich maniffesto ar gyfer arweinyddiaeth y Blaid Lafur oedd y byddech yn ei gwneud yn haws i bobl gael gafael ar wasanaethau meddygfeydd. Bydd llawer o bractisau'n amrywio o ran eu dulliau. Ymwelais â meddygfa ym Mhont-y-clun ac â meddygfa yng Nghaerdydd ac yr oedd y ddwy'n defnyddio gwahanol ddulliau i gleifion drefnu apwyntiadau. Pa drafodaethau yr ydych wedi'u cael â'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol ynglŷn â'r goblygiadau o ran adnoddau sy'n codi yn sgil gwella'r mynediad at feddygfeydd meddygon teulu, ac yn anad dim, ynglŷn â bwrw ymlaen â'r ymrwymiad hwnnw i bobl allu trefnu apwyntiad sy'n cydweddu orau â'u ffordd o fyw?

The First Minister: As I have mentioned, we have the My Health Online service, which

Y Prif Weinidog: Fel yr wyf wedi crybwyll, mae gennym wasanaeth Fy Iechyd Ar-lein, a

will make it far easier for people to access GP services such as repeat prescriptions, and will allow them to make appointments online. We are looking at how to take forward the extension of GP practice hours to make appointments more convenient for people.

Veronica German: Many of my constituents are concerned about the accessibility of the GP out-of-hours service, and the undue pressure that that puts on accident and emergency departments, which then has an impact on ambulance handover times and leads to other problems. It is no coincidence that the biggest problems with handover times occur when accident and emergency departments are under pressure, and the departments are under pressure because people turn up there instead of using the out-of-hours service. What assurances can you give me and my constituents that you are monitoring the situation and are confident that you have sufficient coverage in terms of out-of-hours staff?

The First Minister: I believe that we have sufficient coverage in terms of out-of-hours staff. Local health boards spent £32 million on out-of-hours services in 2008-09 and the experience of many will be that the accessibility of out-of-hours services has improved markedly. It is important that we have a freely accessible out-of-hours service because, as you rightly say, that takes the pressure off accident and emergency departments.

Food and Drink

Q3 Mohammad Asghar: Will the First Minister make a statement on the promotion of Welsh food and drink? OAQ(3)3029(FM)

The First Minister: Support for the promotion of Welsh food and drink is delivered by the Assembly Government through the Wales the True Taste brand and the work of the Food and Market Development Department.

fydd yn ei gwneud yn haws o lawer i bobl fanteisio ar wasanaethau meddyg teulu, megis ailarchebu presgripsiwn, a bydd yn golygu bod modd iddynt drefnu apwyntiad ar-lein. Yr ydym yn ystyried sut mae bwrw ymlaen ag ymestyn oriau meddygfeydd er mwyn gwneud apwyntiadau'n fwy hwylus i bobl.

Veronica German: Mae llawer o'm hetholwyr yn poeni am hwylustod y gwasanaeth y tu allan i oriau meddygon teulu, ac am y pwysau gormodol y mae hynny'n ei roi ar yr adrannau damweiniau ac achosion brys. Yn ei dro, caiff hynny effaith ar amserau trosglwyddo cleifion o ambiwlansiau gan greu problemau eraill. Nid yw'n gyd-ddigwyddiad bod y problemau mwyaf o ran amserau trosglwyddo'n digwydd pan fydd adrannau damweiniau ac achosion brys o dan bwysau, ac mae'r adrannau o dan bwysau oherwydd y bydd pobl yn mynd yno yn hytrach na defnyddio'r gwasanaeth y tu allan i oriau. Pa sicrwydd y gallwch ei roi i mi ac i'm hetholwyr eich bod yn monitro'r sefyllfa a'ch bod yn ffyddiog bod gennych ddigon o staff y tu allan i oriau i ddarparu gwasanaeth digonol?

Y Prif Weinidog: Credaf fod gennym ddigon o staff y tu allan i oriau i ddarparu gwasanaeth digonol. Gwariodd byrddau iechedd lleol £32 miliwn ar wasanaethau y tu allan i oriau yn 2008-09 a bydd llawer o bobl wedi sylwi bod gwasanaethau y tu allan i oriau wedi gwella'n amlwg o ran eu bod yn haws cael gafael arnynt. Mae'n bwysig bod gwasanaeth y tu allan i oriau ar gael yn rhwydd oherwydd, ac yr ydych yn llygad eich lle'n dweud hynny, bod hynny'n tynnu'r pwysau oddi ar yr adrannau damweiniau ac achosion brys.

Bwyd a Diod

C3 Mohammad Asghar: A wnaiff y Prif Weinidog ddatganiad am hyrwyddo bwyd a diod o Gymru? OAQ(3)3029(FM)

Y Prif Weinidog: Mae Llywodraeth y Cynulliad yn cefnogi hyrwyddo bwyd a diod o Gymru drwy gyfrwng brand Gwir Flas Cymru a thrwy waith yr Adran Datblygu Bwyd a'r Farchnad.

Mohammad Asghar: I am aware of the recent special supply forum in Newport, which offered producers of Welsh food and drink the opportunity to meet caterers for the Ryder Cup 2010 event in Newport and to showcase their produce. It is vital that all opportunities are seized in the build-up to the Ryder Cup, and I hope that this event provides commercial opportunities to Welsh food and drink suppliers. Can the First Minister outline how the Welsh Assembly Government will monitor the success of events such as the recent food forum in Newport and, should it prove successful, will the Welsh Assembly Government facilitate similar measures for future major events, sporting or otherwise, that come to Wales?

The First Minister: We have provided a great deal of support to the food sector over the years through processing and marketing grants and other methods, which is why the food sector has grown over the past few years. We only have to look at the food pavilion at the Royal Welsh Show to see that—for some years, it was not full; now it is absolutely full and a new pavilion is being arranged, I understand. That shows that Welsh food is very successful. It is important that Welsh companies are able to bid for contracts, and that is why, some years ago, we put procurement initiatives in place to help Welsh firms to understand what is needed to bid successfully for new contracts. As a result, Welsh companies started being successful, particularly in supplying some of the large public service contracts.

Joyce Watson: First Minister, several items of Welsh produce enjoy a sterling international reputation, such as Welsh lamb, beef and cheese, and they are sold by local businesses throughout my constituency and Wales. I believe that the meal now needs to be completed so that it becomes the norm to enjoy some Welsh wine, beer or cider alongside those dishes. That has worked especially well in countries such as Italy,

Mohammad Asghar: Gwn am y fforwm cyflenwi arbennig a gynhaliwyd yng Nghasnewydd yn ddiweddar lle y cafodd cynhyrchwyr bwyd a diod Cymru gyfle i gyfarfod ag arlwywyr Cwpan Ryder 2010 yng Nghasnewydd ac i ddangos eu cynnyrch. Mae'n hollbwysig manteisio ar bob cyfle wrth inni nesáu at Gwpan Ryder, ac yr wyf yn gobeithio y bydd y digwyddiad hwn yn rhoi cyfleoedd masnachol i gyflenwyr bwyd a diod Cymru. A all y Prif Weinidog ddweud sut y bydd Llywodraeth y Cynulliad yn monitro llwyddiant digwyddiadau megis y fforwm bwyd diweddar yng Nghasnewydd, ac os digwydd iddo lwyddo, a wnaiff Llywodraeth y Cynulliad hwyluso achlysur tebyg ar gyfer digwyddiadau mawr a ddaw i Gymru yn y dyfodol, boed y rheini'n ddigwyddiadau chwaraeon ynteu'n ddigwyddiadau o fath arall?

Y Prif Weinidog: Yr ydym wedi rhoi llawer o gefnogaeth i'r sector bwyd dros y blynyddoedd drwy grantiau prosesu a marchnata a thrwy ddulliau eraill. Dyna pam mae'r sector bwyd wedi tyfu dros yr ychydig flynyddoedd diwethaf. Nid oes ond yn rhaid inni edrych ar y pafiliwn bwyd yn Sioe Frenhinol Cymru i weld hynny—am nifer o flynyddoedd, nid oedd yn llawn; erbyn hyn mae o dan ei sang a phafiliwn newydd wrthi'n cael ei drefnu, fel y caf ar ddeall. Mae hynny'n dangos bod bwyd Cymru'n llwyddiannus iawn. Mae'n bwysig i gwmnïau Cymru allu cystadlu am gontractau, a dyna pam, ychydig flynyddoedd yn ôl, inni sefydlu cynlluniau caffael i gynorthwyo cwmnïau Cymru i ddeall yr hyn y mae angen ei wneud er mwyn cystadlu'n llwyddiannus am gontractau newydd. Yn sgil hynny, dechreuodd cwmnïau Cymru lwyddo, yn enwedig o ran cyflenwi rhai o'r contractau gwasanaethau cyhoeddus mawr.

Joyce Watson: Brif Weinidog, mae gan sawl math o gynnyrch o Gymru, megis cig oen, cig eidion a chaws Cymru, enw rhagorol yn rhyngwladol, ac fe'u gwerthir gan fusnesau lleol ar hyd ac ar led fy etholaeth a thrwy Gymru. Credaf fod angen gwneud y pryd yn gyflawn yn awr er mwyn iddi ddod yn arfer mwynhau ychydig o win, cwrw neu seidr Cymru ochr yn ochr â'r bwydydd hynny. Mae hynny wedi gweithio'n eithriadol o dda

where Italian food is accompanied by Italian wine. First Minister, will you look at the promotion of Welsh produce and add your support for the hard work of producers of Wales in boosting the local economy?

The First Minister: Absolutely, Joyce. Some 20 years ago, it would have been impossible to enjoy a meal made up of purely Welsh produce, but now that is perfectly possible. There are many more producers in Wales now than at that time, many of which have developed in the past decade. I can certainly assure the Assembly that it is possible to enjoy a three-course meal with drinks made up entirely of Welsh produce, as I sought to prove on many occasions in my previous job as Minister for Rural Affairs. *[Laughter.]*

Nerys Evans: Mae sicrhau dyfodol amaethyddol iach yn hanfodol i greu cynnyrch bwyd a diod o safon ar draws Cymru. Y llynedd, gwelsom fferm laeth organig Daioni yn dioddef o effaith TB buchol, a rhaid oedd lladd 800 o fuchod. Mae'r Llywodraeth a'r Gweinidog dros Faterion Gwledig wedi gwneud ymrwymadau clir i gael gwared ar TB buchol yng Nghymru, ac yr ydym yn falch iawn o ymrwymadau'r Gweinidog yn y maes hwn. A ydych felly yn rhannu fy siom gyda phenderfyniad y Llys Apêl heddiw i atal Llywodraeth Cymru rhag mynd ymlaen gyda'i chynlluniau i gael gwared ar TB buchol? Deallaf mai ychydig oriau yn ôl y daeth y cyhoeddiad am y penderfyniad, ond a allwch ein diweddarau ynghylch y camau nesaf y bydd y Llywodraeth yn eu cymryd?

Y Prif Weinidog: Mae penderfyniad y Llys Apêl yn siom, ond yr ydym yn ystyried y dyfarniad a bydd y Gweinidog yn cyhoeddi datganiad ysgrifenedig erbyn diwedd yr wythnos am y camau nesaf. Mae'n bwysig ystyried bod TB buchol yn broblem fawr i'r diwydiant llaeth yng Nghymru, ac mae miloedd ar filoedd o wartheg wedi'u difa dros y blynyddoedd diwethaf. Felly, mae'n dal i fod yn broblem, ac mae'n bwysig dros ben ein bod yn cael gafael ar y broblem ar gyfer y dyfodol.

mewn gwledydd megis yr Eidal, lle bydd gwin yr Eidal yn cael ei weini gyda bwyd yr Eidal. Brif Weinidog a wnewch edrych ar sut yr hyrwyddir cynnyrch Cymru a chefnogi gwaith caled cynhyrchwyr Cymru sy'n hybu'r economi leol?

Y Prif Weinidog: Wrth gwrs, Joyce. Rhyw 20 mlynedd yn ôl, buasai'n amhosibl mwynhau pryd o fwyd yn cynnwys cynnyrch Cymru'n unig, ond erbyn hyn, mae hynny'n gwbl bosibl. Mae mwy o gynhyrchwyr o lawer yng Nghymru yn awr nag yr oedd bryd hynny, a llawer o'r rheini wedi datblygu yn ystod y degawd diwethaf. Yn bendant, gallaf sicrhau'r Cynulliad bod modd mwynhau pryd tri chwrs a diodydd a'r rheini i gyd yn gynnyrch o Gymru. Ceisiais brofi hynny lawer gwaith yn fwy swydd flaenorol pan oeddwn yn Weinidog dros Faterion Gwledig. *[Chwerthin.]*

Nerys Evans: Ensuring a viable agriculture industry is crucial to producing food and drink of a high quality throughout Wales. Last year, we saw the organic dairy farm Daioni suffering the effects of bovine TB, and 800 cattle had to be slaughtered. The Government and the Minister for Rural Affairs has made clear commitments to eradicate bovine TB in Wales, and we are very proud of the Minister's commitments in this regard. Do you therefore share my disappointment at the decision of the Court of Appeal today to prevent the Welsh Government from going ahead with its plans for the eradication of bovine TB? I understand that the decision was only announced a few hours ago, but can you give us an update on the next steps that the Government will be taking?

The First Minister: The decision of the Court of Appeal is a disappointment, but we are considering the judgment and the Minister will issue a written statement by the end of the week about the next steps. It is important to consider that bovine TB is a huge problem for the dairy industry in Wales, and thousands upon thousands of cattle have had to be destroyed in recent years. Therefore, it remains a problem, and it is exceptionally important that we get to grips with the problem for the future.

Irene James: First Minister, when promoting Welsh food and drink, will you continue to bear in mind our duty to promote a balanced diet? With that in mind, do you agree that the UK Secretary of State for Health was sending out a completely false message last week, when he said that we have seen

‘a witch-hunt against saturated fats, salts and sugars’?

The First Minister: Given that we are trying to get people to eat more healthily, I thought that it was an odd thing to say, suggesting that there is some kind of health fascism involved. That was not the phrase that he used, but that was the impression that many of us got. At the same time as that message was being sent out, we learned that food standards are now of such a low priority that there is a proposal to abolish the Food Standards Agency, which is sad to see. That can only be a retrograde step.

Priorities

Q4 Jenny Randerson: Will the First Minister give an update on his priorities for the remainder of the third Assembly? OAQ(3)3043(FM)

The First Minister: My priorities are to deliver the remainder of our ‘One Wales’ commitments and to take forward the legislative programme.

Jenny Randerson: I am sure that one of your priorities is education, and that, therefore, you were concerned to see recent evidence that there is a record gap in the attainment of pupils in England and Wales at key stage 3. Welsh pupils at key stage 3 performed worse than pupils in every region of England in maths and English, and the difference in the results for the subject of English was 8 per cent, which is the widest gap there has been since devolution. The situation is therefore getting worse, not better.

That is in contrast to key stage 1, for which

Irene James: Brif Weinidog, wrth ichi hyrwyddo bwyd a diod Cymru, a wnewch gadw mewn cof ei bod yn ddyletswydd arnom hyrwyddo deiet cytbwys. A chofio hynny, a gytunwch fod Ysgrifennydd Gwladol dros Iechyd y Deyrnas Unedig yn cyfleu’r neges gwbl anghywir yr wythnos diwethaf pan soniodd am

ymgyrch yn erbyn braster dirlawn, halen a siwgr?

Y Prif Weinidog: A ninnau’n ceisio cael pobl i fwyta’n iachach, yr oeddwn yn meddwl bod hynny’n beth rhyfedd i’w ddweud, gan awgrymu bod rhyw fath o ffasgaeth iechyd ar waith. Nid dyna’r ymadrodd a ddefnyddiodd, ond dyna’r argraff a gafodd llawer ohonom. Ar yr un pryd ag yr oedd y neges honno’n cael ei lledaenu, cawsom ar ddeall bod safonau bwyd yn flaenoriaeth mor isel erbyn hyn bod cynlluniau ar y gweill i gael gwared ar yr Asiantaeth Safonau Bwyd. Mae hynny’n beth trist. Ni all hynny ond bod yn gam yn ôl.

Blaenoriaethau

C4 Jenny Randerson: A wnaiff y Prif Weinidog roi’r wybodaeth ddiweddaraf am ei flaenoriaethau ar gyfer gweddill y trydydd Cynulliad? OAQ(3)3043(FM)

Y Prif Weinidog: Fy mlaenoriaethau yw gwireddu gweddill ymrwymadau ‘Cymru’n Un’ a bwrw ymlaen â’r rhaglen ddeddfwriaethol.

Jenny Randerson: Yr wyf yn siŵr mai un o’ch blaenoriaethau yw addysg, ac felly, eich bod yn poeni o weld tystiolaeth ddiweddar fod y bwlch yn fwy nag erioed rhwng cyrhaeddiad disgyblion yng Nghymru a chyrhaeddiad disgyblion yn Lloegr yng nghyfnod allweddol 3. Yr oedd disgyblion cyfnod allweddol 3 yng Nghymru yn gwneud yn waeth na disgyblion ym mhob rhanbarth yn Lloegr mewn mathemateg a Saesneg ac yr oedd y gwahaniaeth yn y canlyniadau ar gyfer Saesneg yn 8 y cant, sef y bwlch mwyaf sydd wedi bod ers datganoli. Felly, mae’r sefyllfa’n gwaethygu, yn hytrach na gwella.

Mae’r sefyllfa’n wahanol yng nghyfnod

the attainment is similar; indeed, at key stage 2, Welsh pupils do slightly better than English pupils. Therefore, something is clearly wrong with the transition process or the amount of funding that goes to secondary schools. There is a problem that develops at the secondary school phase. In conversing with the Minister for Children, Education and Lifelong Learning, will you ensure that that you discuss the need for an inquiry into why we in Wales are serving our secondary school pupils so badly?

allweddol 1, lle mae'r cyrhaeddiad yn debyg; yn wir, yng nghyfnod allweddol 2, bydd disgyblion Cymru'n gwneud ychydig yn well na disgyblion Lloegr. Felly, mae'n amlwg bod rhywbeth yn mynd o'i le yn y cyfnod pontio neu fod rhywbeth o'i le ar faint o arian sy'n mynd i'r ysgolion uwchradd. Mae gennym broblem sy'n datblygu yn ystod cyfnod yr ysgol uwchradd. Wrth ichi sgwrsio â'r Gweinidog dros Blant, Addysg a Dysgu Gydol Oes, a wnewch sicrhau eich bod yn trafod a oes angen ymchwiliad i weld pam yr ydym yn gwneud cymaint o gam â'n disgyblion mewn ysgolion uwchradd yng Nghymru?

1.50 p.m.

The First Minister: What you say is accurate in that we do better than England at key stage 2 and we do worse than England at key stage 3. It is a historical problem that is not easy to pin down. Part of the reason, for example, might be that many children in Wales go from very small primary schools to comprehensives, and do not make the transition very easily. However, much of this is speculation. Work is being done on making the transition smoother. I know that many primary school pupils now spend more time in their prospective comprehensive before they go there. When I went to the comprehensive, I did not see the place until I arrived, at the age of 11. Now, primary school pupils spend time at the comprehensive school. They get used to it, and the transition process is a lot smoother. However, it will take some time for the resulting effect of the easing of the transition process to make itself known in better results at key stage 3.

Y Prif Weinidog: Yr ydych yn gywir yn dweud ein bod yn gwneud yn well na Lloegr yng Nghyfnod allweddol 2 ac yn waeth na Lloegr yng nghyfnod allweddol 3. Problem hanesyddol yw hon nad yw'n hawdd rhoi eich bys arni. Efallai mai rhan o'r rheswm, er enghraifft, yw bod llawer o blant yng Nghymru'n symud o ysgolion cynradd bach iawn i ysgolion cyfun, ac nad ydynt yn croesi'r bont yn rhwydd iawn. Serch hynny, dyfalu yw llawer o hyn. Mae gwaith ar y gweill i hwyluso'r cyfnod pontio. Gwn fod llawer o ddisgyblion ysgolion cynradd yn awr yn treulio mwy o amser yn eu darpar ysgol gyfun cyn iddynt fynd yno. Pan ddechreuais i yn yr ysgol gyfun, nid oeddwn wedi gweld y lle cyn imi gyrraedd yn 11 oed. Erbyn hyn, bydd disgyblion ysgolion cynradd yn treulio amser yn yr ysgol gyfun. Byddant yn ymgysgu â hi, ac mae proses croesi'r bont yn llyfnach. Serch hynny, bydd angen tipyn o amser er mwyn i'r trefniadau hyn i hwyluso'r cyfnod pontio dreiddio drwodd a sicrhau gwell canlyniadau yng nghyfnod allweddol 3.

Brian Gibbons: You will be aware, First Minister, that in my constituency last Wednesday, Linamar, an automotive supplies company, served notice on its workforce that it would be closing within 90 days, subject to a consultation. I understand that the trade union involved made direct representations to you on this matter as soon as the news became known. Could you indicate how the Welsh Assembly Government will support the workforce at Linamar?

Brian Gibbons: Gwyddoch, Brif Weinidog, i Linamar, cwmni sy'n cyflenwi'r diwydiant moduro yn fy etholaeth, roi rhybudd i'w weithlu y byddai'n cau ymhen 90 diwrnod, a dibynnu ar ymgynghoriad. Caf ar ddeall i'r undeb llafur dan sylw gyflwyno sylwadau'n uniongyrchol ichi ynglŷn â'r mater hwn cyn gynted ag y cyhoeddwyd y newyddion. A allech ddweud sut y bydd Llywodraeth y Cynulliad yn cynorthwyo'r gweithlu yn Linamar?

The First Minister: Yes, I received information about the closure of the plant from the Unite union. We are looking to arrange a meeting with the union, and, hopefully, the company, before the end of the week in order to see what can be done. Also, with regard to the company, we want to see whether there is a way forward that would be beneficial to the workforce. That work is ongoing, and we want to ensure that the meeting takes place before the end of the week.

The Leader of the Opposition (Nick Bourne): First Minister, in response to a point made by Nerys Evans, you mentioned the situation regarding the badger cull and the intention of the Minister for Rural Affairs to make a written statement on the situation before the end of this term—in other words, within the next three days. Unfortunately, that will not give us an opportunity to scrutinise the statement or to discuss it as an Assembly until 20 September. I urge you to reconsider that point. I think that an oral statement should be made, although I understand that it cannot be done today. Given how important this is for the people of Wales, the agriculture industry and north Pembrokeshire—regardless of one’s opinion of whether there should be a cull or not, this is something that affects everybody in Wales, and affects those in rural Wales massively—a written statement does not nearly answer the need to have proper, effective scrutiny in this place and the opportunity for Members across the piece to ask questions.

The First Minister: The difficulty is that full consideration needs to be given to the implications of the judgment, particularly with regard to what happens next. We need to consider, for example, whether it would be possible to produce a new Order that is different in its terminology and coverage. That will take some time. It will not be possible to give a definitive view before tomorrow on what the Government’s position will be. It will take longer than 24 hours to absorb the judgment and, indeed, to consider the next steps. That is why the timing is not in our favour. However, as I said, the Minister will make a full written statement before the end of the week.

Y Prif Weinidog: Gallaf. Cefais wybod am gau’r ffatri gan undeb Unite. Yr ydym yn bwriadu trefnu cyfarfod â’r undeb ac â’r cwmni, gobeithio, cyn diwedd yr wythnos, er mwyn gweld beth y gellir ei wneud. Hefyd, o ran y cwmni, yr ydym am weld a oes ffordd ymlaen a fyddai o fudd i’r gweithlu. Mae’r gwaith hwnnw’n mynd rhagddo, ac yr ydym am sicrhau bod y cyfarfod yn cael ei gynnal cyn diwedd yr wythnos.

Arweinydd yr Wrthblaid (Nick Bourne): Brif Weinidog, wrth ymateb i bwynt gan Nerys Evans, soniasoch am y sefyllfa o ran difa moch daear a bod y Gweinidog dros Faterion Gwledig yn bwriadu rhoi datganiad ysgrifenedig ynglŷn â’r sefyllfa cyn diwedd y tymor hwn—hynny yw o fewn y tridiau nesaf. Yn anffodus, ni fydd hynny’n rhoi cyfle inni graffu ar y datganiad na’i drafod yn y Cynulliad tan 20 Medi. Pwysaf arnoch i ailystyried y pwynt hwnnw. Credaf y dylid cael datganiad llafar, er fy mod yn deall nad oes modd gwneud hynny heddiw. Ac ystyried pa mor bwysig yw hyn i bobl Cymru, i’r diwydiant amaethyddol ag i ogledd sir Benfro—ni waeth beth yw barn rhywun ynglŷn ag a ddylid difa neu beidio, mae hyn yn rhywbeth sy’n effeithio ar bawb yng Nghymru, ac yn effeithio’n ofnadwy ar y rheini sy’n byw yng nghefn gwlad Cymru—nid yw datganiad ysgrifenedig yn ddigonol o bell ffordd oherwydd mae angen craffu priodol, effeithiol yn y fan hon a rhoi’r cyfle i Aelodau o bob plaid ofyn cwestiynau.

Y Prif Weinidog: Yr anhawster yw bod angen ystyried goblygiadau’r dyfarniad yn drwyadl, yn enwedig o ran beth sy’n digwydd nesaf. Mae angen inni ystyried, er enghraifft, a fyddai modd cynhyrchu Gorchymyn newydd sy’n wahanol o ran ei derminoleg ac o ran ei hyd a’i led. Bydd angen cryn amser i wneud hynny. Ni fydd modd cynnig barn bendant cyn yfory ynglŷn â beth fydd safbwynt y Llywodraeth. Bydd angen mwy na 24 awr i dreulio’r dyfarniad, ac, yn wir, i ystyried y camau nesaf. Dyna pam nad yw’r amseru o’n plaid. Serch hynny, fel y dywedais, bydd y Gweinidog yn rhoi datganiad ysgrifenedig llawn cyn diwedd yr wythnos.

Nick Bourne: I have to say that I do not find that totally convincing. Once we knew that this case was in court, we knew that there were two potential outcomes in respect of the judicial decision. It was anticipated that it might go either way. There has therefore been ample opportunity to consider what the response could be. I come back to my original point: if a statement can be made on Thursday or Friday in writing, it needs to be made tomorrow, orally, so that we have an effective opportunity to scrutinise it and place on record our concerns. We will not otherwise be able to do that until the end of September. That is not satisfactory for the people whom we represent, whatever views we hold on the cull.

The First Minister: You have practised law, so you know that it is not possible to predict the decision that any court will make, particularly the Court of Appeal, because of the detailed reasoning that the Court of Appeal employs when it comes to a judgment. Until we are able to see a judgment and take a view on it, it is impossible to predict what view the Court of Appeal might take. It is possible to say that the Court of Appeal might dismiss the appeal, but we can never predict the logic for upholding the appeal and whether part of the appeal will be upheld and part of it not. The judgment takes some time to digest, and it takes some time to consider the next steps. That cannot be done within 24 hours.

Nick Bourne: I just do not accept that, because the arguments were placed, and we knew what the grounds were likely to be and what the decision might have been. I accept that it was not the decision that you wanted, but it cannot have come as a total surprise.

I hope that you will reconsider that point, but let me move on to another issue, which is the timing of the referendum. Doubt has been expressed on the public record as to the likely date of the referendum. Can you update us on any discussions that you have had with the Secretary of State and whether we are still very much on course to hold this referendum in the first quarter of 2011?

Nick Bourne: Rhaid imi ddweud nad yw hynny'n fy argyhoeddi'n llwyr. Pan wyddem fod yr achos gerbron y llys, gwyddom fod dau ganlyniad posibl o ran y penderfyniad barnwrol. Rhagwelid y gallai fynd y naill ffordd neu'r llall. Felly, mae digon o gyfle wedi bod i ystyried sut y byddech yn ymateb. Dychwelaf at fy mhwynt gwreiddiol: os oes modd rhoi datganiad ysgrifenedig ddydd Iau neu ddydd Gwener, mae angen ei roi ar lafar yfory, er mwyn inni gael cyfle effeithiol i graffu arno a chofnodi ein pryderon. Fel arall, ni fydd modd inni wneud hynny tan ddiwedd mis Medi. Nid yw hynny'n foddhaol i'r bobl yr ydym yn eu cynrychioli, beth bynnag yw ein barn am y difa.

Y Prif Weinidog: Yr ydych wedi ymarfer y gyfraith, felly gwyddoch nad oes modd rhagweld penderfyniad yr un llys, yn enwedig y Llys Apêl, oherwydd y rhesymu manwl a ddefnyddir gan y Llys Apêl pan ddaw'n bryd rhoi dyfarniad. Nes inni allu gweld dyfarniad a llunio barn yn ei gylch, mae'n amhosibl rhagweld beth fydd safbwynt y Llys Apêl. Mae modd dweud y gall y Llys Apêl wrthod yr apêl, ond ni allwn byth ragweld y rhesymeg dros gadarnhau'r apêl ac a gaiff rhan o'r apêl ei chadarnhau a rhan ohoni ei gwrthod. Mae angen cryn amser i dreulio'r dyfarniad, ac mae angen cryn amser i ystyried y camau nesaf. Ni ellir gwneud hynny o fewn 24 awr.

Nick Bourne: Nid wyf yn derbyn hynny, oherwydd cyflwynwyd y dadleuon, a gwyddem beth oedd y seiliau tebygol a beth y gallasai'r penderfyniad fod. Yr wyf yn derbyn nad dyma'r penderfyniad yr oeddech am ei gael, ond siawns nad ddaeth yn syndod llwyr ichi.

Yr wyf yn gobeithio yr ailystyriwch y pwynt hwnnw, ond gadewch imi symud ymlaen at rywbeth arall, sef amseru'r refferendwm. Mae wedi'i roi ar glawr yn gyhoeddus bod amheuaeth ynglŷn â dyddiad tebygol y refferendwm. A allwch roi'r wybodaeth ddiweddaraf inni am unrhyw drafodaethau yr ydych wedi'u cael â'r Ysgrifennydd Gwladol ac a ydym yn dal ar drywydd cynnal y refferendwm hwn yn ystod chwarter cyntaf

2011?

The First Minister: The 'One Wales' agreement stipulates that a referendum should be held before the end of this Assembly. We know that the Secretary of State has submitted a question, which the Electoral Commission is now road testing. However, as has been said many times, we as a Government do not accept the wording of that question, so the process continues.

Nick Bourne: You will know that the Secretary of State is on public record as wanting that referendum to be held as early as is practicable within the first quarter of 2011. Is it still your wish that that should happen?

The First Minister: We want the referendum to be held as early as is practicable. The 'One Wales' agreement states that it should be held before the end of this Assembly, and that has not changed.

Helen Mary Jones: Further to the comments that you made in response to Jenny Randerson's question on transition, will you join me in congratulating the staff and pupils at Bryngwyn School in my constituency on the innovative work that they are doing on transition, bringing sports work and literacy together? They have been using raising attainment and individual standards in education funds to make this possible, and they are hoping to be able to run this project in future. One of the most innovative things about this particular approach is that it has largely been designed by year 9 pupils at Bryngwyn School, going back to their original feeder primary schools, some of which they still have family links to. Two of the young men who were part of making this work happen will be visiting Cardiff in the autumn to talk to a headteachers conference about their work. If it is possible, bearing in mind your diary commitments, First Minister, I would be very grateful if you could find five minutes to meet these two young men to congratulate them on the work that they have been doing, because it fits very much with the agenda that the Assembly Government is promoting. Bryngwyn is a school that serves two Communities First wards, and many of

Y Prif Weinidog: Dywed cytundeb 'Cymru'n Un' y dylid cynnal refferendwm cyn diwedd y Cynulliad hwn. Gwyddom fod yr Ysgrifennydd Gwladol wedi cyflwyno cwestiwn a bod y Comisiwn Etholiadol yn rhoi hwnnw ar brawf yn awr. Serch hynny, fel y dywedwyd droeon, nid ydym ni'r Llywodraeth yn derbyn geiriad y cwestiwn, felly, mae'r broses yn parhau.

Nick Bourne: Gwyddoch fod yr Ysgrifennydd Gwladol wedi'i roi ar glawr yn gyhoeddus ei bod am gynnal y refferendwm hwnnw cyn gynted byth ag sy'n ymarferol yn ystod chwarter cyntaf 2011. Ai eich dymuniad o hyd yw y dylai hynny ddigwydd?

Y Prif Weinidog: Yr ydym am i'r refferendwm gael ei gynnal cyn gynted ag sy'n ymarferol. Dywed cytundeb 'Cymru'n Un' y dylid ei gynnal cyn diwedd y Cynulliad hwn, ac nid yw hynny wedi newid.

Helen Mary Jones: Yn sgil eich sylwadau wrth ichi ymateb i gwestiwn Jenny Randerson ynglŷn â'r cyfnod pontio, a wnewch ymuno â mi i longyfarch staff a disgyblion Ysgol Bryngwyn yn fy etholaeth ar y gwaith arloesol y maent yn ei wneud ym maes pontio, gan gyfuno gwaith chwaraeon a llythrennedd? Maent wedi bod yn defnyddio cronfeydd codi cyrhaeddiad a safonau addysgol unigolion i wneud hyn, ac maent yn gobeithio gallu cynnal y prosiect hwn yn y dyfodol. Un o'r pethau mwyaf arloesol ynglŷn â'r dull penodol hwn yw ei fod wedi'i gynllunio'n bennaf gan ddisgyblion blwyddyn 9 Ysgol Bryngwyn. Maent wedi bod yn mynd yn ôl i'w hysgolion cynradd gwreiddiol, ac mae gan rai ohonynt gysylltiadau teuluol â'r ysgolion hynny o hyd. Bydd dau o'r gwŷr ifainc a oedd yn rhan o wireddu hyn ymweld â Chaerdydd yn yr hydref i siarad â chynhadledd penaethiaid am eu gwaith. Os oes modd, os yw eich dyddiadur yn caniatáu hynny, Brif Weinidog, byddwn yn ddiolchgar iawn pe gallech neilltuo pum munud i gyfarfod â'r ddau ŵr ifanc hyn i'w llongyfarch ar y gwaith y maent wedi bod yn ei wneud, oherwydd mae'n cydweddu'n dda iawn â'r agenda y mae Llywodraeth y Cynulliad yn ei hyrwyddo.

the pupils are vulnerable. It has made some real steps forward in terms of transition that are now, after a few years, beginning to show up in the academic results.

The First Minister: I cannot give a commitment without first checking my diary—I have been trained well not to do that. If I can make time to meet them, then I will.

The Leader of the Welsh Liberal Democrats (Kirsty Williams): First Minister, do you anticipate, in the remainder of the third Assembly, making it a priority to meet ambulance response targets across Wales?

The First Minister: We will continue with the good work that is being done towards improving ambulance response times. That has been the case in the last few months and that will continue in future.

Kirsty Williams: Back in 2008, following a highly critical review of ambulance service's performance across Wales, your Minister for health stated that she expected to see substantial improvements within six months, yet the figures for May, the most recent available, show that one third of calls are still not being responded to within the target time and, in some areas of Wales, the situation is even worse. In Ceredigion, only 53 per cent of calls are responded to on target, and in Powys, only 56 per cent of calls are responded to on target. When can we expect to see the substantial progress that your Minister for health promised in 2008?

The First Minister: As I said, I think that progress is being demonstrated. We are not yet at the point that we would want to be with regard to the targets, but performance has improved recently, and we want to see that continue in future.

Kirsty Williams: With all due respect, response times that are 53 per cent and 56 per cent on target are hardly the progress that the

Mae ysgol Bryngwyn yn gwasanaethu dwy ward Cymunedau yn Gyntaf, ac mae llawer o'r disgyblion yn blant agored i niwed. Mae wedi gwneud camau breision ym maes pontio ac mae hynny yn awr, ar ôl ychydig o flynyddoedd, yn dechrau dwyn ffrwyth yn y canlyniadau academaidd.

Y Prif Weinidog: Ni allaf ymrwymo heb edrych yn fy nyddiadur yn gyntaf—yr wyf wedi cael fy hyfforddi'n dda iawn i beidio â gwneud hynny. Os gallaf neilltuo amser i gyfarfod â hwy, mi wnaf hynny.

Arweinydd Democratiaid Rhyddfrydol Cymru (Kirsty Williams): Brif Weinidog, a ydych yn rhagweld, yn ystod gweddill y trydydd Cynulliad, y byddwch yn gwneud cyrraedd targedau ymateb ambiwlansiau'n flaenoriaeth ledled Cymru?

Y Prif Weinidog: Byddwn yn parhau â'r gwaith da sydd ar y gweill i wella amserau ymateb ambiwlansiau. Mae hynny wedi bod yn wir yn ystod yr ychydig fisoedd diwethaf a bydd hynny'n parhau yn y dyfodol.

Kirsty Williams: Yn ôl yn 2008, ar ôl adolygiad hynod feirniadol o berfformiad gwasanaethau ambiwlans ledled Cymru, dywedodd eich Gweinidog dros iechyd ei bod yn disgwyl gweld gwelliannau sylweddol o fewn chwe mis. Eto i gyd, mae'r ffigurau ar gyfer mis Mai, y diweddaraf sydd ar gael, yn dangos nad ymatebir i draean y galwadau o hyd o fewn yr amser targed, ac, mewn ambell ardal yng Nghymru, mae'r sefyllfa'n waeth byth. Yng Ngheredigion, dim ond 53 y cant o'r galwadau yr ymatebir iddynt o fewn y targed, ac ym Mhowys, dim ond 56 y cant o'r galwadau yr ymatebir iddynt o fewn y targed. Pa bryd y gallwn ddisgwyl gweld y cynnydd sylweddol a addawyd gan eich Gweinidog dros iechyd yn 2008?

Y Prif Weinidog: Fel y dywedais, credaf fod y cynnydd hwnnw i'w weld. Nid ydym eto wedi cyrraedd y pwynt y byddem am ei gyrraedd o ran y targedau, ond mae'r perfformiad wedi gwella'n ddiweddar ac yr ydym am weld hynny'n parhau yn y dyfodol.

Kirsty Williams: A phob dyledus barch, go brin mai cyrraedd 53 y cant a 56 y cant o'r targed o ran amserau ymateb yw'r cynnydd y

people who live in Ceredigion and Powys would expect when your Minister promised substantial progress two years ago. If you compare figures with those for Scotland and England, we have an ambulance service that performs worse than the service than in either of those particular nations. I will ask you again: is it your priority to ensure that all these targets are met by the end of your third term?

2.00 p.m.

The First Minister: I am not going to stand here and say that we want to see those continue in the future; of course we do not—we want to see the improvement. How will that be done? We have invested extra money in new emergency vehicles. For example, we have spent £16 million since 2006-07 on 211 new vehicles. We are also looking at piloting four projects to further improve non-emergency patient transport services. So, effective steps are being taken to improve targets, which I accept are targets that need to be improved.

Jeff Cuthbert: First Minister, will you pay tribute to the work of Bridget McNally MBE, who has done sterling work to raise money for Cancer Research UK? This weekend in Ystrad Mynach, she will be holding the only Relay for Life event in Wales, which will be the sixth time she has organised it. She is a very brave lady; her own cancer has returned for the third time, and we can only imagine what stress that must cause. However, over those six occasions, she has raised over £250,000 for Cancer Research. Will you also praise the work of a group of Labour support staff who have organised a team to take part in the relay event this weekend?

The First Minister: I will certainly lend my support to Bridget and the support staff. I was there when they launched their team to take part in the Relay for Life event, and I very much welcome the work that has been done. Cancer is a disease that affects so many people personally, and probably the vast majority of people in terms of seeing relatives suffer from it. That is why I very

byddai pobl Ceredigion a Phowys yn ei ddisgwyl pan addawodd eich Gweinidog gynnydd sylweddol ddwy flynedd yn ôl. Os cymharwch y ffigurau â'r rheini yn yr Alban ac yn Lloegr, mae gennym wasanaeth ambiwlans sy'n gwneud yn waeth na'r gwasanaethau yn un o'r gwledydd hynny. Gofynnaf ichi eto: ai eich blaenoriaeth yw sicrhau eich bod yn cyrraedd y targedau hyn i gyd erbyn diwedd eich trydydd tymor?

Y Prif Weinidog: Nid wyf am sefyll yma a dweud ein bod am weld y ffigurau hynny'n aros fel y maent yn y dyfodol; wrth gwrs nad ydym—yr ydym am weld pethau'n gwella. Sut y gwneir hynny? Yr ydym wedi buddsoddi arian ychwanegol mewn cerbydau argyfwng newydd. Er enghraifft, yr ydym wedi gwario £16 miliwn er 2006-07 ar 211 o gerbydau newydd. Yr ydym hefyd yn bwriadu cynnal pedwar prosiect peilot i wella eto'r gwasanaethau sy'n cludo cleifion nad ydynt yn achosion brys. Felly, mae camau effeithiol ar waith i wella'r targedau, targedau yr wyf yn derbyn bod angen eu gwella.

Jeff Cuthbert: Brif Weinidog, a wnewch roi teyrnged i waith Bridget McNally MBE, sydd wedi gwneud gwaith rhagorol yn codi arian i Ymchwil Canser y Deyrnas Unedig? Y penwythnos hwn yn Ystrad Mynach, bydd yn cynnal yr unig ddigwyddiad Ras Gyfnewid dros Fywyd yng Nghymru. Dyma'r chweched tro iddi ei drefnu. Mae'n fenyw ddewr iawn; mae ei chanser hi ei hun wedi dychwelyd am y trydydd tro, ac ni allwn ond dychmygu'r straen sy'n dod yn sgil hynny. Fodd bynnag, drwy'r chwe digwyddiad hynny, mae wedi codi dros £250,000 er budd Ymchwil Canser. A wnewch hefyd ganmol gwaith grŵp o staff cymorth Llafur sydd wedi trefnu tîm i gymryd rhan yn y ras gyfnewid y penwythnos hwn?

Y Prif Weinidog: Yn sicr, rhoddaf fy nghefnogaeth i Bridget ac i'r staff cymorth. Yr oeddwn yno pan lanswyd eu tîm i gymryd rhan yn nigwyddiad y Ras Gyfnewid dros Fywyd, ac yr wyf yn croesawu'n fawr iawn y gwaith sydd wedi'i wneud. Mae canser yn glefyd sy'n effeithio ar gynifer o bobl yn bersonol, ac mae'n debyg, ar y mwyafrif helaeth o ran gweld perthnasau'n

much wish to offer my congratulations for the work that Bridget and the Labour support staff are doing and for giving their time to raising money for such a worthy cause.

dioddef ohono. Dyna pam yr wyf yn awyddus iawn i longyfarch Bridget a staff cymorth Llafur ar eu gwaith ac am roi o'u hamser i godi arian at achos mor deilwng.

UK Budget

Q5 Leanne Wood: Will the First Minister make a statement on his latest discussions with the UK Government concerning the implications to Wales of last month's UK budget? OAQ(3)3042(FM)

The First Minister: One of the gaps in the budget was the implementation of the Holtham commission's report. I have written to the Prime Minister to highlight the Holtham commission's second report and to press for a funding floor for Wales in the autumn's spending review.

Leanne Wood: I wish to ask you about jobs; we are all aware of the risk of jobs being lost in the public sector. Although the initial call for £6.4 million-worth of cuts at Companies House has been revised to £3.8 million-worth of cuts, which is to be welcomed, it still represents a substantial slice of its annual budget. Staffing levels will still need to be reduced, which will have a knock-on effect on the workload of the remaining staff, and the Nantgarw office in Rhondda Cynon Taff is still likely to close, taking jobs out of an area that cannot afford to lose them. Companies House is set up as a self-funding trading fund, so should it not be exempt from the budget cuts, as the cuts that it will make will not be counted against the budget deficit? Furthermore, since Companies House makes money for the UK Government, it seems counterproductive to cut its budget. What representations can you make to the UK Government to protect services at Companies House, and also to prevent these vital public sector jobs from being lost from the Valleys?

The First Minister: I will write to the appropriate Minister expressing concern about any potential job losses at Companies House. It is not a devolved institution; nevertheless, any loss of a public sector job or the loss of any jobs anywhere in Wales is a

Cyllideb y DU

C5 Leanne Wood: A wnaiff y Prif Weinidog ddatganiad am ei drafodaethau diweddaraf â Llywodraeth y DU ynghylch y goblygiadau i Gymru yn sgil cyllideb y DU fis diwethaf? OAQ(3)3042(FM)

Y Prif Weinidog: Un o'r bylchau yn y gyllideb oedd nad oedd sôn am roi adroddiad comisiwn Holtham ar waith. Yr wyf wedi ysgrifennu at y Prif Weinidog i dynnu ei sylw at ail adroddiad comisiwn Holtham ac i bwysu am derfyn cyllid isaf i Gymru yn yr adolygiad o wariant yn yr hydref.

Leanne Wood: Yr wyf am eich holi ynglŷn â swyddi; yr ydym i gyd yn gwybod bod perygl inni golli swyddi yn y sector cyhoeddus. Er bod yr alwad gychwynnol am werth £6.4 miliwn o doriadau yn Nhŷ'r Cwmnïau wedi'i ddiwygio i werth £3.8 miliwn o doriadau, a bod hynny i'w groesawu, mae'n dal yn dafell sylweddol o'i gyllideb flynyddol. Bydd angen lleihau'r lefelau staffio o hyd, a chaiff hynny sgil effaith ar lwyth gwaith y staff sy'n weddill. Mae'n dal yn debygol hefyd y caeir swyddfa Nantgarw yn Rhondda Cynon Taf sy'n golygu colli swyddi mewn ardal na all fforddio'u colli. Mae Tŷ'r Cwmnïau wedi'i sefydlu ar batrwm cronfa sy'n ei hariannu ei hun, felly oni ddylai gael ei eithrio o doriadau'r gyllideb, oherwydd ni chaiff y toriadau a wnaiff eu cyfrif yn erbyn y diffyg yn y gyllideb? At hynny, gan fod Tŷ'r Cwmnïau'n gwneud arian i Lywodraeth y Deyrnas Unedig, mae torri ei gyllideb i bob golwg yn wrthgynhyrchiol. Pa sylwadau y gallwch eu cyflwyno i Lywodraeth y Deyrnas Unedig i amddiffyn gwasanaethau yn Nhŷ'r Cwmnïau, a hefyd i atal y swyddi hollbwysig hyn yn y sector cyhoeddus rhag cael eu colli yn y Cymoedd?

Y Prif Weinidog: Ysgrifennaf at y Gweinidog priodol yn mynegi pryder ynglŷn ag unrhyw golli swyddi yn Nhŷ'r Cwmnïau. Nid yw'n sefydliad sydd wedi'i ddatganoli; serch hynny mae colli swydd yn y sector cyhoeddus, neu golli unrhyw swyddi mewn

matter of concern to us, particularly in an institution such as Companies House, where economic recovery will be facilitated by the numbers of available staff to allow new firms and new companies to be set up. If there is a delay in that process, there will inevitably be a potential delay in economic recovery. However, I will write to the appropriate Minister with the concerns that you have set out, which I share.

Mark Isherwood: Compensating for the worst-case scenario of 50,000 public sector job cuts in Wales would require private sector employment to return only to the levels last experienced in September 2008. How will your Government therefore take advantage of the measures developed in the UK budget to boost the wealth-creating capacity of the business community? They include corporation tax reduction to 27 per cent next year and by one percentage point in subsequent years going down to 24 per cent, giving the UK—with the exception of Ireland—the most competitive tax regime in western Europe; the reduction in the small business corporation tax rate; and the increase in personal allowances for income tax, which benefits Wales more than any of the other UK nations, meaning an additional 16.5 per cent of those working in Wales will no longer pay tax.

The First Minister: We welcome many of the taxation announcements with regard to business in the budget. The reduction of corporation tax and the potential national insurance holiday are all helpful, but they will not create 50,000 jobs in one year in terms of public sector job losses, whether that is true across Wales or the UK. If there are substantial public sector job losses, they will not be made up overnight by the private sector, because the private sector is not yet ready to create those jobs. While we welcome some of the taxation measures taken in the budget, our concern, inevitably, is that, with such substantial cuts in public expenditure taken so quickly and reaching so deeply, we will now see a double-dip recession and that the private sector will

unrhyw ran o Gymru, yn destun pryder inni, yn enwedig mewn sefydliad megis Tŷ'r Cwmnïau, lle bydd nifer y staff sydd ar gael i alluogi cwmnïau newydd i ymsefydlu yn hwyluso adferiad yr economi. Os bydd oedi yn y broses honno, mae'n anochel y gallai hynny arafu adferiad yr economi. Fodd bynnag, ysgrifennaf at y Gweinidog priodol yn mynegi'ch pryderon, oherwydd fy mod innau hefyd yn poeni am hyn.

Mark Isherwood: Er mwyn gwneud iawn am y sefyllfa waethaf bosibl, sef bod 50,000 o swyddi'n cael eu torri yn y sector cyhoeddus yng Nghymru, ni fyddai ond yn rhaid i gyflogaeth yn y sector preifat ddychwelyd i'r sefyllfa a welwyd ddiwethaf ym mis Medi 2008. Sut felly y gwnaiff eich Llywodraeth fanteisio ar y camau a ddatblygwyd yng nghyllideb y Deyrnas Unedig i hybu gallu'r gymuned fusnes i greu cyfoeth? Mae'r rheini'n cynnwys gostwng treth gorfforaeth i 27 y cant y flwyddyn nesaf ac yna ei gostwng un pwynt canran bob blwyddyn nes cyrraedd 24 y cant. Mae hynny'n golygu mai yn y Deyrnas Unedig y mae'r drefn drethu fwyaf cystadleuol yng ngorllewin Ewrop, ac eithrio yn Iwerddon. Mae'r camau hynny hefyd yn cynnwys gostwng cyfradd y dreth gorfforaethol i fusnesau a chynyddu lwfansau personol treth incwm. Daw hynny â mwy o fudd i Gymru nag i unrhyw un arall o wledydd y Deyrnas Unedig. Mae'n golygu y caiff 16.5 y cant yn ychwanegol o'r rheini sy'n gweithio yng Nghymru beidio â thalu treth rhagor.

Y Prif Weinidog: Yr ydym yn croesawu llawer o'r cyhoeddiadau ynglŷn â threthu busnesau yn y gyllideb. Mae gostwng y dreth gorfforaeth a'r gwyliau yswiriant gwladol posibl i gyd o gymorth, ond ni lwyddant i greu 50,000 o swyddi mewn blwyddyn i wneud iawn am golli swyddi yn y sector cyhoeddus, nac yng Nghymru nac yn y Deyrnas Unedig. Os collir nifer sylweddol o swyddi yn y sector cyhoeddus, ni wnaiff y sector preifat iawn am hynny dros nos, oherwydd nid yw'r sector preifat yn barod eto i greu'r swyddi hynny. Er ein bod yn croesawu rhywfaint o'r camau trethu a gymeradwywyd yn y gyllideb, yr hyn yr ydym yn poeni amdano, yw ei bod yn anochel, o dorri ar wariant cyhoeddus mewn ffordd mor sylweddol, mor gyflym ac mor

simply not be able to create jobs at the rate required to make up for the loss of jobs in the public sector.

Lynne Neagle: First Minister, it is said that the devil is in the detail, and the more that the detail of this budget is revealed, the more that we see that George Osborne's pledge to protect the most vulnerable in society was little more than a shallow promise to sweeten the bitter pill that he is forcing his Lib Dem colleagues to swallow. I wonder how many people are aware, particularly those on the Lib Dem benches, that the pledge to increase public sector pay for those earning less than £21,000 a year by £250 a year over the next two years will not apply to hundreds of thousands of low-paid local government workers. These are not fat cats with so-called gold-plated pensions—

The Deputy Presiding Officer: Order. Can you get to the question, please?

Lynne Neagle: I will. These are the dinner ladies, cleaners, care workers and library assistants that keep our services ticking over, the very people who will be hardest hit by the VAT hike and the slashing of tax credits.

The Deputy Presiding Officer: Order. Ask a question, please.

Lynne Neagle: Will the First Minister clarify the situation as to how this will affect local government workers in Wales and will he make representations on behalf of those workers, so that, despite all the challenges that they face as a result of the Tory-Lib Dem Government, they can at least receive the money that they were promised a few short weeks ago?

The First Minister: This is the concern that many of us on these benches share, namely that those who are the lowest paid are being asked to shoulder a disproportionate burden when it comes to reducing the deficit. Lynne has given a clear example of where that is

ddwfn, y gwelwn yn awr ddirwasgiad deugafn ac na fydd y sector preifat yn gallu creu'r swyddi'n ddigon cyflym i wneud iawn am golli swyddi yn y sector cyhoeddus.

Lynne Neagle: Brif Weinidog, dywedir mai yn y manylion y mae'r diafol a mwyaf o fanylion y gyllideb hon a ddaw i'r golwg, mwyaf y gwelwn mai addewid gwag oedd addewid George Osborne i warchod y rhai mwyaf agored yn ein cymdeithas a hynny er mwyn rhoi siwgr yn y wermod y mae'n gorfodi ei gyfeillion ym mhlaidd y Democratiaid Rhyddfrydol i'w lyncu. Tybed faint o bobl sy'n sylweddoli, yn enwedig y rheini ar feinciau'r Democratiaid Rhyddfrydol, na fydd yr addewid i roi £250 ar ben cyflogau'r sector cyhoeddus i'r rheini sy'n ennill llai na £21,000 y flwyddyn dros y ddwy flynedd nesaf yn berthnasol i gannoedd o filoedd o weithwyr llywodraeth leol sydd ar gyflog isel. Nid cathod tew a chanddynt bensïynau eur-blat, fel y'u gelwir, yw'r rhain—

Y Dirprwy Lywydd: Trefn. A wnewch chi ofyn y cwestiwn, os gwelwch yn dda?

Lynne Neagle: Gwnaf. Y merched cinio, y glanhawyr, y gweithwyr gofal a'r cynorthwyr llyfrgelloedd yw'r rhain sy'n cadw olwynion ein gwasanaethau i droi, yr union bobl y bydd y cynnydd mewn TAW a slaesio credydau treth yn eu taro galetaf.

Y Dirprwy Lywydd: Trefn. Gofynnwch gwestiwn, os gwelwch yn dda.

Lynne Neagle: A wnaiff y Prif Weinidog egluro sut y bydd hyn yn effeithio ar weithwyr llywodraeth leol yng Nghymru ac a wnaiff gyflwyno sylwadau ar ran y gweithwyr hynny, er mwyn iddynt, er gwaethaf yr holl anawsterau y byddant yn eu hwynebu yn sgil Llywodraeth y Torïaid a'r Democratiaid Rhyddfrydol o leiaf gael yr arian yr addawyd iddynt brin ychydig wythnosau yn ôl?

Y Prif Weinidog: Mae llawer ohonom ar y meinciau hyn yn poeni am hyn hefyd, sef bod gofyn i'r rheini sy'n ennill lleiaf ysgwyddo baich mwy nag sy'n deg er mwyn lleihau'r diffyg. Mae Lynne wedi rhoi enghraifft glir o le mae hynny'n digwydd mewn llywodraeth

happening in local government. We have the minimum wage, which the Tories opposed, but we should move beyond that and start looking at what constitutes a living wage. We should not lose sight of the desire for the low paid to receive a living wage, even in difficult economic times. We should not ask the people who earn the least to pay, proportionately, the most.

Mental Health Services

Q6 Eleanor Burnham: Will the First Minister make a statement on improving mental health services in Wales? OAQ(3)3040(FM)

The First Minister: Improving mental health services continues to be a priority. A new mental health programme board has recently been established to provide direction and leadership to drive forward improvements to services.

Eleanor Burnham: You will know from your previous professional life, First Minister, how many people with mental health problems end up in the criminal justice system. Estimates show that about 10 per cent are ex-servicemen with complex needs, many of whom have post-traumatic stress disorder, as pointed out by the Howard League for Penal Reform, which is undertaking an inquiry into this area. What contribution can you or your Cabinet make to this inquiry to reduce the number of Welsh veterans with mental health issues being imprisoned?

The First Minister: First, we are working with organisations that represent veterans in order to provide a holistic package of support to veterans, including health. We also have the Proposed Mental Health (Wales) Measure, which the Government has supported. That will help with access to mental health services. I have already mentioned the programme board and we have the ring fencing of funding for mental health services across the whole of Wales. Mental health is probably now receiving better support and funding than it has for many years. You are right to point out that people

leol. Mae gennym y lleiafswm cyflog, a wrthwynebwyd gan y Torïaid, ond dylem fod yn symud y tu hwnt i hynny ac yn dechrau edrych ar beth sy'n gyflog byw. Ni ddylem golli golwg ar ein hawydd i sicrhau bod pobl ar gyflog isel yn cael cyflog byw, hyd yn oed mewn oes economaidd anodd. Ni ddylem ofyn i'r bobl sy'n ennill y lleiaf dalu'r mwyaf, o safbwynt cyfrannol.

Gwasanaeth Iechyd Meddwl

C6 Eleanor Burnham: A wnaiff y Prif Weinidog ddatganiad am wella gwasanaethau iechyd meddwl yng Nghymru? OAQ(3)3040(FM)

Y Prif Weinidog: Mae gwella gwasanaethau iechyd meddwl yn parhau yn flaenoriaeth. Crëwyd bwrdd rhaglen iechyd meddwl newydd yn ddiweddar i roi cyfeiriad ac arweiniad i'r gwaith o fwrw ymlaen â gwelliannau i wasanaethau.

Eleanor Burnham: Yn sgil eich proffesiwn blaenorol, Brif Weinidog, gwyddoch faint o bobl a chanddynt broblemau iechyd meddwl sy'n eu cael eu hunain yn y system cyfiawnder troseddol. Dengys amcangyfrifon fod oddeutu 10 y cant yn gynaelodau'r lluoedd arfog a bod ganddynt anghenion cymhleth. Mae gan lawer ohonynt anhwylder straen wedi trawma, fel y dangosodd Cynghrair Howard er Diwygio Cosbau, sy'n cynnal ymchwiliad i'r maes hwn. Pa gyfraniad y gallwch chi neu'ch Cabinet ei wneud i'r ymchwiliad hwn i leihau nifer y cyn-filwyr yng Nghymru a chanddynt broblemau iechyd meddwl sy'n mynd i'r carchar?

Y Prif Weinidog: Yn gyntaf, yr ydym yn gweithio gyda mudiadau sy'n cynrychioli cyn-filwyr er mwyn cynnig pecyn cymorth cyfannol iddynt, gan gynnwys gwasanaethau iechyd. Mae gennym hefyd y Mesur Arfaethedig ynghylch Iechyd Meddwl (Cymru) y mae'r Llywodraeth wedi'i gefnogi. Bydd hwnnw'n gymorth iddynt gael gafael ar wasanaethau iechyd meddwl. Yr wyf eisoes wedi crybwyll bwrdd y rhaglen ac yr ydym wedi neilltuo arian ar gyfer gwasanaethau iechyd meddwl ledled Cymru. Mae'n debyg bod iechyd meddwl yn awr yn cael mwy o gymorth ac arian nag a gafodd

with mental health problems often end up in the criminal justice system. It happened in the 1990s as well. I remember vividly people coming out of institutions and ending up in prison because they entered the community, did not get the support that they needed and, as a result, started committing crime. We do not want to go back to those days.

ers blynyddoedd lawer. Yr ydych yn llygad eich lle'n dweud bod pobl a chanddynt broblemau iechyd meddwl yn aml yn eu cael eu hunain yn y system cyfiawnder troseddol. Digwyddai hynny yn yr 1990au hefyd. Mae gennyf gof byw o bobl yn ymadael â sefydliadau ac yn eu cael eu hunain yn y carchar oherwydd iddynt ddychwelyd i'r gymuned heb gael y cymorth yr oedd ei angen arnynt. O'r herwydd, dechreuasant droseddu. Nid ydym am ddychwelyd i'r dyddiau hynny.

2.10 p.m.

Bethan Jenkins: As you will know, I am chair of the cross-party group on eating disorders, and I welcome the developments in Government with regard to the specialist teams that have been set up on eating disorders. I have been looking into the link between compulsive exercise, fitness addiction and eating disorders. Excessive exercise is common behaviour among those with eating disorders. In part due to our health-obsessed media and culture, it can often go unnoticed and even elicit praise from friends, family and colleagues. It is only recently that the fitness industry has become aware of its responsibility in this regard, with the Institute of Sport and Recreation Management releasing guidance to industry staff as late as April this year. Does the First Minister therefore agree that there needs to be a co-ordinated approach, not only with the fitness industry, but broadly with all sources of health advice to ensure that, although it is important to focus of the problems of under exercising and obesity—

Bethan Jenkins: Fel y gwyddoch, yr wyf yn cadeirio'r grŵp trawsbleidiol ar anhwylderau bwyta, ac yr wyf yn croesawu'r datblygiadau gan y Llywodraeth yng nghyswllt sefydlu'r timau arbenigol i ymdrin ag anhwylderau bwyta. Yr wyf wedi bod yn ymchwilio i'r cysylltiad rhwng pobl yn teimlo gorfodaeth i wneud ymarfer corff, bod yn gaeth ffitrwydd ac anhwylderau bwyta. Mae gorymarfer yn ymddygiad cyffredin ymhlith y rheini a chanddynt anhwylderau bwyta. Oherwydd, yn rhannol, bod gan ein cyfryngau a'n diwylliant obsesiwn ag iechyd, gall hyn ddigwydd yn aml heb i neb sylwi a gall hyd yn oed ennyn canmoliaeth gan gyfeillion, teulu a chydweithwyr. Dim ond yn ddiweddar y mae'r diwydiant ffitrwydd wedi sylweddoli bod ganddo gyfrifoldeb yn y cyswllt hwn ac fe gyhoeddodd y Sefydliad Rheoli Chwaraeon a Hamdden arweiniad i staff y diwydiant mor ddiweddar ag ym mis Ebrill eleni. A yw'r Prif Weinidog felly yn cytuno bod angen cydlynu ymagweddau, nid yn unig â'r diwydiant ffitrwydd ond yn gyffredinol gyda'r holl ffynonellau cyngor ynglŷn ag iechyd er mwyn sicrhau, er ei bod yn bwysig canolbwyntio ar broblemau diffyg ymarfer a gordewdra—

The Deputy Presiding Officer: Order. Could you ask a question please?

Y Dirprwy Lywydd: Trefn. A allech ofyn cwestiwn os gwelwch yn dda?

Bethan Jenkins: I started asking a question.

Bethan Jenkins: Yr oeddwn wedi dechrau gofyn cwestiwn.

The Deputy Presiding Officer: It is rather a long one so please ask the question.

Y Dirprwy Lywydd: Mae'n gwestiwn eithaf hir felly gofynnwch y cwestiwn os gwelwch yn dda.

Bethan Jenkins: Do you agree that we must

Bethan Jenkins: A gytunwch ei bod yn rhaid

acknowledge that this same focus can push a minority of people into compulsive over-exercising and associated eating disorders?

The First Minister: You are quite right. You are aware of the eating disorder framework, which was issued in June 2009. It includes five standards for local health boards to use as a checklist to support implementation. Each LHB area in Wales now has a tier 3 eating disorder clinical lead in place, who is available to give advice, consultation and support to all staff working with patients who present with an eating disorder. You are right to point out that, historically—particularly 10 or 15 years ago—eating disorders were seen as not being particularly important. We know that they are. Through our constituency work, many of us will know people who have had to endure illnesses caused by eating disorders. I am sure that you welcome very much the framework and its implementation across the whole of Wales.

Angela Burns: Thank you for your answers to Eleanor and Bethan, First Minister. More than 30 per cent of all GP consultations have a mental health element. With respect, I ask you to reconfirm that the tier 3 eating disorder support staff are in place. In west Wales, in Pembrokeshire and Carmarthenshire, there is a real difficulty for young adults to access that help and support. As the First Minister, with the ability to ensure collaboration between police, health and social services, what can you do to ensure that people understand the importance of mental health issues? Many GPs do not readily take an approach other than the clinical solution, when they should consider psychological and social support solutions as well.

The First Minister: I can confirm my understanding that there is a tier 3 lead in place in every LHB in Wales. Collaboration is absolutely essential. You will be aware of standard 5 in the eating disorder framework,

inni gydnabod y gall yr un pwyslais wthio lleiafrif i fyd o orymarfer eithafol a'r anhwylderau bwyta sy'n gysylltiedig â hynny?

Y Prif Weinidog: Yr ydych yn llygad eich lle. Yr ydych yn gwybod am y fframwaith anhwylderau bwyta a gyhoeddwyd ym mis Mehefin 2009. Mae'n cynnwys pum safon i fyrddau iechyd lleol eu defnyddio'n rhestr wirio i'w cynorthwyo i roi'r fframwaith ar waith. Erbyn hyn, mae gan ardal pob BILI yng Nghymru arweinydd clinigol anhwylderau bwyta haen 3 sydd ar gael i roi cyngor, i ymgynghori ac i gynorthwyo'r holl staff sy'n gweithio gyda chleifion a ddaw atynt gydag anhwylder bwyta. Yr ydych yn iawn yn dweud, yn y gorffennol—yn enwedig 10 i 15 mlynedd yn ôl—nad oedd anhwylderau bwyta'n cael eu hystyried yn bethau arbennig o bwysig. Gwyddom eu bod. Drwy ein gwaith yn ein hetholaeth, bydd llawer ohonom yn adnabod pobl sydd wedi gorfod dioddef salwch sydd wedi'i achosi gan anhwylderau bwyta. Yr wyf yn siŵr eich bod yn croesawu'r fframwaith yn fawr ac yn croesawu ei roi ar waith ledled Cymru.

Angela Burns: Diolch ichi am eich atebion i Eleanor a Bethan, Brif Weinidog. Mae elfen iechyd meddwl yn gysylltiedig â mwy na 30 y cant o'r holl achosion a ddaw gerbron meddygon teulu. A phob parch, gofynnaf ichi gadarnhau eto bod y staff cymorth anhwylderau bwyta haen 3 ar waith. Yn y gorllewin, yn sir Benfro ac yn sir Gaerfyrddin, mae oedolion ifanc yn cael anhawster go iawn wrth geisio cael y cymorth a'r gefnogaeth honno. A chithau'n Brif Weinidog, ac yn gallu sicrhau cydweithredu rhwng yr heddlu, y gwasanaethau iechyd a'r gwasanaethau cymdeithasol, beth y gallwch ei wneud i sicrhau bod pobl yn deall pwysigrwydd problemau iechyd meddwl? Bydd llawer o feddygon teulu'n amharod i ystyried unrhyw ateb ar wahân i'r ateb clinigol, pan ddylent ystyried atebion seicolegol ac atebion cymorth cymdeithasol hefyd.

Y Prif Weinidog: Gallaf gadarnhau fy mod yn cael ar ddeall bod arweinydd haen 3 ar gael ym mhob BILI yng Nghymru. Mae'n gwbl hanfodol sicrhau cydweithredu. Gwyddoch am safon 5 yn y fframwaith

which relates to the issue of working across the board with all agencies when it comes to dealing with mental health. Clearly, there will be occasions when the police, for example, come across people with severe mental health issues, and they will need to be able to liaise with the appropriate bodies in order for that person to receive treatment. So, there must be that level of co-operation to ensure that people receive a holistic service.

anhwylderau bwyta, sy'n ymwneud â chydweithio rhwng pob asiantaeth yng nghyswllt iechyd meddwl. Mae'n amlwg y bydd adegau pan fydd yr heddlu, er enghraifft, yn dod ar draws pobl a chanddynt broblemau iechyd meddwl difrifol, ac y bydd angen iddynt allu cysylltu â'r cyrff priodol er mwyn i'r unigolyn hwnnw gael triniaeth. Felly, rhaid cael y lefel honno o gydweithredu er mwyn sicrhau bod pobl yn cael gwasanaeth cyfannol.

Priorities

Q7 Nick Ramsay: What are the Welsh Assembly Government's priorities for the next 12 months? OAQ(3)3035(FM)

The First Minister: We shall continue to deliver our 'One Wales' commitments and our legislative programme.

Nick Ramsay: We have said a great deal in the Chamber in recent months about the spending choices that the Assembly and your Ministers are facing as the UK coalition Government in Westminster tries to get to grips with the economic mess it has inherited. I want to ask you specifically about your priorities with regard to dealing with the Communities First programme. You are well aware that there were reports in the press last week regarding mounting concerns within your own Government about the Communities First programme and value-for-money issues relating to that programme. I am sure that you will agree that this programme has been a significant area of Government expenditure over a number of years. Around £200 million of taxpayers' money has been spent on the programme since 2001. First Minister, given these concerns, will you give us an assurance that you are taking an in-depth look at how the Communities First budget can give as much value for money as possible, and would you agree that there is a real danger and a perception that this scheme is being viewed not so much as a flagship for your Government, but more as a sinking ship, with members of your own Government jumping overboard?

The First Minister: I am not aware of anybody in the Welsh Assembly Government

Blaenoriaethau

C7 Nick Ramsay: Beth yw blaenoriaethau Llywodraeth Cynulliad Cymru ar gyfer y 12 mis nesaf? OAQ(3)3035(FM)

Y Prif Weinidog: Byddwn yn parhau i wireddu ymrwymadau 'Cymru'n Un' a'n rhaglen ddeddfwriaethol.

Nick Ramsay: Yr ydym wedi sôn llawer iawn yn y Siambr yn y misoedd diwethaf am y dewisiadau gwario y mae'r Cynulliad a'ch Gweinidogion yn eu hwynebu wrth i Lywodraeth glymblaid y Deyrnas Unedig yn San Steffan geisio mynd i'r afael â'r llastr economaidd y mae wedi'i etifeddu. Yr wyf am ofyn ichi'n benodol am eich blaenoriaethau o ran ymdrin â rhaglen Cymunedau yn Gyntaf. Gwyddoch yn dda fod adroddiadau yn y wasg yr wythnos diwethaf yn sôn am y pryderon cynyddol yn eich Llywodraeth chi'ch hun ynglŷn â rhaglen Cymunedau yn Gyntaf a gwerth am arian y rhaglen honno. Yr wyf yn siŵr y cytunwch fod y Llywodraeth wedi gwario'n sylweddol ar y rhaglen hon dros nifer o flynyddoedd. Mae oddeutu £200 miliwn o arian trethdalwyr wedi'i wario ar y rhaglen er 2001. Brif Weinidog, a chofio'r pryderon hyn, a wnewch roi sicrwydd inni eich bod yn edrych yn ofalus ar sut y gall cyllideb Cymunedau yn Gyntaf sicrhau cymaint o werth am arian ag y bo modd, ac a fyddoch yn cytuno bod perygl a chanfyddiad go iawn bod y cynllun hwn yn cael ei weld, nid yn gymaint yn llong flaenllaw i'ch Llywodraeth, ond ei bod yn debycach i long sy'n suddo, ac aelodau'ch Llywodraeth chi'ch hun yn neidio dros ei bwrdd?

Y Prif Weinidog: Nid wyf yn gwybod am neb yn Llywodraeth y Cynulliad sydd wedi

who has criticised Communities First. I do not know who you think has done so. I know that it irritates you that there should be in place a programme that promotes better equality among communities and individuals. I know that it is an irritant to the Conservative Party. I have said this before: the fact that Communities First is a big programme and the fact that some of the partnerships have experienced problems does not mean that the whole programme should be damned. It is an innovative programme; it helps communities that were devastated through the 1980s and 1990s by the deliberate destruction that was caused by your party and what your party imposed on those communities. We will continue to take it forward while, at the same time, of course, ensuring financial prudence.

Jeff Cuthbert: First Minister, there was a 41 per cent decline in violent crime under Labour. Professor Martin Innes warned at the Assembly today that cutting community safety programmes and police numbers during a precarious time for the economy could have a serious effect on our communities. Do you agree, therefore, that, despite the actions of the Conservative and Liberal Democrat Government in announcing a massive £125 million in-year cut to core police funding—which will lead to fewer policemen on the beat—doing our bit to tackle crime and anti-social behaviour will remain a priority for us in Government in Wales?

The First Minister: For how many years did we listen to the Conservatives going on about the need to have more bobbies on the beat? Now, the first thing that they have done is to reduce their numbers. The equation is quite simple: fewer police equals more crime. That is what the Conservative-Liberal Democrat Government stands for.

Peter Black: First Minister, you will know that the mortgage rescue scheme has been a tremendous success, and I give credit to the Government for that. However, some time ago, it ran out of money and, although the Deputy Minister for Housing and Regeneration found another £2 million for

beirniadu Cymunedau yn Gyntaf. Ni wn pwy sydd wedi gwneud hynny yn eich tyb chi. Gwn ei bod yn dân ar eich croen bod rhaglen ar waith sy'n hyrwyddo gwell cydraddoldeb ymhlith cymunedau ac unigolion. Gwn ei bod yn dân ar groen y Blaid Geidwadol. Yr wyf wedi dweud hyn o'r blaen: nid yw'r ffaith bod Cymunedau yn Gyntaf yn rhaglen fawr a'r ffaith bod rhai partneriaethau wedi cael problemau yn golygu y dylid damnio'r rhaglen yn ei chrynswth. Mae'n rhaglen arloesol; mae'n cynorthwyo cymunedau a ddinistriwyd drwy'r 1980au a'r 1990au gan y distryw bwriadol a achoswyd gan eich plaid chi a'r hyn a orfodwyd ar y cymunedau hynny gan eich plaid. Byddwn yn parhau i fwrw ymlaen â hi, ond, ar yr un pryd, wrth gwrs, yn sicrhau bod y trefniadau ariannol yn cael eu rheoli'n ofalus.

Jeff Cuthbert: Brif Weinidog, gwelwyd troseddu treisiol yn gostwng 41 y cant o dan Lafur. Rhybuddiodd yr Athro Martin Innes yn y Cynulliad heddiw y gallai torri ar raglenni diogelwch cymunedol a niferoedd yr heddlu yn ystod cyfnod ansicr i'r economi gael effaith ddifrifol ar ein cymunedau. A gytunwch, felly, er gwaethaf cyhoeddiad Llywodraeth y Ceidwadwyr a'r Democratiaid Rhyddfrydol y bydd gwariant craidd yr heddlu'n cael ei docio £125 miliwn yn ystod y flwyddyn—gan olygu llai o heddlu ar y strydoedd—y gwnawn ni ein rhan yn y Llywodraeth yng Nghymru i sicrhau bod mynd i'r afael â throseddu ac ymddygiad gwrthgymdeithasol yn dal yn flaenoriaeth inni.

Y Prif Weinidog: Am faint o flynyddoedd y buom yn gwranddo ar y Ceidwadwyr yn rhefru bod angen cael rhagor o blismyn ar y strydoedd? Yn awr, y peth cyntaf y maent wedi'i wneud yw gostwng eu nifer. Mae'r hafaliad yn eithaf syml: mae llai o heddlu'n hafal i fwy o droseddu. Dyna athroniaeth Llywodraeth y Ceidwadwyr-Democratiaid Rhyddfrydol.

Peter Black: Brif Weinidog, gwyddoch i'r cynllun achub morgesi fod yn llwyddiant aruthrol, ac yr wyf am ganmol y Llywodraeth am hynny. Fodd bynnag, ychydig yn ôl, daeth yr arian i ben, ac er bod y Dirprwy Weinidog dros Dai ac Adfywio wedi dod o hyd i £2 filiwn arall ar gyfer y cynllun, mae wedi ei

the scheme, she has limited its applicability to those who have a disability or whose home has been adapted. Of the 336 households that have benefited from this scheme, only 16 would have met those criteria. Given that limitations have now been applied to this scheme, do you envisage that all of this £2 million will be spent this year, and how are you going to cope with the other people who are no longer eligible for it, but who face homelessness as a result of not being able to access the scheme?

The First Minister: These are difficult decisions, but, as we see the mortgage market situation improve, it is inevitable that the mortgage rescue scheme will not be needed as much as previously. Given the financial constraints under which we work, it is important that, where we have those financial constraints, we create criteria so that the most deserving people can benefit from any particular scheme. That is the financial settlement that we have; we have to work within it.

Rhodri Glyn Thomas: Pan yr ydym yn sôn am gynlluniau gwariant dros y tymor nesaf, un o'r pethau a fydd yn gosod hualau gweddol gaeth ar y Llywodraeth fydd fformiwla Barnett, sy'n golygu bod Cymru ar ei cholled o ryw £300 miliwn. Cyn yr etholiad cyffredinol, yr oedd y Democratiaid Rhyddfrydol a'r Ceidwadwyr yn y lle hwn yn galw am adolygiad o Barnett. Maent wedi mynd yn dawel iawn ar y pwnc hwnnw ers yr etholiad. A yw hynny'n golygu nad oes ganddynt ddylanwad ar y pleidiau yn San Steffan? Efallai y carech egluro hefyd sylwadau un ymgeisydd am arweinyddiaeth y Blaid Lafur bod Cymru'n derbyn gormod o arian o'r pwrs cyhoeddus ac nad oedd yn ffafrio adolygu Barnett oherwydd hynny.

Y Prif Weinidog: Barn Llywodraeth y Cynulliad yw y dylem symud ymlaen gydag argymhellion comisiwn Holtham ynghylch cyllido yng Nghymru. Yr ydym yn credu y dylai Llywodraeth y Deyrnas Unedig wneud yr un peth. Ar hyn o bryd, gan nad yw Llywodraeth y Deyrnas Unedig yn bwriadu gweithredu argymhellion Holtham, mae Cymru'n colli rhyw £800,000 y dydd, neu £9 yr eiliad. Dyna faint mae hi'n ei chostio i Gymru oherwydd nad yw Llywodraeth y

gyfyngu i bobl anabl neu i bobl y mae eu cartrefi wedi'u haddasu. O blith y 336 o aelwydydd sydd wedi elwa o'r cynllun hwn, dim ond 16 a fyddai wedi cyflawni'r meini prawf hynny. Ac ystyried bod cyfyngiadau wedi'u rhoi ar waith yn y cynllun hwn yn awr, a ydych yn rhagweld y gwerir y £2 filiwn i gyd eleni, a sut y bwriadwch ymdopi â'r bobl eraill nad ydynt yn gymwys ar ei gyfer rhagor ond sy'n wynebu bod yn ddigartref oherwydd na allant fanteisio ar y cynllun?

Y Prif Weinidog: Mae'r penderfyniadau hyn yn benderfyniadau anodd, ond, wrth inni weld sefyllfa'r farchnad morgeisi'n gwella, mae'n anochel na fydd angen y cynllun achub morgeisi gymaint ag o'r blaen. A chofio'r cyfyngiadau ariannol yr ydym yn gweithio o danynt, mae'n bwysig, lle bydd gennym gyfyngiadau ariannol o'r fath, ein bod yn creu meini prawf er mwyn i'r bobl fwyaf haeddiannol elwa o unrhyw gynllun penodol. Dyna'r setliad ariannol sydd gennym, rhaid inni weithio o'i fewn.

Rhodri Glyn Thomas: When we are talking about spending plans for the next term, one of the things that will set fairly strict constraints on the Government will be the Barnett formula, which means that Wales is losing around £300 million. Before the general election, the Liberal Democrats and Conservatives in this place were calling for a review of Barnett. They have gone very quiet on that subject since the election. Does that mean that they have no influence on the parties at Westminster? You may also like to clarify the comments of one Labour Party leadership candidate that Wales receives too much money from the public purse and that he did not favour a review of Barnett because of that.

The First Minister: The Assembly Government's view is that we should move forward with the Holtham commission's recommendations on funding for Wales. We believe that the United Kingdom Government should do the same. Currently, because the United Kingdom Government does not intend to implement the Holtham recommendations, Wales is losing around £800,000 a day, or £9 per second. That is how much it is costing Wales because the United Kingdom

Deyrnas Unedig yn bwriadu gweithredu casgliadau comisiwn Holtham.

Government does not intend to implement the conclusions of the Holtham commission.

2.20 p.m.

Road Safety

Q8 Christine Chapman: Will the First Minister outline what the Welsh Assembly Government is doing to improve road safety in Wales? OAQ(3)3025(FM)

The First Minister: Excellent progress is being made towards meeting the challenging casualty reduction targets. The figures for 2009 show that casualties on Welsh roads are the lowest since records began.

Christine Chapman: I obviously welcome that news, but I wish to focus on one particular road in Wales. I recently obtained information from the police, which shows the number of accidents resulting in casualties on the A465 between 2000 and 2009. I found this information to be quite startling. Information from Gwent Police shows that there were 281 accidents involving casualties on the stretch of the A465 between Abergavenny and Dowlais Top, in which seven people were killed and 77 seriously injured. Information from South Wales Police reveals that, on the stretch of the A465 between Dowlais Top and Hirwaun, there were 304 collisions in which people were hurt. A total of 32 of these collisions involved serious injury and 21 involved the loss of life. This is a high number of casualties. Could you ensure, First Minister, that your Government takes a fresh look at these casualty statistics to see what can be done to make this road safer?

The First Minister: We are looking to dual the Heads of the Valleys road. When we are able to do that, it will undoubtedly reduce the number of casualties because much of the Heads of the Valleys road has an overtaking lane in the middle, which can lead to uncertainty for some drivers and, no doubt, has contributed to some of the accidents that have taken place on the road. The ultimate solution lies in dualling the entire stretch of road.

Diogelwch ar y Ffyrdd

C8 Christine Chapman: A wnaiff y Prif Weinidog amlinellu'r hyn y mae Llywodraeth Cynulliad Cymru yn ei wneud i wella diogelwch ar y ffyrdd yng Nghymru? OAQ(3)3025(FM)

Y Prif Weinidog: Yr ydym yn gwneud cynnydd rhagorol o ran ymateb i her targedau lleihau anafiadau. Dengys y ffigurau ar gyfer 2009 fod nifer yr anafiadau ar ffyrdd Cymru yn is nag y buont ers dechrau cadw cofnodion.

Christine Chapman: Mae'n amlwg fy mod yn croesawu'r newyddion hynny, ond yr wyf am ganolbwyntio ar un ffordd benodol yng Nghymru. Cefais wybodaeth gan yr heddlu'n ddiweddar, sy'n dangos nifer y damweiniau a arweiniodd at anafiadau ar yr A465 rhwng 2000 a 2009. Cefais fy nychryn gan yr wybodaeth hon. Dengys gwybodaeth gan Heddlu Gwent fod 281 o ddamweiniau lle'r anafwyd pobl ar y darn o'r A465 rhwng y Fenni a Dowlais Top. Lladdwyd saith o bobl ac anafwyd 77 yn ddifrifol. Dengys gwybodaeth gan Heddlu De Cymru fod 304 o wrthdrawiadau lle'r anafwyd pobl ar y darn o'r A465 rhwng Dowlais Top a Hirwaun. Anafwyd pobl yn ddifrifol mewn 32 o'r gwrthdrawiadau hynny, a lladdwyd pobl mewn 21 ohonynt. Mae hyn yn golygu bod nifer fawr o anafiadau. A allech sicrhau, Brif Weinidog, fod eich Llywodraeth yn edrych o'r newydd ar yr ystadegau hyn i weld beth sy'n bosibl er mwyn gwneud y ffordd hon yn fwy diogel?

Y Prif Weinidog: Mae gennym gynlluniau i ddeuoli ffordd Blaenau'r Cymoedd. Pan fyddwn yn gallu gwneud hynny, bydd yn sicr yn lleihau nifer yr anafiadau oherwydd ar hyd rhan helaeth o ffordd Blaenau'r Cymoedd ceir lôn pasio yn y canol. Gall hyn beri ansicrwydd i rai gyrwyr, ac mae'n bosibl iawn bod hynny wedi cyfrannu at rai o'r damweiniau sydd wedi digwydd ar y ffordd. Yr ateb yn y pen draw yw deuoli'r ffordd o'r naill ben i'r llall.

Brynle Williams: Good afternoon, First Minister. To continue on the theme, we are experiencing serious problems with heavy goods vehicles on the A55 in north Wales, with operators not adhering to regulations. The Vehicle and Operator Services Agency and the police are doing a splendid job, but we have had far too many fatalities on the road. In view of yesterday's announcement that we are to have a truck stop based 'in the Llangefni area', which is only around 20 minutes from the port, do you not agree that something should be done? I know that my colleague, Ann Jones, and I have been campaigning for a long time. The truck stop should not be that close to the port; it should be somewhere between Queensferry and possibly Abergele.

The Deputy Presiding Officer: Order. Could we have a question, please?

Brynle Williams: In the interest of road safety, do you agree that the truck stops are in the wrong place?

The First Minister: It would obviously be useful to have more places where trucks could stop along any busy stretch of road. Much depends on the availability of land and the nature of planning applications. If there are any areas along the A55 that have the potential to be truck stops, it would clearly be of interest to us.

Welsh Economy

Q9 Nick Bourne: Will the First Minister outline his vision for the Welsh economy over the next Assembly term? OAQ(3)3041(FM)

The First Minister: The vision for the Welsh economy is outlined in 'Economic Renewal: A New Direction', which was launched last week.

Nick Bourne: I thank the First Minister for that answer. He will know that we have, in the United Kingdom, the highest debt that we have ever had in peacetime Britain; that Wales is the poorest part of the United Kingdom; and that we have the highest

Brynle Williams: Prynawn da, Brif Weinidog. Ar yr un trywydd, mae cerbydau nwyddau trwm yn achosi problemau difrifol inni ar yr A55 yn y gogledd, am nad yw'r gweithredwyr yn cydymffurfio â'r rheoliadau. Mae'r Asiantaeth Gwasanaethau Cerbydau a Gweithredwyr a'r heddlu'n gwneud gwaith rhagorol, ond yr ydym wedi cael gormod o ddamweiniau anghueol o lawer ar y ffordd. A chofio inni gael cyhoeddiad ddoe ein bod am gael arosfan i lorïau 'yn ardal Llangefni', nad yw ond oddeutu 20 munud o'r porthladd, oni chytunwch y dylid gwneud rhywbeth? Gwn fod fy nghyd-Aelod, Ann Jones, a minnau wedi bod yn ymgyrchu ers tro. Ni ddylai'r arosfan i lorïau fod mor agos â hynny at y porthladd; dylai fod yn rhywle rhwng Queensferry ac Abergele efallai.

Y Dirprwy Lywydd: Trefn. A allem gael cwestiwn, os gwelwch yn dda?

Brynle Williams: O ran diogelwch y ffordd, a gytunwch fod yr arosfannau i lorïau yn y man anghywir?

Y Prif Weinidog: Mae'n amlwg y byddai o fudd cael rhagor o arosfannau i lorïau ar hyd unrhyw ddarn prysur o'r ffordd. Mae llawer yn dibynnu ar a oes tir ar gael ac ar natur ceisiadau cynllunio. Os oes unrhyw fannau ar hyd yr A55 a allai fod yn arosfannau i lorïau, byddai hynny'n amlwg o ddiddordeb inni.

Economi Cymru

C9 Nick Bourne: A wnaiff y Prif Weinidog amlinellu ei weledigaeth ar gyfer economi Cymru dros dymor nesaf y Cynulliad.? OAQ(3)3041(FM)

Y Prif Weinidog: Mae'r weledigaeth ar gyfer economi Cymru wedi'i amlinellu yn 'Adnewyddu'r Economi: Cyfeiriad Newydd', a lansiwyd yr wythnos ddiwethaf.

Nick Bourne: Diolch i'r Prif Weinidog am yr ateb hwnnw. Bydd yn gwybod bod gennym fwy o ddyled yn y Deyrnas Unedig nag a fu gennym erioed ym Mhrydain adeg heddwch; mai Cymru yw rhan dlotaf y Deyrnas Unedig; ac mai yma mae'r gyfradd

unemployment rate of all of the UK nations. In common with many Assembly Members, I am sure, as I go around Wales I find that small and medium-sized businesses are having a massive problem with business rates. If you ask them what their biggest issue is, they will tell you that it is business rates. Regardless of where we are economically, if you compare the position in Wales with the position in England, Scotland and Northern Ireland, we are giving a raw deal to Welsh businesses. There is no transitional relief in relation to the revaluation in particular. It is the most serious issue for many businesses in many parts of Wales. Could you please look at this as a Government?

The First Minister: We are keen to do all that we can to help small businesses in Wales. The imposition of VAT at 20 per cent, for example, will not help many of them in terms of what they are trying to sell. However, we are keen to ensure that as much help as possible is given to small and medium-sized enterprises across Wales, which is why we have looked at a new direction in terms of economic development in Wales.

Gareth Jones: Mae cadw rheolaeth ar ddiweithdra yng Nghymru yn dibynnu ar gynlluniau'r Adran Gwaith a Phensiynau a Jobcentre Plus—adrannau sydd heb eu datganoli i Gymru, ac sydd o dan reolaeth Llywodraeth y Torïaid yn Llundain. I ba raddau y bydd y torïadau arfaethedig a'r ymosodiadau ar y wladwriaeth les gan y pleidiau sy'n eistedd gyferbyn â mi yn effeithio ar y di-waith yng Nghymru?

Y Prif Weinidog: Ni fydd o les iddynt, yn sicr. Mae rhai yn dweud mai'r ateb i ddiweithdra yw torri yn ôl ar daliadau lles. Nid wyf yn derbyn hynny o gwbl. Yr ateb i ddiweithdra yw creu digon o swyddi. Fy mhryder i, a gwn bod y pryder hwn yn cael ei rannu gan Aelodau, yw, oherwydd y torïadau sydd wedi eu cyhoeddi yn y gyllideb, ni fydd modd creu'r swyddi sydd eu hangen arnom yng Nghymru er mwyn sicrhau bod diweithdra yn gostwng.

diweithdra uchaf ymhlith holl wledydd y Deyrnas Unedig. Yr wyf yn siŵr y caiff llawer o Aelodau eraill y Cynulliad yr un profiad ag a gaf fi wrth imi fynd o gwmpas Cymru. Gwelaf fod ardrethi busnes yn peri problem enfawr i fusnesau bach a chanolig. Os gofynnwch iddynt beth yw eu problem fwyaf, eu hateb yw ardrethi busnes. Ni waeth beth yw ein sefyllfa economaidd, os cymharwch y sefyllfa yng Nghymru â'r sefyllfa yn Lloegr, yn yr Alban ac yng Ngogledd Iwerddon, yr ydym yn gwneud cam â busnesau Cymru. Nid oes cymorth pontio ar gael ar gyfer yr ailbrisió'n benodol. Dyma'r broblem fwyaf difrifol sy'n wynebu llawer o fusnesau mewn sawl rhan o Gymru. A allech chi'r Llywodraeth edrych ar hyn os gwelwch yn dda?

Y Prif Weinidog: Yr ydym yn awyddus i wneud popeth yn ein gallu i gynorthwyo busnesau bach yng Nghymru. Ni fydd codi TAW ar gyfradd o 20 y cant, er enghraifft, yn gymorth i lawer ohonynt gyda'r hyn y maent yn ceisio'i werthu. Serch hynny, yr ydym yn awyddus i sicrhau cymaint o gymorth ag y bo modd i fentrau bach a chanolig ledled Cymru. Dyna pam yr ydym wedi edrych i gyfeiriad newydd wrth geisio datblygu'r economi yng Nghymru.

Gareth Jones: Keeping control of unemployment in Wales is reliant on the schemes of the Department for Work and Pensions and Jobcentre Plus—departments that have not been devolved to Wales and which are under the control of the Tory Government in Westminster. To what extent will the proposed cuts and the attacks on the welfare state by the parties that are sitting opposite me affect the unemployed in Wales?

The First Minister: They will not benefit them, that is certain. Some say that the solution to unemployment is to cut back on welfare payments. I do not accept that at all. The solution to unemployment is to create enough jobs. My concern, and I know that this concern is shared by Members, is that, because of the cuts that were announced in the budget, it will not be possible to create the jobs that are needed in Wales in order to ensure a reduction in unemployment.

Cwestiwn Brys Urgent Question

Linamar

Bethan Jenkins: Will the Minister provide an update on the proposed closure of Linamar? EAQ(3)1575(ECT)

Bethan Jenkins: A wnaiff y Gweinidog roi'r wybodaeth ddiweddaraf am y cynllun arfaethedig i gau ffatri Linamar? EAQ(3)1575(ECT)

The Deputy First Minister and Minister for the Economy and Transport (Ieuan Wyn Jones): I deeply regret that the company has proposed the closure of this operation. My officials are maintaining contact with the company locally, and with the parent company, and I receive regular updates. If closure occurs, we will assist affected employees with support from the ReAct scheme and through Jobcentre Plus.

Y Dirprwy Brif Weinidog a'r Gweinidog dros yr Economi a Thrafnidiaeth (Ieuan Wyn Jones): Mae'n ofid mawr imi fod y gan y cwmni gynlluniau i gau'r gwaith hwn. Mae fy swyddogion mewn cysylltiad cyson â'r cwmni'n lleol ac â'r prif gwmni a byddaf yn cael gwybod yn rheolaidd beth yw'r sefyllfa ddiweddaraf. Os digwydd i'r ffatri gau, byddwn yn cynorthwyo'r gweithwyr yr effeithir arnynt drwy gyfrwng cynllun ReAct a thrwy'r Ganolfan Byd Gwaith.

The Deputy Presiding Officer: I remind Members that these should be questions to the Deputy First Minister, and not speeches.

Y Dirprwy Lywydd: Atgoffaf yr Aelodau mai cwestiynau i'r Dirprwy Brif Weinidog ddylai'r rhain fod, nid areithiau.

Bethan Jenkins: As you are probably aware, Deputy First Minister, the workers at Linamar have now accepted the £11 million redundancy package that has been offered by the company. However, there is one area where the Welsh Government could be of considerable assistance. When Ford spun Visteon out in 2000, a clause was included that stated that any jobs that were available at Ford would be offered first to Visteon workers. As you know, Ford is now hiring at Bridgend, ahead of work beginning on its eco-boost engine there. Despite the fact that over half the Linamar workers are ex-Ford workers, would you agree that Ford acted inappropriately in refusing to even send application forms to the Swansea factory, or extend the application deadline, which was last Friday? Can Ministers use their influence to prevail upon Ford to honour the spirit of the Visteon clause, and give these car workers in Swansea some hope of new work?

Bethan Jenkins: Fel y gwyddoch, mae'n debyg, Ddirprwy Brif Weinidog, mae'r gweithwyr yn Linamar bellach wedi derbyn y pecyn diswyddo gwerth £11 miliwn y mae'r cwmni wedi'i gynnig. Fodd bynnag, mae un maes lle y gallai Llywodraeth Cymru fod o gymorth sylweddol. Pan greodd Ford gwmni deillio Visteon yn 2000, cynhwyswyd cymal a oedd yn dweud y byddai unrhyw swyddi a oedd ar gael yn Ford yn cael eu cynnig gyntaf i weithwyr Visteon. Fel y gwyddoch, mae Ford wrthi'n cyflogi pobl ym Mhen-y-bont ar Ogwr yn awr, cyn i'r gwaith ddechrau ar ei injan eco-hybu yno. A chofio bod dros hanner gweithwyr Linamar yn gyn-weithwyr Ford, a fyddech yn cytuno bod Ford wedi gweithredu'n amhriodol yn gwrthod anfon ffurflenni cais hyd yn oed i'r ffatri yn Abertawe, ac yn gwrthod gohirio'r dyddiad cau ar gyfer ceisiadau, sef dydd Gwener diwethaf? A all Gweinidogion ddefnyddio'u dylanwad i roi pwysau ar Ford i anrhydeddu ysbyrd cymal Visteon, a rhoi rhyw obaith i'r gweithwyr hyn yn niwydiant ceir Abertawe am waith newydd?

The Deputy First Minister: Thank you, Bethan, for giving us the opportunity to

Y Dirprwy Brif Weinidog: Diolch Bethan, am roi'r cyfle inni roi sylwadau am y

comment on the proposal, which it currently is, in the 90-day consultation. It may be helpful for me to tell you at this stage that the First Minister and I are making arrangements to meet the company shortly. You have put forward a proposal, Bethan, and I am not sure that I am in a position to respond to that today; however, I am prepared to look at that and discuss it with my officials, to see whether we can make some progress on the proposal that you have in mind. I will make it clear that the Government will stand ready to assist the company and the workforce in any way that we can.

Brian Gibbons: You will be aware that the record of the Linamar workforce—currently and in its previous incarnation—demonstrates that they were able and capable suppliers to the automotive industry. As I understand, it currently has a contract of supply with Ford in Bridgend for camshafts as part of the new engine. Will the proposals that you and your officials will be putting before Linamar, when you meet, include an exploration of the option of continuing the operation of the plant as a going concern, because of its previous excellent record of supply to the motor industry in Wales?

The Deputy First Minister: If there is a possibility that the company could continue as a going concern, we would want to pursue that option, in discussion with the company and my officials, and ensure that whatever support that we could give could assist with the continuation of that operation. It is primarily a matter for the company to make a decision about its future. However, if it is prepared to look at the future in terms of a going concern, then my officials would be happy to discuss proposals with it.

Peter Black: You will be aware that the situation that has led to this 90-day notice has been ongoing for some time, and there has been talk for several years of work going to Mexico and to Europe instead of staying at Linamar, and, before it, Visteon. Could I ask whether, as a result of those rumours and talks, your officials previously had any contact with the company in an effort to shore up the business? Given that the automotive sector is a priority for the Welsh Government, are you able to help the

cynllun, a dyna ydyw ar hyn o bryd, yn y cyfnod ymgynghori 90-diwrnod. Efallai y byddai'n gymorth imi ddweud wrthyh fod y Prif Weinidog a minnau ar hyn o bryd yn trefnu i gyfarfod â'r cwmni cyn bo hir. Yr ydych wedi cyflwyno cynnig, Bethan, ac nid wyf yn siŵr a wyf mewn sefyllfa i ymateb i hynny heddiw; serch hynny, yr wyf yn barod i edrych ar hynny a'i drafod gyda'm swyddogion, i weld a allwn gamu ymlaen o gwbl gyda'r cynnig sydd gennych mewn golwg. Fe'i gwnaf yn glir y bydd y Llywodraeth yn barod i gynorthwyo'r cwmni a'r gweithlu ym mha ffordd bynnag a allwn.

Brian Gibbons: Gwyddoch fod hanes llwyddiant gweithlu Linamar—fel y mae yn awr ac fel yr oedd gynt—yn dangos eu bod yn gyflenwyr galluog ac abl i'r diwydiant moduro. Fel y caf ar ddeall, mae gan y cwmni gontract ar hyn o bryd i gyflenwi camsiafftau i Ford ym Mhen-y-bont ar Ogwr ar gyfer yr injan newydd. A fydd y cynigion y byddwch chi a'ch swyddogion yn eu rhoi gerbron Linamar, pan fyddwch yn cyfarfod, yn cynnwys ystyried cadw'r ffatri ar agor fel busnes byw, oherwydd yr hanes rhagorol sydd ganddo yn y gorffennol o gyflenwi'r diwydiant moduro yng Nghymru?

Y Dirprwy Brif Weinidog: Os oes posibilrwydd y gallai'r cwmni barhau fel busnes byw, byddem am fynd ar drywydd y dewis hwnnw, gan drafod y peth â'r cwmni a'm swyddogion, a chan sicrhau y gallai unrhyw gymorth y gallem ei roi er mwyn i'r gwaith allu parhau yno. Mater i'r cwmni'n bennaf yw penderfynu ynglŷn â'i ddyfodol. Serch hynny, os yw'n barod i ystyried cadw busnes byw yno yn y dyfodol, yna, byddai fy swyddogion yn hapus i drafod cynigion gydag ef.

Peter Black: Gwyddoch fod y sefyllfa sydd wedi arwain at y rhybudd 90-diwrnod hwn wedi bod ar y gweill ers tro, a bod sôn wedi bod am symud y gwaith i Fecsico ac i Ewrop ers blynyddoedd yn lle'i gadw yn Linamar, ac yn Visteon, cyn hynny. A allwn ofyn, yn sgil y sibrydion a'r sgyrsiau hynny, a yw eich swyddogion wedi bod mewn cysylltiad â'r cwmni cyn hyn er mwyn ceisio rhoi ysgwydd o dan y busnes? Ac ystyried bod y sector moduro'n flaenoriaeth i Lywodraeth Cymru, a allwch gynorthwyo'r cwmni i sicrhau

company to secure new business within the sector, enabling it to make a positive decision at the end of the consultation process?

busnes newydd yn y sector, gan ei alluogi i wneud penderfyniad cadarnhaol ar ddiwedd y broses ymgynghori?

2.30 p.m.

The Deputy First Minister: We will be looking at how we can support it going forward. There has been a long period of discussion between the company and my officials about its future, and I wrote to the company's executive vice-president on 16 April offering my support in recognition of the difficulties that the company was facing. On that occasion, we said that we could, in appropriate circumstances, provide financial and practical help to assist the long-term future of the plant. The Government has always been ready to discuss proposals with the company, but it has now, sadly, made this announcement.

Y Dirprwy Brif Weinidog: Byddwn yn ystyried sut y gallwn ei gefnogi yn y dyfodol. Mae cyfnod hir o drafod wedi bod rhwng y cwmni a'm swyddogion ynglŷn â'i ddyfodol, ac ysgrifennais at ddirprwy lywydd gweithredol y cwmni ar 16 Ebrill yn cynnig fy nghymorth gan sylweddoli bod y cwmni'n wynebu anawsterau. Bryd hynny, dywedasom, petai'r amgylchiadau'n briodol, y gallem gynnig cymorth ariannol ac ymarferol i gynorthwyo'r ffatri i lwyddo yn y tymor hir. Mae'r Llywodraeth wedi bod yn barod erioed i drafod cynigion gyda'r cwmni, ond mae'r cwmni yn awr, yn anffodus, wedi gwneud y cyhoeddiad hwn.

Datganiad a Chyhoeddiad Busnes Business Statement and Announcement

The Minister for Business and Budget (Jane Hutt): The only change to this week's planned Government business is that, tomorrow, Leighton Andrews, the Minister for Children, Education and Lifelong Learning, will be making a statement on student numbers in higher education in Wales. However, business for the next three weeks is as set out in the business statement announcement, which can be found among the agenda papers that are available to Members electronically.

Y Gweinidog dros Fusnes a'r Gyllideb (Jane Hutt): Yr unig newid i'r busnes sydd wedi'i gynllunio gan y Llywodraeth yr wythnos hon yw y bydd Leighton Andrews, y Gweinidog dros Blant, Addysg a Dysgu Gydol Oes yn gwneud datganiad yfory am nifer y myfyrwyr mewn addysg uwch yng Nghymru. Fodd bynnag, bydd y busnes ar gyfer y tair wythnos nesaf fel y'i gwelir yng nghyhoeddiad y datganiad busnes. Mae hwnnw i'w weld ymhlith papurau'r agenda sydd ar gael ar ffurf electronig i'r Aelodau.

The Deputy Presiding Officer: I have 16 people wishing to speak on this statement. I would appreciate it if you could keep your questions short, and I will get through as many as I can in the time allocated.

Y Dirprwy Lywydd: Mae gennyf 16 o bobl sy'n dymuno siarad am y datganiad hwn. Byddwn yn gwerthfawrogi petaech yn gallu cadw'ch cwestiynau'n fyr, ac ymdriniaf â chynifer ag sy'n bosibl yn yr amser a neilltuwyd.

Lynne Neagle: Minister for business, the consequences of the E. coli outbreak in 2005 underlined in the most terrible and tragic way just how important food hygiene standards are in ensuring that the food that our children and families consume is safe to eat. Everyone would agree, I hope, that the Food Standards Agency has a pivotal role to play, both in implementing the recommendations of the

Lynne Neagle: Weinidog dros fusnes, dangosodd canlyniadau achosion E. coli 2005 yn y ffordd fwyaf ofnadwy a thrasig pa mor bwysig yw safonau hylendid bwyd er mwyn sicrhau bod y bwyd y mae ein plant a'n teuluoedd yn ei fwyta'n ddiogel. Byddai pawb yn cytuno, yr wyf yn gobeithio, fod gan yr Asiantaeth Safonau Bwyd rôl allweddol i'w chwarae, o ran rhoi argymhellion

Pennington inquiry and in protecting public health in Wales more generally. I was absolutely horrified to hear of the coalition Government's proposals floated in the media to abolish the Food Standards Agency—

The Deputy Presiding Officer: Order. Could we have a question, please?

Lynne Neagle: Minister, although we are told that a decision will not be made before the outcome of a review in September, this was clearly a result of briefing. Given that its abolition would have clear and serious consequences for food standards in Wales, could we have a statement outlining what consultation has taken place, if any, with the Welsh Assembly Government on this matter, and could we have a debate prior to any decision to abolish the Food Standard Agency?

Jane Hutt: I understand that the UK coalition Government has made it clear that no decision has been taken about the Food Standards Agency, but it has been said, as we all know, that arm's-length bodies like it are under review. We expect to be consulted on that, and we are considering the potential implications for Wales, particularly in implementing the recommendations of the Pennington inquiry.

Jonathan Morgan: On Saturday, I attended a fête in Whitchurch, in my constituency, where a young boy had quite a nasty accident. The police could not get an ambulance to attend because, according to the control room, not one was available in the capital city at 3 p.m. on a Saturday. Thankfully, the Cardiff and Vale Rescue Association was there to take the young boy to hospital. The ambulance service has had a series of chief executives and a series of critical reports on its progress. Will the Minister ask the Minister for Health and Social Services whether a statement can be made in Plenary outlining what needs to be achieved to ensure that our ambulance service is leading the rest of the UK instead of desperately trying to follow it?

ymchwiliad Pennington ar waith ac, yn fwy cyffredinol, o ran gwarchod iechyd y cyhoedd yng Nghymru. Yr oeddwn yn arswydo o glywed y sion yn y cyfryngau am gynlluniau'r Llywodraeth Glymblaid i gael gwared ar yr Asiantaeth Safonau Bwyd—

Y Dirprwy Lywydd: Trefn. A allem gael cwestiwn, os gwelwch yn dda?

Lynne Neagle: Weinidog, er inni glywed na phenderfynir ynglŷn â hyn cyn cael canlyniad adolygiad ym mis Medi, yr oedd rhywun, mae'n amlwg, wedi'i friffio ynglŷn â hyn. Ac ystyried y byddai cael gwared ar yr Asiantaeth yn arwain at ganlyniadau amlwg a difrifol o ran safonau bwyd yng Nghymru, a gaem ddatganiad yn dweud pa ymgynghori sydd wedi bod, os o gwbl, â Llywodraeth y Cynulliad ynglŷn â hyn, ac a gaem ddadl cyn i unrhyw benderfyniad gael ei wneud i gael gwared ar yr Asiantaeth Safonau Bwyd?

Jane Hutt: Yr wyf yn deall i Lywodraeth glymblaid y Deyrnas Unedig ei gwneud yn glir nad oes yr un penderfyniad wedi'i wneud ynglŷn â'r Asiantaeth Safonau Bwyd, ond dywedwyd, fel y gwyddom oll, fod cyrff hyd-braich tebyg i'r Asiantaeth yn destun adolygiad. Disgwyliwn iddynt ymgynghori â ni ynglŷn â hynny, ac yr ydym yn ystyried y goblygiadau posibl i Gymru, yn enwedig o ran rhoi argymhellion ymchwiliad Pennington ar waith.

Jonathan Morgan: Ddydd Sadwrn, bwm mewn garddwest yn yr Eglwys Newydd, yn fy etholaeth, lle cafodd bachgen ifanc ddamwain eithaf cas. Nid oedd yr heddlu'n gallu cael ambiwlans i ddod yno, oherwydd, yn ôl yr ystafell reoli, nid oedd neb ar gael yn y brifddinas am 3 o'r gloch ar ddydd Sadwrn. Diolch byth, yr oedd Cymdeithas Achub Caerdydd a'r Fro yno i gludo'r bachgen ifanc i'r ysbyty. Mae'r gwasanaeth ambiwlans wedi cael cyfres o brifweithredwyr a chyfres o adroddiadau beirmiadol ynglŷn â'i gynnydd. A wnaiff y Gweinidog ofyn i'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol a oes modd cael datganiad mewn Cyfarfod Llawn yn egluro'r hyn y mae angen ei wneud er mwyn sicrhau bod ein gwasanaeth ambiwlans yn arwain gweddill y Deyrnas Unedig yn hytrach na cheisio llusgo'n ar ei ôl?

Jane Hutt: You know, Jonathan, that the most recent statistics from the ambulance service showed an improvement in delivery. It is unfortunate that that young person experienced that delay, but I know that the Minister continues to expect improvements in delivery.

Leanne Wood: I am given to understand that the Department for Environment, Food and Rural Affairs is planning to abolish the Sustainable Development Commission in England. I understand that the SDC in Wales works under different funding arrangements, but I am not sure whether DEFRA's decision has implications for Wales. I would be grateful if we could receive a written statement from the Minister for Environment, Sustainability and Housing about the implications of the abolition of the SDC in Wales.

I would also be grateful if we could receive a statement on plans to reorganise the duty system by the fire service in south Wales. The Fire Brigades Union is concerned that the new system will mean that front-line staff will have to work at least double the number of hours that they currently work, and it is concerned that the plan will result in around 50 job losses. I would be grateful for a statement on this proposal, specifically outlining what discussions have taken place between the relevant trade unions and the Government.

Finally, Minister, I asked you last week to consider making representations to the relevant Ministers at Westminster regarding the planned changes to the civil service compensation scheme. The new plans go much further than those put forward by the previous UK Government, which were rejected by the courts. Minister, this is a blatant attempt to cut public service jobs on the cheap. Do you agree with that statement, and will you agree to make representations?

Jane Hutt: The Sustainable Development Commission has played an important part in our plans and the policy determination adopted in the 'One Wales' programme for

Jane Hutt: Gwyddoch, Jonathan, fod yr ystadegau diweddaraf gan y gwasanaeth ambiwlans yn dangos bod y gwasanaeth wedi gwella. Mae'n anffodus bod y bachgen ifanc hwnnw wedi gorfod aros fel hynny, ond gwn fod y Gweinidog yn dal i ddisgwyl i'r gwasanaeth wella.

Leanne Wood: Caf ar ddeall fod Adran yr Amgylchedd, Bwyd a Materion Gwledig yn bwriadu cael gwared ar y Comisiwn Datblygu Cynaliadwy yn Lloegr. Yr wyf yn deall bod y Comisiwn yng Nghymru yn gweithio o dan drefniadau ariannu gwahanol, ond nid wyf yn siŵr a oes goblygiadau i Gymru yn sgil penderfyniad DEFRA. Byddwn yn ddiolchgar pe gallem gael datganiad ysgrifenedig gan y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai ynglŷn â'r goblygiadau i Gymru yn sgil dileu'r Comisiwn Datblygu Cynaliadwy.

Byddwn yn ddiolchgar hefyd pe gallem gael datganiad am gynlluniau i ad-drefnu system ddyletswydd y gwasanaeth tân yn y de. Mae Undeb y Brigadau Tân yn poeni y bydd y drefn newydd yn golygu y bydd yn rhaid i staff y rheng flaen weithio o leiaf ddwywaith gynifer o oriau ag y maent yn eu gweithio ar hyn o bryd, ac mae'n poeni y bydd y cynllun yn golygu colli oddeutu 50 o swyddi. Byddwn yn ddiolchgar am ddatganiad ynglŷn â'r cynllun hwn, gan sôn yn benodol am ba drafodaethau sydd wedi bod rhwng yr undebau llafur perthnasol a'r Llywodraeth.

Yn olaf, Weinidog, gofynnais ichi yr wythnos diwethaf ystyried cyflwyno sylwadau i'r Gweinidogion perthnasol yn San Steffan ynglŷn â'r newidiadau arfaethedig i gynllun iawndal y gwasanaeth sifil. Mae'r cynlluniau newydd yn mynd ymhellach o lawer na'r rheini a gynigiwyd gan Lywodraeth flaenorol y Deyrnas Unedig, cynlluniau a wrthodwyd gan y llysoedd. Weinidog, ymgais ddigywilydd yw hon i dorri swyddi gwasanaethau cyhoeddus am y nesaf peth i ddim. A gytunwch â'r datganiad hwnnw ac a wnewch gytuno i gyflwyno sylwadau?

Jane Hutt: Mae'r Comisiwn Datblygu Cynaliadwy wedi chwarae rhan bwysig yn ein cynlluniau ac yn y polisi a fabwysiadwyd yn rhaglen 'Cymru'n Un' y dylai'r

government to move to zero carbon levels. We are clearly concerned about this review of arm's-length bodies of this kind, and we will make representations.

I understand that the duty system in the fire service is under consultation, so I am sure that the responses will be fed back to the Minister. The compensation scheme does affect our civil servants in Wales, but also many more serving the UK Government as a whole. Therefore, clearly we must take careful regard of that.

Kirsty Williams: I join Jonathan Morgan in asking for a statement on the ambulance service. Despite your protestations that things are getting better, areas such as Ceredigion and Powys are seeing ambulances responding to emergencies within the target time just over 50 per cent of the time, and despite the protestations of the First Minister that a project and investment in non-emergency patient transport will make a difference, I suspect that they will not.

Could you also make time available in September for a statement on access to the countryside, please? The Government has made some funds available over the past three years to enable local authorities to open up rights of way, and that scheme has been very successful in my constituency. In Powys, we have been able to open up around 60 per cent of the rights of way, when, three years ago, only 30 per cent of them were open. Could you make a request of the Minister for environment to make a statement on that scheme and the possibility of its being extended following the ending of the ring-fenced money this year?

Jane Hutt: On ambulance response times, it is not about protestations, but about statistics, which are given as a result of an assessment of delivery times. It is also important that we recognise the increase in emergency calls. In the April statistics, for example, there were 26,500 emergency calls, which is an increase of 3.2 per cent compared with April 2009. This is about the pressure on a service that has undergone change, which has a new chief executive, and has a Minister for health who is expecting improvements to take place. You

llywodraeth symud at lefelau carbon sero. Mae'n amlwg bod yr adolygiad hwn o gyrff hyd-braich fel hyn yn destun pryder inni, a byddwn yn cyflwyno sylwadau.

Caf ar ddeall fod system ddyletswydd y gwasanaeth tân yn destun ymgynghori, felly yr wyf yn siŵr y byddir yr ymatebion yn ôl i'r Gweinidog. Mae'r cynllun iawndal yn effeithio ar ein gweision sifil yng Nghymru, ond hefyd ar lawer mwy sy'n gwasanaethu Llywodraeth y Deyrnas Unedig drwyddi draw. Felly, mae'n amlwg ei bod yn rhaid inni ystyried hynny'n ofalus.

Kirsty Williams: Ymunaf â Jonathan Morgan i ofyn am ddatganiad ynglŷn â'r gwasanaeth ambiwlans. Er ichi haeru bod pethau'n gwella, mewn ardaloedd megis Ceredigion a Phowys, dim ond ychydig dros 50 y cant o'r ambiwlansiau sy'n ymateb i argyfyngau o fewn yr amser targed, ac er gwaethaf haeru'r Prif Weinidog y bydd y prosiect cludiant i gleifion nad ydynt yn achosion brys a buddsoddi ynddo'n gwneud gwahaniaeth, yr wyf yn amau hynny.

A allech neilltuo amser ym mis Medi hefyd inni gael datganiad ynglŷn â mynediad i gefn gwlad, os gwelwch yn dda? Mae'r Llywodraeth wedi neilltuo rhywfaint o arian dros y tair blynedd diwethaf i alluogi awdurdodau lleoli i agor llwybrau tramwy, ac mae'r cynllun hwnnw wedi bod yn llwyddiannus iawn yn fy etholaeth. Ym Mhowys, yr ydym wedi gallu agor oddeutu 60 y cant o'r llwybrau tramwy. Dair blynedd yn ôl, dim ond 30 y cant ohonynt oedd ar agor. A allech ofyn i'r Gweinidog dros yr amgylchedd roi datganiad am y cynllun hwnnw a'r posibilrwydd o'i ehangu ar ôl i gyfnod neilltuo'r arian ddod i ben eleni?

Jane Hutt: O ran amserau ymateb ambiwlansiau, nid mater o haeru ydyw, ond mater o ystadegau. Canlyniad asesu'r amserau ymateb ydynt. Mae'n bwysig hefyd inni sylweddoli bod nifer y galwadau brys wedi cynyddu. Yn ôl ystadegau mis Ebrill, er enghraifft, cafwyd 26,500 o alwadau brys, sef cynnydd o 3.2 y cant o'i gymharu ag ym mis Ebrill 2009. Mae a wnelo hyn â'r pwysau sydd ar wasanaeth sydd wedi wynebu newid. Mae ganddo brif weithredwr newydd, a Gweinidog dros iechyd sy'n disgwyl gweld

will hear more about the non-emergency patient transport system in due course.

On access to rural Wales under development plans, that is a matter for the Minister for Rural Affairs, who is taking it very seriously.

Rhodri Morgan: Will the Minister for Business and Budget find time for a statement or debate on the announcement sneaked out in last Saturday's *The Daily Telegraph* that the census for England and Wales is to be abandoned once the 2011 census is over and done with? Can the Minister confirm whether there was any consultation with Ministers in Wales about that announcement, given that there is a huge amount of joint working between our statisticians and those in the Office for National Statistics?

2.40 p.m.

Can she also comment on whether one possible reason why the Government in London seems to be so anxious to scrap the census is that, when it comes along every 10 years, it gives us a good idea of how many citizens in this country are aged over 18? That figure is relevant at the moment given the ruthless determination of the Government in London to go ahead with reorganising parliamentary boundaries based on the faulty electoral register, which underrecords the number of citizens who are over 18 and who are, in theory, able to vote by some 3.5 million people, compared with the situation before the poll tax. Therefore, the corrective device of the census will no longer be available to tell us that the parliamentary boundary reorganisation was a supreme act of gerrymandering. [*Interruption.*]

Jane Hutt: You point to the dangers of doing that and of—in response to the calls from the other side of the Chamber—the suspicions that will arise if you read *The Daily Telegraph* press story that Francis Maude is intending to review, if not abolish, the census. I want to make it clear that we were not aware of Francis Maude's intention to make such an announcement. With reference to the opposition Members in the Welsh

pethau'n gwella. Cewch glywed rhagor maes o law am y system cludo cleifion nad ydynt yn achosion brys.

O ran mynediad i gefn gwlad Cymru o dan gynlluniau datblygu, mater i'r Gweinidog dros Faterion Gwledig yw hynny ac mae'n ei ystyried o ddifrif.

Rhodri Morgan: A wnaiff y Gweinidog dros Fusnes a'r Gyllideb ddod o hyd i amser inni gael datganiad neu ddadl ynglŷn â'r cyhoeddiad a lithrodd i'r fei yn *The Daily Telegraph* ddydd Sadwrn diwethaf, sef y rhoddir y gorau i gynnal y cyfrifiad yng Nghymru a Lloegr pan fydd cyfrifiad 2011 ar ben? A all y Gweinidog gadarnhau a fu unrhyw ymgynghori â Gweinidogion yng Nghymru ynglŷn â'r cyhoeddiad hwnnw, a chofio bod llawer iawn o gydweithio rhwng ein hystadegwyr ni ac ystadegwyr y Swyddfa Ystadegau Gwladol?

A all ddweud hefyd ai un rheswm posibl pam mae'r Llywodraeth yn Llundain mor awyddus i roi'r gorau i'r cyfrifiad yw ei fod yn rhoi syniad da inni faint o ddinasyddion yn y wlad hon sydd dros 18 oed, pan gaiff ei gynnal bob 10 mlynedd. Mae'r ffigur hwnnw'n berthnasol ar hyn o bryd a chofio bod y Llywodraeth yn Llundain yn ddiwyro o benderfynol o fwrw ymlaen i ad-drefnu ffiniau seneddol ar sail y gofrestr etholiadol wallus. Mae honno'n tangofnodi o ryw 3.5 miliwn o bobl, nifer y dinasyddion sy'n 18 oed ac yn hŷn, ac sydd, mewn theori, yn gallu pleidleisio, o'i gymharu â'r sefyllfa cyn treth y pen. Felly, ni fydd dyfais gywiro'r cyfrifiad ar gael inni ragor i ddweud wrthym mai cyffindwylo o'r mwyaf oedd ad-drefnu'r ffiniau seneddol. [*Torri ar draws.*]

Jane Hutt: Yr ydych yn tynnu sylw at beryglon gwneud hynny a—gan ymateb i'r galwadau o'r ochr arall i'r Siambr—at yr amheuan a fydd yn codi os darllenwch y stori yn y wasg, yn *The Daily Telegraph*, fod Francis Maude yn bwriadu adolygu'r cyfrifiad, os nad cael gwared ag ef. Yr wyf am ei gwneud yn glir nad oeddem yn gwybod ei bod yn fwriad gan Francis Maude wneud cyhoeddiad o'r fath. Gan gyfeirio at

Conservatives, I say that, as part of the respect agenda, one would have expected to get some warning of that announcement, but we had none.

I take this moment to remind Members of how important the census is to us at a national and local level. It is used for resource allocation, policy and service development and monitoring. Only a census can provide information about the whole population and about individual sub-groups. It is used in relation to the revenue support grant: £1.8 billion of the £4.1 billion that is available to councils is allocated as a direct result of the information in the census. *[Interruption.]* Yes, well, if it is only a press story, David, I know that you will defend the census. We have been fully consulted on the Beyond 2011 programme on the census, which we are taking forward. The suspicions will remain, Rhodri, until the reason for the creeping out of this announcement is put to rest.

Andrew R.T. Davies: I seek two statements from you, Minister. I have an interest, which I hope is mutual, in the Bosch factory site. When the discussions on the closure of the site were held between the factory owners and the Welsh Assembly Government, it was said that a local partnership would be established to determine the long-term use of the site for the future. Now that the negotiations, redundancies and all the other statutory functions are to be undertaken before such a partnership can be established, is it still the case that the Welsh Assembly Government, along with the company, will pursue the avenue of establishing a local consultation forum, so that local residents can have confidence about the future use of the site, whatever that may be? I have been approached recently with a question about how such a substantial site will be used in the long term.

Secondly, I have raised on numerous occasions the issue of the McKinsey and Company report, which the Government commissioned. I have elicited some answers from the Minister for health, and one written answer says that the costs will be shared by

Aelodau'r wrthblaid yn y Ceidwadwyr Cymreig, dywedaf, fel rhan o'r agenda parch, y byddai rhywun wedi disgwyl cael rhywfaint o rybudd ynglŷn â'r cyhoeddiad hwnnw, ond ni chawsom rybudd o'r fath.

Achubaf ar y cyfle hwn i atgoffa'r Aelodau pa mor bwysig yw'r cyfrifiad inni ar lefel genedlaethol ac ar lefel leol. Fe'i defnyddir i ddyrannu adnoddau, i lunio polisiau, i ddatblygu gwasanaethau ac i'w monitro. Dim ond cyfrifiad sy'n gallu darparu gwybodaeth am y boblogaeth drwyddi draw ac am is-grwpiau unigol. Fe'i defnyddir yng nghyswllt y grant cynnal refeniw; dyrennir £1.8 biliwn o'r £4.1 biliwn sydd ar gael i gynghorau o ganlyniad uniongyrchol i'r wybodaeth yn y cyfrifiad. *[Torri ar draws.]* Ie, wel os mai dim ond stori yn y wasg yw hi, David, gwn y gwnewch amddiffyn y cyfrifiad. Ymgynghorwyd yn llawn â ni ynglŷn â rhaglen Tu Hwnt i 2011 y cyfrifiad ac yr ydym yn bwrw ymlaen â hynny. Bydd yr amheuon yn parhau, Rhodri, nes tawelir meddyliau pobl ynglŷn â'r rheswm dros adael i'r cyhoeddiad hwn lithro i'r wasg.

Andrew R.T. Davies: Ceisiaf ddau ddatganiad gennych, Weinidog. Mae gennyf ddi-ddordeb yn safle ffatri Bosch, ac yr wyf yn gobeithio bod gennych chithau hefyd. Pan gynhaliwyd y trafodaethau ynglŷn â chau'r safle rhwng perchnogion y ffatri a Llywodraeth y Cynulliad, dywedwyd y sefydlid partneriaeth leol i benderfynu sut y defnyddid y safle yn y tymor hir yn y dyfodol. Erbyn hyn, mae'r trafodaethau, y diswyddiadau a'r holl swyddogaethau statudol eraill i'w cynnal cyn y gellir sefydlu partneriaeth o'r fath, ond a fydd Llywodraeth y Cynulliad, ochr yn ochr â'r cwmni, yn dal i fynd ar drywydd sefydlu fforwm ymgynghori lleol, er mwyn i drigolion lleol allu teimlo'n ffyddiog ynglŷn â sut y defnyddir y safle hwnnw yn y dyfodol, beth bynnag fydd hynny? Mae rhywun wedi fy holi'n ddiweddar sut y defnyddir safle mor sylweddol yn y tymor hir.

Yn ail, yr wyf wedi codi mater adroddiad McKinsey a'i Gwmni sawl tro, adroddiad a gomisiynwyd gan y Llywodraeth. Yr wyf wedi llwyddo i gael ambell ateb gan y Gweinidog dros iechyd, a dywed un ateb ysgrifenedig y bydd Llywodraeth y Cynulliad

the Assembly Government and the local health board. However, I subsequently submitted a request under the Freedom of Information Act 2000 to the health boards, and they have come back to me to say that no costs have been incurred, certainly not by the Cwm Taf Health Board. As it was a substantial piece of work, could we please have a statement from the Minister for health about who exactly did pay the substantial bills? Could we also have a time frame for when the Minister will come forward with the statement that she said she would bring to Plenary the last time questions were put to her in the Chamber, but which still has not materialised?

Jane Hutt: Your first question is important and relevant, and the Deputy First Minister will be meeting the Vale of Glamorgan Council in due course with his officials, who are working with Bosch to try to secure a future for the site as well as a legacy. Lesley Griffiths and I have had meetings with the works council to ensure that it can access appropriate support as the reduction in employment commences on site. Unfortunately, some members of staff are leaving the company at the end of this month. An important point is the future opportunities for the site and prospects for the Bosch employees. You obviously have nothing better to do with your time, Andrew, than to start poking around. You have asked your questions about McKinsey. You have plenty of opportunities to ask these questions when Mrs Hart is in the Chamber yet you cannot focus on the most important issue, namely improving the health and healthcare of this nation.

Helen Mary Jones: On the question asked by Lynne Neagle, I fully understand that no formal announcement has yet been made on the fate of the Food Standards Agency, but given some of what has been said by the Secretary of State for Health about not wanting to annoy business in this regard, it seems likely that an abolition will proceed. That, as Lynne Neagle said, has grave implications for us. Would it be possible for you to ask for a written statement from the Minister for Health and Social Services setting out how she will respond and make

a'r bwrdd iechyd lleol yn rhannu'r costau. Fodd bynnag, cyflwynais gais i'r byrddau iechyd wedyn o dan Ddeddf Rhyddid Gwybodaeth 2000 ac maent wedi dod yn ôl ataf gan ddweud nad oes dim costau wedi dod i'w rhan, yn sicr nad yw Bwrdd Iechyd Cwm Taf wedi talu dim. Gan fod hwn yn ddarn o waith sylweddol, a allem gael datganiad gan y Gweinidog dros iechyd os gwelwch yn dda ynglŷn â phwy yn union a dalodd y biliau sylweddol? A allem gael amserlen hefyd ar gyfer pa bryd y daw'r Gweinidog ger ein bron â'r datganiad y dywedodd y byddai'n ei roi i'r Cyfarfod Llawn y tro diwethaf y gofynnwyd cwestiynau iddi yn y Siambr, ond nad ydym wedi'i gael eto?

Jane Hutt: Mae eich cwestiwn cyntaf yn bwysig ac yn berthnasol, a bydd y Dirprwy Brif Weinidog a'i swyddogion yn cyfarfod â Chyngor Bro Morgannwg maes o law. Maent yn cydweithio â Bosch i geisio sicrhau dyfodol a gwaddol i'r safle. Mae Lesley Griffiths a minnau wedi cyfarfod â chyngor y gwaith er mwyn sicrhau ei fod yn gallu manteisio ar gymorth priodol wrth i'r swyddi ddechrau diflannu ar y safle. Yn anffodus, bydd rhai aelodau o'r staff yn ymadael â'r cwmni ddiwedd y mis. Mae'r cyfleoedd i ddefnyddio'r safle yn y dyfodol a'r rhagolygon ar gyfer gweithwyr Bosch yn bwynt pwysig. Mae'n amlwg nad oes gennych ffordd well o dreulio'ch amser, Andrew, na rhoi'ch bys yn y brywes. Yr ydych wedi gofyn eich cwestiynau am McKinsey. Mae digon o gyfleoedd ichi ofyn y cwestiynau hyn pan fydd Mrs Hart yn y Siambr. Eto i gyd, ni allwch ganolbwyntio ar y mater pwysicaf un, sef gwella iechyd a gofal iechyd y genedl hon.

Helen Mary Jones: O ran y cwestiwn a ofynnodd Lynne Neagle, yr wyf yn deall yn llwyr nad oes cyhoeddiad ffurfiol wedi bod ynglŷn â dyfodol yr Asiantaeth Safonau Bwyd eto, ond ac ystyried bod yr Ysgrifennydd Gwladol dros Iechyd wedi dweud ei fod yn gyndyn o godi gwrychyn byd busnes yn y cyswllt hwn, mae'n edrych yn debygol y bydd yn bwrw ymlaen i gael gwared ar yr Asiantaeth. Mae goblygiadau difrifol i ni yn sgil hynny, fel y dywedodd Lynne Neagle. A fyddai modd ichi ofyn am ddatganiad ysgrifenedig gan y Gweinidog

representations in this regard, giving consideration as to whether or not this would be an opportunity to ask for all of those functions to be clearly devolved, with the possibility of either retaining a discrete Food Standards Agency for Wales or establishing a discrete unit in our public health service? It is vital that the work of the Food Standards Agency is not lost; it would certainly be of detriment to the people of Wales if that work ended up in two UK Government departments over which we had no scrutiny power whatsoever.

Jane Hutt: It is helpful that Members have raised their concerns today publicly and politically on the future of the Food Standards Agency, remembering its twin areas of responsibility for food safety and security, which relates to the Pennington report, and ensuring that we have nutritional standards on salt, saturated fats and so on. This issue led Monty Don, in *The Observer* this weekend, to talk about the junk-food Government that might be in charge in Westminster. So, let us restore those messages and I will certainly raise this with the Minister for Health and Social Services.

Peter Black: Could you arrange for a written statement on the plans for the Swansea to Ilfracombe ferry? You will know that the service was due to launch this year, but was cancelled due to the failure to secure a proper pontoon. Now the company has effectively advertised the boats for sale. I would be grateful if we could have a statement by the relevant Minister, outlining what interest and engagement the Welsh Government has had with the company and what work is being done to try to secure this service for next year.

I also repeat Nick Bourne's request for a statement on the court case on the badger cull. You will be aware that the judgment went against the Government on all three counts. It was not only the fact that the Order was badly drawn up and not consulted on properly, but also that the whole scheme was based on a dubious premise. Given that statement and the apparent incompetence of

dros Iechyd a Gwasanaethau Cymdeithasol yn esbonio sut y bydd yn ymateb ac yn cyflwyno sylwadau ynglŷn â hyn, gan ystyried a fyddai hyn yn gyfle inni ofyn am ddatganoli'r holl swyddogaethau hynny'n glir, a'r posibilrwydd y gallem naill ai gadw Asiantaeth Safonau Bwyd ar wahân i Gymru neu sefydlu uned ar wahân yn ein gwasanaeth iechyd cyhoeddus? Mae'n hollbwysig na chollir gwaith yr Asiantaeth Safonau Bwyd; byddai pobl Cymru yn sicr ar eu colled petai'r gwaith hwnnw'n glanio mewn dwy o adrannau Llywodraeth y Deyrnas Unedig nad oedd gennym bŵer i graffu arnynt o gwbl.

Jane Hutt: Mae'n dda bod yr Aelodau wedi codi eu pryderon yn gyhoeddus ac yn wleidyddol heddiw ynglŷn â dyfodol yr Asiantaeth Safonau Bwyd, gan gofio ei bod yn gyfrifol am ddau faes, sef diogelwch a sicrwydd bwyd. Mae cysylltiad rhwng hynny ag adroddiad Pennington ac â sicrhau bod gennym safonau maeth ar gyfer halen, braster dirlawn ac ati. Yn sgil hyn, bu Monty Don yn sôn y penwythnos hwn yn *The Observer* am Lywodraeth y bwyd sothach a allai fod mewn grym yn San Steffan. Felly, gadewch inni adfer y negeseuon hynny, a byddaf yn sicr yn codi hyn gyda'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol.

Peter Black: A allech drefnu inni gael datganiad ysgrifenedig am y cynlluniau ar gyfer y fferi o Abertawe i Ilfracombe? Gwyddoch mai'r bwriad oedd lansio'r gwasanaeth eleni, ond iddo gael ei ganslo oherwydd iddynt fethu â sicrhau pontŵn iawn. Erbyn hyn, mae'r cwmni fwy neu lai wedi rhoi'r cychod ar werth. Byddwn yn ddiolchgar pe gallem gael datganiad gan y Gweinidog perthnasol, yn esbonio sut mae Llywodraeth Cymru wedi bod yn ymwneud ac yn ymgysylltu â'r cwmni a pha waith sy'n cael ei wneud i geisio sicrhau'r gwasanaeth hwn ar gyfer y flwyddyn nesaf.

Ategaf gais Nick Bourne hefyd am ddatganiad ynglŷn â'r achos llys am ddifa moch daear. Gwyddoch i'r dyfarniad fynd yn groes i'r Llywodraeth ar bob un o'r tri chyfrif. Un rheswm oedd bod y Gorchymyn wedi'i lunio'n flêr ac nad oedd yr ymgynghori wedi bod yn ddigon trwyadl, ond ar ben hynny, yr oedd yr holl gynllun wedi'i seilio ar sylfaen amheus. Ac ystyried y

the Government in approaching this, could we have an oral statement as soon as possible by both the Minister for Rural Affairs and the Counsel General so that we can be told what legal advice was being given and question those Ministers on their future approach?

Jane Hutt: The First Minister has dealt fully with your second question.

On the concerns that you raised about the south Wales to north Devon fast ferry, you will be pleased to know that ongoing discussions are taking place between Assembly Government officials and Severn Link and the latest proposal makes use of the promontory at SA1, although other landing options are still being considered.

Jeff Cuthbert: Could we have a statement on the relationship between the Welsh Assembly Government and the Environment Agency Wales, particularly with regard to its enforcement and regulatory powers on waste management? Near the village of Gelligaer in my constituency is an organic waste management company called Bryn Compost Ltd. Unfortunately, the residents of nearby Gelligaer, Pen-y-bryn and Nelson have experienced severe pungent odour pollution over at least the last two years, which has frankly gone on for long enough; a lot of people—the council, the Environment Agency and the NHS—are trying to monitor and control the situation, but their efforts have not worked, so I would be grateful for a statement on the powers that the Environment Agency has in this regard, and how the Welsh Assembly can urge them to exercise those powers. My request is that operations are suspended until measures are in place, to the satisfaction of the Environment Agency, to prevent these powerful odours.

2.50 p.m.

Jane Hutt: I understand that the agency has powers to suspend a permit, but only where there is a risk of serious pollution and it is clear that the facility is the source. The approach taken by the agency has been to work closely with Bryn Compost Ltd to

datganiad hwnnw ac anallu ymddangosiadol y Llywodraeth yn y ffordd yr aeth o'i chwmpas hi, a allem gael datganiad llafar cyn gynted ag sy'n bosibl gan y Gweinidog dros Faterion Gwledig a chan y Cwnsler Cyffredinol er mwyn inni gael gwybod pa gyngor cyfreithiol a roddid a holi'r Gweinidogion hynny ynglŷn â sut y byddant yn mynd o'i chwmpas hi yn y dyfodol.

Jane Hutt: Mae'r Prif Weinidog wedi ymdrin yn llawn â'ch ail gwestiwn.

O ran y pryderon a godwyd gennych am y fferi gyflym o dde Cymru i ogledd Dyfnaint, byddwch yn falch o wybod bod trafodaethau ar y gweill rhwng swyddogion Llywodraeth y Cynulliad a Severn Link a bod y cynllun diweddaraf yn cynnig defnyddio'r pentir yn SA1, er bod dewisiadau eraill yn dal i gael eu hystyried ar gyfer glanfa.

Jeff Cuthbert: A gaem ddatganiad ynglŷn â'r berthynas rhwng Llywodraeth y Cynulliad ac Asiantaeth yr Amgylchedd Cymru, yn enwedig yng nghyswllt ei phwerau gorfodi a rheoleiddio ym maes rheoli gwastraff? Ger pentref Gelligaer yn fy etholaeth, ceir cwmni rheoli gwastraff organig o'r enw Bryn Compost Ltd. Yn anffodus, mae trigolion Gelligaer, Pen-y-bryn a Nelson gerllaw wedi dioddef llygredd aroglau difrifol dros y ddwy flynedd diwethaf a mwy, ac, a bod yn blwmp ac yn blaen, mae hyn wedi mynd ymlaen yn rhy hir; mae llawer o bobl—y cyngor, Asiantaeth yr Amgylchedd a'r GIG—yn ceisio monitro a rheoli'r sefyllfa, ond nid yw eu hymdrechion wedi llwyddo, felly byddwn yn ddiolchgar am ddatganiad ynglŷn â'r pwerau sydd gan Asiantaeth yr Amgylchedd yn y cyswllt hwn, a sut y gall Llywodraeth y Cynulliad bwysu arni i roi'r pwerau hynny ar waith. Yr wyf yn gofyn ar i'r gwaith yno gael ei atal nes bod Asiantaeth yr Amgylchedd yn fodlon bod camau wedi'u cymryd i atal yr arogleuon cryf hyn.

Jane Hutt: Caf ar ddeall fod gan yr asiantaeth bwerau i atal trwydded, ond dim ond os oes perygl llygredd difrifol, a'i bod yn amlwg mai'r cyfleuster dan sylw yw'r ffynhonnell. Mae'r asiantaeth wedi ceisio gweithio'n glos gyda Bryn Compost Ltd er

ensure compliance with the regulations, which is crucial; the company has made a planning application to the local planning authority for a different form of organic waste treatment at the site—an anaerobic digestion plant—which it believes will resolve the odour issue. This is an issue that the agency has to take seriously.

Nick Bourne: First of all, I congratulate the Minister and the former First Minister on their reading habits. [*Laughter.*] There was a time when anything that appeared in *The Daily Telegraph* was automatically doubted by the Labour Party; now, it regards it as holy writ, even though I would not go as far as that. Returning to the cull, it is important that we have scrutiny on this matter in the Chamber; whatever one's stance on this issue, we have been denied the opportunity to discuss this issue, and to put proper questions to the Minister, for more than two months, on an issue that affects the agriculture industry, our constituents and the whole of Wales. I hope that consideration will be given to the importance of having an oral statement on this issue tomorrow, as this would be in everybody's interest.

The second issue that I wish to raise also relates to the Environment Agency, but on a different aspect of its remit, namely water quality on beaches. The beach at Aberporth was closed from 9 July—for a couple of days, admittedly—because of a release of sewerage. I ask the Minister for Environment, Sustainability and Housing to make a written statement about that particular case and about the general issue of water quality, given the importance of our excellent beaches, and our generally more than satisfactory record, to the tourism industry, our constituents and to Wales as a nation.

Jane Hutt: There was a photograph of Francis Maude in *The Daily Telegraph* making a speech about the so-called review of the census, so it is not just hearsay. On a more serious matter, the First Minister confirmed that a written statement would be forthcoming from the Minister for Rural Affairs on the latest developments for the

mwyn sicrhau ei fod yn cydymffurfio â'r rheoliadau. Mae hynny'n hollbwysig. Mae'r cwmni wedi gwneud cais cynllunio i'r awdurdod cynllunio lleol am gael trin gwastraff organig ar y safle mewn ffordd wahanol—gan ddefnyddio offer treulio anaerobig—a fydd, yn ei dyb ef, yn datrys problem yr aroglau. Mae'n fater y mae'n rhaid i'r asiantaeth roi sylw difrifol iddo.

Nick Bourne: Yn gyntaf oll, llongyfarchaf y Gweinidog a'r cyn Brif Weinidog ar eu harferion darllen. [*Chwerthin.*] Ar un adeg byddai'r Blaid Lafur yn amau ar unwaith unrhyw beth a gyhoeddiid yn *The Daily Telegraph*; erbyn hyn, mae'n ei ystyried yn efengyl, er na fyddwn yn mynd cyn belled â'i alw'n hynny. A dychwelyd at y difa, mae'n bwysig inni allu craffu ar hyn yn y Siambr; beth bynnag yw safbwynt rhywun ynglŷn â'r mater hwn, nid ydym wedi cael cyfle i'w drafod, ac i holi'r Gweinidog yn iawn, ers deufis a mwy, am fater sy'n effeithio ar y diwydiant amaethyddiaeth, ar ein hetholwyr ac ar Gymru gyfan. Yr wyf yn gobeithio yr ystyrir pwysigrwydd cael datganiad llafar am hyn yfory, oherwydd byddai hyn er budd pawb.

Mae a wnelo'r ail fater yr wyf am ei godi ag Asiantaeth yr Amgylchedd hefyd, ond â gwahanol agwedd ar ei chylech gwaith, sef ansawdd dŵr ar draethau. Caewyd traeth Aberporth ar 9 Gorffennaf—dim ond am ddiwrnod neu ddau, mae'n wir—oherwydd bod carthion wedi'u gollwng i'r dŵr. Gofynnaf i'r Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai am ddatganiad ysgrifenedig ynglŷn â'r achos penodol hwnnw ac am ansawdd dŵr yn gyffredinol, a chofio pwysigrwydd ein traethau rhagorol, a'n bod yn gwneud yn well na boddhaol yn gyffredinol, i'r diwydiant twristiaeth, i'n hetholwyr ac i genedl y Cymry.

Jane Hutt: Yr oedd llun o Francis Maude yn *The Daily Telegraph* yn areithio ynglŷn â'r adolygiad honedig o'r cyfrifiad, felly nid dim ond achlust yw hyn. A throi at fater mwy difrifol, cadarnhaodd y Prif Weinidog y byddai'r Gweinidog dros Faterion Gwledig yn rhoi datganiad ysgrifenedig am y datblygiadau diweddaraf o ran difa moch

badger cull. We are, of course, reaching the end of this Assembly session, and it is important that the written statement is with you at the appropriate time.

The Deputy Presiding Officer: Jenny Randerson has the next question.

Jenny Randerson: Thank you, Deputy Presiding Officer—*[Interruption.]*

Jane Hutt: I am sorry; I did not respond to Nick's comment on water quality; this is of great concern, particularly as we have had such wonderful weather and tourists are visiting and using our beaches. I will raise the issue of beaches that reach blue flag quality across Wales with the Minister.

Jenny Randerson: Jonathan Morgan and I have raised the issue of the draining of Llanishen reservoir on many occasions; the reservoir immediately abuts my constituency. The story has moved on in recent weeks, because of the release of information from a report by the Environment Agency as a result of a freedom of information request. In the report, the engineer advising the agency says that it is apparent that the statutory measures in relation to the drainage of the reservoir are being addressed in a manner that will create new risks to reservoir safety. This is a matter of great concern in the area, because the reservoir is listed. The Minister has taken a great deal of interest in this, and I ask you to discuss this issue with her, with a view to issuing a written statement on the legal position of the Environment Agency on this reservoir.

Secondly, you may be aware of the report compiled by Scope, called 'Polls Apart 2010'. It was an observation of the measures adopted at polling stations in the recent general election and adaptations for people with disabilities. This is a regular survey, so it is possible to look back at what happened in previous elections. What struck me in this report is that so many simple adaptations were not present. For example, only 60 per cent had a low-level polling booth.

daear. Mae diwedd y sesiwn hon yn y Cynulliad ar ein gwarthaf wrth gwrs, ac mae'n bwysig ichi gael y datganiad ysgrifenedig ar yr adeg briodol.

Y Dirprwy Lywydd: Jenny Randerson biau'r cwestiwn nesaf.

Jenny Randerson: Diolch, Ddirprwy Lywydd—*[Torri ar draws.]*

Jane Hutt: Mae'n ddrwg gennyf; nid ymatebais i sylw Nick am ansawdd dŵr; mae hyn yn destun pryder mawr, yn enwedig gan inni gael tywydd mor fendigedig a bod twristiaid yn ymweld â'n traethau ac yn eu defnyddio. Codaf fater traethau sy'n cyrraedd safon y faner las ledled Cymru gyda'r Gweinidog.

Jenny Randerson: Mae Jonathan Morgan a finnau wedi codi mater draenio cronfa Llanisien sawl tro; mae'r gronfa ddŵr yn ffinio ar fy etholaeth. Mae'r stori wedi datblygu yn yr wythnosau diwethaf, oherwydd i wybodaeth gael ei rhyddhau o adroddiad gan Asiantaeth yr Amgylchedd yn sgil cais dan y ddeddf rhyddid gwybodaeth. Yn yr adroddiad, mae'r peiriannydd sy'n cynghori'r asiantaeth yn dweud ei bod yn ymddangos y bydd camau statudol a gymerwyd yng nghyswllt draenio'r gronfa ddŵr yn digwydd yn y fath fodd nes creu peryglon newydd o ran diogelwch y gronfa. Mae hyn yn destun pryder mawr yn yr ardal oherwydd bod y gronfa wedi'i rhestru. Mae'r Gweinidog wedi dangos cryn ddiddordeb yn hyn, a gofynnaf ichi drafod y mater hwn â hi, gyda golwg ar gyhoeddi datganiad ysgrifenedig ynglŷn â safbwynt cyfreithiol Asiantaeth yr Amgylchedd yng nghyswllt y gronfa ddŵr hon.

Yn ail, efallai y gwyddoch am yr adroddiad a luniwyd gan Scope, o dan y teitl 'Polls Apart 2010'. Seiliwyd yr adroddiad hwn ar arsylwi'r camau a ddilynwyd mewn gorsafodd pleidleisio yn yr etholiad cyffredinol diweddar a'r addasiadau i bobl anabl. Cynhelir yr arolwg hwn yn rheolaidd, felly mae modd edrych yn ôl ar yr hyn a ddigwyddodd mewn etholiadau blaenorol. Yr hyn a'm trawodd yn yr adroddiad hwn yw bod cynifer o addasiadau syml heb eu gwneud. Er enghraifft, dim ond mewn 60 y

cant yr oedd bwth pleidleisio isel.

The Deputy Presiding Officer: Order. Can we come to the question?

Y Dirprwy Lywydd: Trefn. A fedrwch ofyn cwestiwn?

Jenny Randerson: Minister, will you draw this matter to the attention of the relevant Minister and ask that we have a written statement on how we might improve the situation here in Wales?

Jenny Randerson: Weinidog, a wnewch dynnu sylw'r Gweinidog perthnasol at hyn a gofyn am ddatganiad ysgrifenedig ynglŷn â sut y gallem wella'r sefyllfa yma yng Nghymru?

Jane Hutt: I know that you are aware that the Minister for Environment, Sustainability and Housing has been kept well apprised of issues with regard to Llanishen reservoir, particularly by the former MP, Julie Morgan. I understand that the Parliamentary Under Secretary of State for Wales is to present proposals to the UK Government for changes to tackle disputes that may arise about reservoir safety. We look forward to hearing the details of that. There is, of course, a live appeal in respect of Llanishen reservoir, so I feel that it would be inappropriate to make any more comments on this matter.

Jane Hutt: Gwn eich bod yn gwybod bod y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai wedi bod yn cael ei hysbysu'n rheolaidd am y problemau sy'n gysylltiedig â chronfa Llanisien, yn enwedig gan y cyn AS, Julie Morgan. Caf ar ddeall fod Is-Ysgrifennydd Gwladol Cymru'n bwriadu cyflwyno cynigion i Lywodraeth y Deyrnas Unedig i fynd i'r afael ag anghydfodau a all godi ynglŷn â diogelwch cronfeydd. Edrychwn ymlaen at glywed manylion hynny. Wrth gwrs, mae apêl ar waith yng nghyswllt cronfa Llanisien, felly teimlaf na fyddai'n briodol imi ddweud rhagor am y mater hwn.

With regard to the Scope report, it is a matter for the Minister for Social Justice and Local Government. We will want to study the report and, I am sure, take action in terms of the responsibilities of returning officers and the local authorities.

O ran adroddiad Scope, mater i'r Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol yw hwn. Byddwn am astudio'r adroddiad a byddwn yn gweithredu, yr wyf yn siŵr i sicrhau bod swyddogion canlyniadau a'r awdurdodau lleol yn ysgwyddo'u cyfrifoldebau.

Mick Bates: Will the Minister for business make representations to the Deputy First Minister to request a statement on the development of the Newtown bypass in my constituency? I request a written statement because my correspondence with the Deputy First Minister, who is responsible for the development of the Newtown bypass, is characterised by delays. My requests for more details on the dates and the timetable for this bypass have been ignored. The current situation in Newtown is becoming critical because of congestion, mainly due to the development of a large Tesco store and the installation of new traffic lights. We now have lorries going through residential areas, which is of considerable concern to a great many of the residents. There is also an economic impact, with a loss of business, as many people no longer come to Newtown to

Mick Bates: A wnaiff y Gweinidog dros fusnes gyflwyno sylwadau i'r Dirprwy Brif Weinidog i ofyn am ddatganiad ynglŷn â datblygu ffordd osgoi'r Drenewydd yn fy etholaeth? Gofynnaf am ddatganiad ysgrifenedig oherwydd bod y broses gohebu â'r Dirprwy Brif Weinidog sy'n gyfrifol am ddatblygu ffordd osgoi'r Drenewydd yn broses mor araf. Anwybyddwyd fy ngheisiadau am fwy o fanylion ynglŷn â'r dyddiadau a'r amserlen ar gyfer y ffordd osgoi hon. Mae'r sefyllfa bresennol yn y Drenewydd yn prysur droi'n argyfwng oherwydd y tagfeydd, a hynny'n bennaf oherwydd datblygu siop fawr Tesco a gosod goleuadau traffig newydd. Mae gennym lorïau yn awr yn teithio drwy ardaloedd preswyl, sy'n destun pryder mawr i lawer iawn o'r trigolion. Mae hyn yn cael effaith ar yr economi hefyd, a phobl yn colli busnes am

do business because of the incredible congestion experienced.

I would also reinforce other Members' requests for an oral statement on the Court of Appeal's ruling on TB tomorrow, if possible.

Jane Hutt: I think that we could all request statements on roads in our constituencies, and that would completely take up the business of the Assembly. Clearly, you have raised this matter with the right people to address what I am sure will be a short-term problem that will be overcome. You have raised the matter in the Chamber today, as is your right.

I have no further point to make about the written statement to be expected from the Minister for Rural Affairs.

Mark Isherwood: I ask for a single statement on personal asthma action plans. As you may be aware, there was an awareness event hosted by Dai Lloyd in the Senedd at lunchtime highlighting the importance and benefits of personal asthma action plans and encouraging their greater uptake by people with asthma. You will be aware that the Welsh Assembly Government's directives for chronic respiratory conditions in 2007 provided a framework for self-management of conditions such as asthma. Under this framework, individuals have the right to have a personal asthma action plan from their local health board.

Research shows that using a written personal asthma action plan is one of the most effective ways of controlling asthma, and people who do not have a written plan are four times more likely to have an asthma attack that requires emergency hospital treatment. It is regrettable and worrying that only 29 per cent of people with asthma in Wales have such a plan. We call for a statement indicating the Welsh Government's appreciation of the issue and detailing its proposals to promote and ensure the take-up of personal asthma action plans in order to deliver not only a more preventative approach to managing the condition, but also

fod llawer o bobl yn osgoi dod i'r Drenewydd bellach oherwydd y tagfeydd anhygoel.

Byddwn innau hefyd yn ategu ceisiadau Aelodau eraill am ddatganiad llafar yfory ynglŷn â dyfarniad y Llys Apêl am TB, os oes modd.

Jane Hutt: Credaf y gallem i gyd ofyn am ddatganiadau ynglŷn â ffyrdd yn ein hetholaethau, a byddai hynny'n llenwi'r holl amser sydd ar gael ar gyfer busnes y Cynulliad. Mae'n amlwg eich bod wedi codi'r mater hwn gyda'r bobl iawn er mwyn datrys problem a fydd, yr wyf yn siŵr, yn broblem am gyfnod byr ac yn un a gaiff ei datrys. Yr ydych wedi codi'r mater yn y Siambr heddiw, a dyna'ch hawl.

Nid oes gennyf ragor i'w ddweud am y datganiad ysgrifenedig a ddisgwylir gan y Gweinidog dros Faterion Gwledig.

Mark Isherwood: Gofynnaf am un datganiad ynglŷn â chynlluniau gweithredu asthma personol. Fel y gwyddoch efallai, cynhaliodd Dai Lloyd ddiwyddiad codi ymwybyddiaeth yn y Senedd amser cinio'n tynnu sylw at bwysigrwydd a manteision cynlluniau gweithredu asthma personol ac yn annog pobl ac asthma arnynt i fanteisio mwy ar gynlluniau o'r fath. Gwyddoch i gyfarwyddbau Llywodraeth y Cynulliad sy'n ymwneud â chyflyrau resbiradol cronig yn 2007 gynnig fframwaith ar gyfer hunanreoli cyflyrau megis asthma. O dan y fframwaith hwn, bydd gan unigolion yr hawl i gael cynllun gweithredu asthma personol gan eu bwrdd iechyd lleol.

Dengys gwaith ymchwil mai defnyddio cynllun gweithredu asthma personol yw un o'r ffyrdd mwyaf effeithiol o reoli asthma, a bod pobl nad oes ganddynt gynllun ysgrifenedig bedair gwaith yn fwy tebygol o gael trawiad asthma sy'n gofyn am gael triniaeth frys yn yr ysbyty. Mae'n resyn ac yn ofid mai dim ond gan 29 y cant o bobl ac arnynt asthma yng Nghymru y mae cynllun o'r fath. Galwn am ddatganiad yn dangos bod Llywodraeth Cymru'n ymwybodol o'r sefyllfa ac yn sôn am ei chynigion i hyrwyddo cynlluniau gweithredu asthma personol a sicrhau bod pobl yn manteisio arnynt nid dim ond er mwyn rheoli'r cyflwr

to provide further financial savings in the acute sector.

Jane Hutt: It is important that meetings, lobbies and groups of the kind that you supported today are brought to the attention of Ministers in terms of their findings. The framework for asthma action plans is the Welsh Assembly Government's response, and it is being taken forward and implemented across the health service in Wales.

3.00 p.m.

Mohammad Asghar: Minister, I wish to request a statement or an update from the Minister for Social Justice and Local Government concerning the Welsh public sector's efficiency in paying bills to private companies, in particular small and medium-sized enterprises, during these difficult economic times. At the Welsh economic summit in November 2008, there was an agreement that local government and the Welsh Government would aim to increase the proportion of payments made within 10 days, but that is not happening. One of my constituents is suffering because of this, and his business may collapse. Therefore, I would appreciate a statement on how the Welsh Assembly Government is collaborating with local authorities to encourage and promote good practice across the whole Welsh public sector.

Jane Hutt: It is important that we hear of examples where there are unacceptable delays, because this is at the forefront of our efficiency and innovation programme, and I am sure that you will draw those to our attention.

Eleanor Burnham: I wish to have clarification in a statement or debate on the Welsh Government's strategy for major events, particularly in relation to concerns that have been raised since the Government's announcement last week of £200,000 over three years for a particular festival in Arfon, north-west Wales, while only the week before the Arts Council of Wales had meticulously, over many months, gone through its funding and had come to the conclusion, quite rightly, that there would be

drwy ddulliau mwy ataliol, ond hefyd er mwyn arbed rhagor o arian yn y sector aciwt.

Jane Hutt: Mae'n bwysig tynnu sylw Gweinidogion at ganfyddiadau cyfarfodydd, lobïau a grwpiau o'r math a gefnogwyd gennych heddiw. Ymateb Llywodraeth y Cynulliad yw'r fframwaith ar gyfer cynlluniau gweithredu asthma, a bwrir ymlaen â'r fframwaith hwnnw a'i roi ar waith drwy'r gwasanaeth iechyd yng Nghymru.

Mohammad Asghar: Weinidog, yr wyf am wneud cais am ddatganiad neu ddiweddariad gan y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol ynglŷn â pha mor effeithlon yw sector cyhoeddus Cymru wrth dalu biliau i gwmnïau preifat, yn enwedig i fusnesau bach a chanolig yn yr oes economaidd anodd hon. Yn uwchgyhadledd economaidd Cymru ym mis Tachwedd 2008, cytunwyd y byddai llywodraeth leol a Llywodraeth Cymru'n ceisio cynyddu cyfran y taliadau a wneid o fewn 10 niwrnod, ond nid yw hynny'n digwydd. Mae un o'm hetholwyr yn dioddef oherwydd hyn, ac efallai y bydd yr hwch yn mynd drwy'r siop. Felly, byddwn yn gwerthfawrogi datganiad ynglŷn â sut mae Llywodraeth y Cynulliad yn cydweithredu ag awdurdodau lleol i annog a hyrwyddo arferion da ar hyd ac ar led sector cyhoeddus Cymru.

Jane Hutt: Mae'n bwysig inni glywed enghreifftiau o oedi annerbyniol, oherwydd dyma un o brif elfennau'r rhaglen effeithlonrwydd ac arloesi. Yr wyf yn siŵr y tynnwch ein sylw at yr enghreifftiau hynny.

Eleanor Burnham: Hoffwn gael eglurhad mewn datganiad neu ddadl ynglŷn â strategaeth Llywodraeth Cymru ar gyfer digwyddiadau mawr, yn enwedig yn sgil y pryderon sydd wedi codi ers i'r Llywodraeth gyhoeddi yr wythnos diwethaf y rhoddir £200,000 dros dair blynedd i ŵyl arbennig yn Arfon, yn y gogledd-orllewin. Brin wythnos cyn hynny, yr oedd Cyngor Celfyddydau Cymru, ers misoedd lawer, wedi bod ystyried ei drefniadau ariannu'n fanwl iawn ac wedi casglu, ac iawn hynny, y byddai rhai ar eu

some gains and some losses. Two of the losses were Llangollen International Eisteddfod and the Hay festival, which I would contend are major events. Can we have clarification of the definition of major events, as there is a slight discrepancy there, which many people have brought to my attention?

Jane Hutt: The investment review was conducted by Arts Council of Wales to achieve a portfolio of revenue-funded arts organisations that is viable financially and artistically in terms of the foundation base of our arts. The Faenol festival is not funded by the Arts Council of Wales, and it qualifies for funding under the major events programme. The important point to make with regard to festivals is that the Arts Council of Wales intends that festivals will be eligible to apply for lottery funding. The Assembly Government has given a £1 million capital grant to Llangollen International Eisteddfod in the past year, and the First Minister visited the festival last week.

hennill a rhai ar eu colled. Dwy wyl a oedd ar eu colled oedd Eisteddfod Ryngwladol Llangollen a Gŵyl y Gelli. Byddwn yn dadlau bod y rhain yn ddigwyddiadau mawr. A fyddai modd egluro sut y diffinnir digwyddiadau mawr, oherwydd mae ychydig o anghysondeb yn y fan honno y mae llawer o bobl wedi tynnu fy sylw ato?

Jane Hutt: Adolygwyd y trefniadau buddsoddi gan Gyngor Celfyddydau Cymru er mwyn llunio portffolio o sefydliadau ym myd y celfyddydau sy'n cael arian refeniw ac sy'n hyfyw o ran eu bod yn sylfaen i'n celfyddydau. Nid yw gŵyl y Faenol yn cael ei hariannu gan Gyngor Celfyddydau Cymru, ac mae'n gymwys i gael arian o dan y rhaglen digwyddiadau mawr. Y pwynt pwysig i'w wneud yng nghyswllt gwyliau yw mai bwriad Cyngor Celfyddydau Cymru yw y bydd gwyliau'n gymwys i wneud cais am arian loteri. Mae Llywodraeth y Cynulliad wedi rhoi grant cyfalaf gwerth £1 filiwn i Eisteddfod Ryngwladol Llangollen y llynedd ac ymwelodd y Prif Weinidog â'r wyl yr wythnos diwethaf.

Pwynt o Drefn Point of Order

Brian Gibbons: Early last Wednesday afternoon, I requested an urgent question following the announcement of the closure of the Linamar plant in my constituency. My urgent question on the subject was not accepted for that Plenary. However, I note that an identical urgent question has been accepted for debate today. I would be grateful for an indication as to why two different sets of rulings seem to have applied to what was, in effect, the same question.

Brian Gibbons: Yn gynnar prynhawn Mercher diwethaf, gofynnais am gwestiwn brys ar ôl cyhoeddi y byddai ffatri Linamar yn cau yn fy etholaeth. Ni dderbyniwyd fy nghwestiwn brys am y pwnc ar gyfer y Cyfarfod Llawn hwnnw. Serch hynny, sylwaf fod cwestiwn brys sydd yr un fath yn union wedi'i dderbyn ar gyfer dadl heddiw. Byddwn yn ddiolchgar o gael esboniad pam i bob golwg y mae dwy wahanol set o benderfyniadau wedi'u gwneud ynglŷn â chwestiwn sydd yn ei hanfod yr un fath.

The Deputy Presiding Officer: Thank you for giving us advance notice of your point of order. Under Standing Order No. 7.56, the Presiding Officer may call a Member to ask an urgent question if he is satisfied that the question is of urgent public importance and he has been given sufficient notice. The Presiding Officer took a decision last week based on the information that was available to him at that time. The matter has moved on since last week, and the decision to allow the

Y Dirprwy Lywydd: Diolch ichi am roi rhybudd inni ymlaen llaw o'ch pwynt o drefn. O dan Reol Sefydlog Rhif 7.56, caiff y Llywydd alw Aelod i ofyn cwestiwn brys os yw'n fodlon bod y cwestiwn o bwys brys i'r cyhoedd ac os yw wedi cael digon o rybudd. Gwnaeth y Llywydd ei benderfyniad yr wythnos diwethaf, ar sail yr wybodaeth a oedd ar gael iddo ar y pryd. Mae'r sefyllfa wedi datblygu ers yr wythnos diwethaf a seilir y penderfyniad i ganiatáu'r cwestiwn

urgent question today is based on the information that was available to me this morning. You were called to ask a supplementary question, which I trust has given you an opportunity to seek answers from the Deputy First Minister.

brys heddiw ar yr wybodaeth a oedd ar gael imi y bore yma. Galwyd arnoch i ofyn cwestiwn atodol, a hyderaf fod hynny wedi rhoi cyfle ichi geisio atebion gan y Dirprwy Brif Weinidog.

Datganiad am Raglen Ddeddfwriaethol Llywodraeth Cynulliad Cymru 2010-11 Statement on the Welsh Assembly Government's Legislative Programme 2010-11

The First Minister: It is with great pleasure that I announce the Government's final legislative programme of this Assembly. However, before doing so, I wish to pause and reflect upon the legislative achievements that have already been taken forward by this Government. Through the 'One Wales' programme for Government, we have achieved a great deal for the people of Wales, and, where appropriate, we have accomplished this through legislation, making best use of the current devolution settlement. We have come a long way in a very short space of time, significantly extending the legislative competence of the Assembly, and, through our own primary legislation of Assembly Measures, we are creating change for the good of Wales. This has not been without its difficulties, as would be expected when the learning curve has been so steep.

However, the Government has delivered 12 legislative competence Orders, expanding the National Assembly's legislative competence in a wide range of significant policy areas, including the Welsh language, the environment, vulnerable children and carers. Soon, we will be able to add to that list housing and local government.

It is through our Assembly Measures that we have been able to effect change in Wales for the people of Wales. To date, we have delivered eight Measures, all of which have received Royal Approval. Through the Learning and Skills (Wales) Measure 2009, we have extended the rights of learners between the ages of 14 and 19 in Wales. The Education (Wales) Measure 2009 provided children with the right to make appeals and claims of disability discrimination to the

Y Prif Weinidog: Mae'n bleser mawr gennyf gyhoeddi rhaglen deddfwriaethol olaf y Llywodraeth yn y Cynulliad hwn. Fodd bynnag, cyn gwneud hynny, hoffwn oedi ac ystyried yr hyn y mae'r Llywodraeth hon eisoes wedi'i gyflawni o ran deddfwriaeth. Drwy raglen Llywodraethu 'Cymru'n Un', yr ydym wedi cyflawni llawer iawn ar ran pobl Cymru, a lle bo hynny'n briodol, yr ydym wedi cyflawni hyn drwy ddeddfu, gan ddefnyddio'r setliad datganoli sydd gennym gystal ag y gallwn. Yr ydym wedi cerdded ymhell mewn cyfnod byr iawn, gan ehangu cymhwysedd deddfwriaethol y Cynulliad yn sylweddol, a, thrwy ein deddfwriaeth sylfaenol ni'n hunain ar ffurf Mesurau'r Cynulliad, yr ydym yn newid pethau er lles Cymru. Ni fu'r daith hon yn un rhwydd, a dyna y byddai rhywun yn ei ddisgwyl a'r gromlin ddysgu'n un mor serth.

Serch hynny, mae'r Llywodraeth wedi cyflawni 12 Gorchymyn cymhwysedd deddfwriaethol, gan ehangu cymhwysedd deddfwriaethol y Cynulliad Cenedlaethol mewn ystod eang o feysydd polisi pwysig, gan gynnwys yr iaith Gymraeg, yr amgylchedd, plant agored i niwed a gofalwyr. Cyn bo hir, byddwn yn gallu ychwanegu tai a llywodraeth leol at y rhestr honno.

Yr ydym wedi llwyddo i newid pethau yng Nghymru er budd pobl Cymru drwy ein Mesurau Cynulliad. Hyd yn hyn, yr ydym wedi cyflawni wyth Mesur a phob un o'r rheini wedi cael Cydsyniad Brenhinol. Drwy Fesur Dysgu a Sgiliau (Cymru) 2009, yr ydym wedi ehangu hawliau dysgwyr rhwng 14 ac 19 oed yng Nghymru. Rhoddodd mesur Addysg (Cymru) 2009 yr hawl i blant apelio a chyflwyno hawliadau ynglŷn â gwahaniaethu ar sail anabled i Dribiwnlys

Special Educational Needs Tribunal for Wales. We have also tackled child poverty through our Children and Families (Wales) Measure 2010, putting our commitment to its eradication on a statutory footing, and providing greater support to those families where children may be at risk. As a Government, we have also supported legislative proposals brought forward by backbench Members, and not only those that have simply complemented our own policies. We have been able, for example, to support Jonathan Morgan's LCO on mental health and Ann Jones's LCO on domestic fire safety, as well as Jenny Randerson's Healthy Eating in Schools (Wales) Measure 2009.

The 2009-10 legislative programme was an ambitious programme that included a number of important proposed LCOs and Measures, some of which will not have concluded their passage through the Assembly until the end of this Assembly. These include the Proposed Carers Strategies (Wales) Measure, the Proposed Welsh Language (Wales) Measure, the Proposed Waste (Wales) Measure, and the Proposed Mental Health (Wales) Measure and the Proposed Rights of Children and Young Persons (Wales) Measure, which are undergoing scrutiny by the Assembly at the moment. Later this afternoon, the Minister for Social Justice and Local Government will introduce the final item of the 2009-10 legislative programme, namely the Proposed Local Government (Wales) Measure.

In recognition of the capacity of the Assembly in the remaining weeks before the Assembly elections to scrutinise any new legislation, we have had to temper our ambitions for this final programme. We will aim to provide the Assembly with as much time as possible to scrutinise these items of legislation, while optimising the capacity of the Assembly to deliver our legislation and realise important changes for the better for the people of Wales. The final legislative programme may be smaller than in previous years, but it is by no means less important, and we are not taking our foot off the gas.

Anghenion Addysgol Arbennig Cymru. Yr ydym hefyd wedi mynd i'r afael â thlodi plant drwy ein Mesur Plant a Theuluoedd (Cymru) 2010, gan roi sylfaen statudol i'n hymrwymiad i ddileu tlodi, a chan roi mwy o gymorth i'r teuluoedd hynny lle y gall fod perygl i blant. Yr ydym ni'r Llywodraeth hefyd wedi cefnogi cynigion deddfu a gyflwynwyd gan Aelodau'r meinciau cefn, ac nid dim ond y rheini sydd wedi ategu'n polisiau ni'n hunain. Yr ydym wedi gallu cefnogi, er enghraifft, y gorchymyn cymhwysedd deddfwriaethol gan Jonathan Morgan ynghylch iechyd meddwl a'r gorchymyn gan Ann Jones ynghylch diogelwch rhag tân mewn cartrefi, yn ogystal â Mesur Bwyta'n Iach mewn Ysgolion (Cymru) 2009 gan Jenny Randerson.

Yr oedd rhaglen ddeddfwriaethol 2009-10 yn rhaglen uchelgeisiol a oedd yn cynnwys nifer o orchmynion cymhwysedd deddfwriaethol a Mesurau pwysig. Ni fydd rhai ohonynt wedi cwblhau eu taith drwy'r Cynulliad tan ddiwedd y Cynulliad hwn. Mae'r rhain yn cynnwys y Mesur Arfaethedig ynghylch Strategaethau ar gyfer Gofalwyr (Cymru), Mesur Arfaethedig y Gymraeg (Cymru), Mesur Arfaethedig ynghylch Gwastraff (Cymru), a Mesur Arfaethedig ynghylch Iechyd Meddwl (Cymru) a'r Mesur Arfaethedig ynghylch Hawliau Plant a Phobl Ifanc (Cymru). Mae'r Cynulliad yn craffu ar y rhain ar hyn o bryd. Yn ddiweddarach y prynhawn yma, bydd y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol yn cyflwyno eitem derfynol rhaglen ddeddfwriaethol 2009-10, sef Mesur Arfaethedig Llywodraeth Leol (Cymru).

Ac ystyried faint o amser fydd gan y Cynulliad yn yr wythnosau sydd ar ôl cyn etholiadau'r Cynulliad i graffu ar unrhyw ddeddfwriaeth newydd, yr ydym wedi gorfod ffrwyno'n huchelgais ar gyfer y rhaglen derfynol hon. Ein nod fydd rhoi cymaint o amser ag y bo modd i'r Cynulliad graffu ar y darnau hyn o ddeddfwriaeth, gan sicrhau bod y Cynulliad yn gallu cyflawni cymaint o'n deddfwriaeth ag y bo modd a sicrhau newidiadau pwysig er gwell ar ran pobl Cymru. Efallai y bydd y rhaglen ddeddfwriaethol derfynol yn llai nag y bu mewn blynyddoedd cynt, nid yw'n llai pwysig ar unrhyw gyfrif, ac nid ydym yn

tynnu'n troed oddi ar y sbardun.

We will open this programme after the summer recess with a proposed Measure on safety on learner travel. This proposed Measure will improve the quality of contracted school transport and ensure that parents can have confidence in the transport that their children use to get to school. We will bring forward a much anticipated proposed Measure on housing. This long-overdue proposed Measure will provide Welsh Ministers with a broad range of intervention powers that are essential to strengthen the regulation of registered social housing providers, and will match those powers already available to the regulator in England. It will also enable local authorities to apply to the Welsh Ministers for approval to suspend the right to buy in areas of housing pressure.

Byddwn yn agor y rhaglen hon ar ôl gwyliau'r haf gyda Mesur arfaethedig ynghylch teithio diogel i ddysgwyr. Bydd y Mesur arfaethedig hwn yn gwella ansawdd cludiant o dan gontract i ysgolion ac yn sicrhau bod rhieni'n gallu ymddiried yn y cludiant a ddefnyddir gan eu plant i gyrraedd yr ysgol. Byddwn yn cyflwyno'r Mesur arfaethedig ynghylch tai y bu disgwyl cyhyd amdano. Bydd y mesur arfaethedig hwn a ddylasai fod gennym ers tro yn rhoi ystod eang o bwerau ymyrryd i Weinidogion Cymru. Mae'r rheini'n hanfodol er mwyn cryfhau rheoleiddio darparwyr tai cymdeithasol cofrestredig, a byddant yn cyfateb i'r pwerau sydd eisoes ar gael i'r rheolydd yn Lloegr. Bydd hefyd yn galluogi awdurdodau lleol i wneud cais i Weinidogion Cymru am gymeradwyaeth i atal yr hawl i brynu mewn ardaloedd lle mae tai'n brin.

The third and final proposed Measure of this fourth programme will address a number of important issues in the field of education. The proposed Measure on education will include provisions to improve school governance, which, in turn, will raise education standards. The proposed Measure will also deepen collaboration between schools and with other educational providers, and provide enabling powers for Welsh Ministers in relation to the federation of governing bodies of smaller schools.

Bydd trydydd Mesur arfaethedig a Mesur olaf y bedwaredd raglen hon yn rhoi sylw i nifer o faterion pwysig ym maes addysg. Bydd y Mesur addysg arfaethedig yn cynnwys darpariaethau i wella llywodraethu mewn ysgolion. Bydd hynny yn ei dro'n codi safonau addysg. Bydd y Mesur arfaethedig hefyd yn dyfnhau'r cydweithredu rhwng ysgolion a rhyngddynt a darparwyr addysg eraill, ac yn rhoi pwerau galluogi i Weinidogion Cymru yng nghyswllt ffederasiwn cyrff llywodraethu ysgolion llai.

In this fourth legislative programme, we will also seek to bring forward a proposed LCO on organ donation. The proposed Order is likely to require detailed preparation in collaboration with Whitehall. We have held a number of public debates on the issue of organ donation, underpinned in May 2009 with the formal consultation on options for changes to the organ donation system in Wales. The majority of responses that we received to the consultation supported a change to a soft opt-out system. We have had the debate, therefore, we now intend to take this important issue forward by seeking the necessary powers to be able to implement a Welsh system of organ donation that best meets the needs and wishes of the people of Wales.

Yn y bedwaredd raglen ddeddfwriaethol hon, byddwn hefyd yn ceisio cyflwyno gorchymyn cymhwysedd deddfwriaethol arfaethedig ynghylch rhoi organau. Mae'n debygol y bydd gofyn gwaith paratoi manwl mewn cydweithrediad â San Steffan ar gyfer y Gorchymyn arfaethedig. Yr ydym wedi cynnal nifer o ddadleuon cyhoeddus ynglŷn â rhoi organau, ac, yn sail i hynny, ym mis Mai 2009, ymgynghorwyd yn ffurfiol ynglŷn â'r dewisiadau ar gyfer newid y system rhoi organau yng Nghymru. Yr oedd mwyafrif yr ymatebion a gawsom i'r ymgynghori'n cefnogi newid i system ymeithrio feddal. Yr ydym wedi cynnal y ddadl, felly, ein bwriad yn awr yw bwrw ymlaen â'r mater pwysig hwn drwy geisio'r pwerau angenrheidiol er mwyn gallu rhoi system rhoi organau ar waith yng Nghymru sy'n diwallu anghenion a

dymuniadau pobl Cymru orau.

3.10 p.m.

Some may question our wish to take forward a proposed LCO with a referendum on the Assembly's law-making powers on the horizon. Although I hope that all parties in the Chamber will do all they can to secure a 'yes' vote in that referendum, as a Government we must govern responsibly, and therefore it is business as usual until such time as the referendum is held and won.

Since 2007 we have sought to make best use of the current devolution settlement. We remain a Government that is hungry for progress and, where necessary, progress through legislative change. Although the items that I have outlined today represent the final pieces of our legislative programme, they by no means represent the extent of our legislative ideas or aspirations. We will continue to pursue with the UK Government the most appropriate legislative vehicle for obtaining competence over the management of caravan and park home sites, as well as exploring legislative opportunities in other important areas such as the environment and biodiversity, promotion of public health, school organisation and educational tribunals, as well as social services.

Delivery of these items of legislation, and those outstanding from the previous programme, will mark the end of a period of great progress by, and indeed great maturity of, this Assembly. We are now confident in taking forward Welsh legislation—legislation that meets Welsh needs and that delivers change where change is needed for the people of Wales. This is the legislative programme that the Government proposes.

Nick Bourne: I thank the First Minister very much for that statement. I hope that it will be the last before a 'yes' vote in a referendum so that we can move on from the LCO process, which he sought to set out. First, I have some questions on the referendum, because I think

Efallai y bydd rhai pobl yn amau ein dymuniad i fwrw ymlaen â gorchymyn cymhwysedd deddfwriaethol a chofio bod refferendwm ar bwerau deddfu'r Cynulliad ar y gorwel. Er fy mod yn gobeithio y bydd pob plaid yn y Siambr yn gwneud popeth yn ei gallu i sicrhau pleidlais 'ie' yn y refferendwm, rhaid i ni'r Llywodraeth lywodraethu'n gyfrifol, ac felly, byddwn yn bwrw ymlaen â'n busnes fel arfer nes cynhelir y refferendwm a'i ennill.

Er 2007, yr ydym wedi ceisio defnyddio'r setliad datganoli sydd gennym yn y ffordd orau bosibl. Llywodraeth sy'n awyddus i gamu ymlaen ydym o hyd, a, lle bo angen, sicrhau'r cynnydd hwnnw drwy newid deddfwriaethol. Er mai'r eitemau yr wyf wedi sôn amdanynt heddiw yw darnau olaf ein rhaglen ddeddfwriaethol, nid ydynt o bell ffordd yn cynrychioli hyd a lled ein syniadau a'n dyheadau ar gyfer deddfu. Byddwn yn parhau i fynd ar drywydd y cyfrwng deddfu mwyaf priodol gyda Llywodraeth y Deyrnas Unedig er mwyn sicrhau cymhwysedd dros reoli safleoedd carafannau a chartrefi mewn parciau, yn ogystal ag archwilio cyfleoedd i deddfu mewn meysydd eraill o bwys megis yr amgylchedd a bioamrywiaeth, hybu iechyd cyhoeddus, trefniadaeth ysgolion a thribiwnlysoedd addysg, yn ogystal â gwasanaethau cymdeithasol.

Bydd cyflawni'r eitemau deddfwriaethol hyn, a'r rheini sy'n weddill o'r rhaglen flaenorol, yn nodi diwedd cyfnod o gynnydd mawr gan y Cynulliad hwn, ac yn wir yn dangos cryn aeddfedrwydd ar ei ran. Yr ydym yn hyderus yn awr i fwrw ymlaen â deddfu yng Nghymru—deddfu sy'n diwallu anghenion Cymru ac sy'n newid pethau lle mae angen newid er budd pobl Cymru. Dyma'r rhaglen ddeddfwriaethol y mae'r Llywodraeth yn ei chynnig.

Nick Bourne: Diolch yn fawr i'r Prif Weinidog am y datganiad. Yr wyf yn gobeithio mai dyna'r un olaf cyn pleidlais 'ie' mewn refferendwm er mwyn inni fwrw ymlaen o broses y gorchymynion cymhwysedd deddfwriaethol y cyfeiriodd ati. Yn gyntaf,

that it is important that we set our sights on the horizon and map out the progress that we are making. The First Minister will know that party leaders have got together to signal that we hope that the referendum will take place in the first quarter of next year, and as early as is practicable in the first quarter. I hope that we are on course for that. Perhaps he will comment on that as best as he can, given the information that he has. He will also know that we have now identified Members in each party who we think should be part of this all-party group. I think that the names are known. It will be Paul Davies on our side, Rhodri Morgan on yours, Rob Humphreys from the Liberal Democrats and Leanne Wood. As I have said to the First Minister, I think that it is very important that those people get together before the start of the recess so that we can get that all-party group up and running, because otherwise we will be at the end of September and into the autumn before we are back and the time will go very quickly. I hope that he is able to give that a bit of a nudge from his office, because I think that that is important.

The First Minister has outlined the LCO system. It has been a halfway house. I think that it has been unsatisfactory. It has illustrated why we need a 'yes' vote. However, I welcome what he said about Member proposed legislation. That has been important, and the tributes that he paid to Jonathan Morgan, Ann Jones and Jenny Randerson were quite right. I hope that, within the last period of this Assembly, you are able to continue to support Member proposed legislation. I have to say that that has not always been the case. Some Ministers have been more willing to do that than others. Some proposals for Measures and LCOs have got stuck because the Government has perhaps not been as supportive as it has in other cases. I hope that the First Minister will indicate that willingness to look at Member proposed legislation and help with the Government machine, which is not available to backbenchers, where appropriate.

mae gennyf ambell gwestiwn am y refferendwm, oherwydd credaf ei bod yn bwysig inni fwrw'n golygon tua'r gorwel a chreu map o'r cynnydd yr ydym yn ei wneud. Bydd y Prif Weinidog yn gwybod bod arweinwyr y pleidiau wedi dod ynghyd i ddatgan ein bod yn gobeithio y cynhelir y refferendwm yn ystod chwarter cyntaf y flwyddyn nesaf, a chyn gynted ag sy'n ymarferol yn y chwarter cyntaf hwnnw. Yr wyf yn gobeithio ein bod ar y trywydd iawn yn hynny o beth. Efallai y gall roi sylwadau am hynny, cystal ag y gall gyda'r wybodaeth sydd ganddo. Bydd hefyd yn gwybod ein bod bellach wedi penderfynu pa Aelodau ym mha blaidd a ddylai fod yn rhan o'r grŵp hollbleidiol hwn yn ein barn ni. Credaf fod yr enwau'n hysbys. Paul Davies fydd yr Aelod ar ein hochr ni, Rhodri Morgan ar eich ochr chi, Rob Humphreys o'r Democratiaid Rhyddfrydol a Leanne Wood. Fel yr wyf wedi dweud wrth y Prif Weinidog, credaf ei bod yn bwysig iawn bod y bobl hyn yn dod ynghyd cyn dechrau'r toriad er mwyn i'r grŵp hollbleidiol gael eu traed danynt. Fel arall, bydd yn ddiwedd mis Medi ac yn hydref arnom cyn inni ddod yn ôl a bydd yr amser yn mynd yn gyflym iawn. Yr wyf yn gobeithio y bydd modd iddo roi hwb bach i hynny o'i swyddfa, oherwydd credaf fod hynny'n bwysig.

Mae'r Prif Weinidog wedi crybwyll system y gorchmynion cymhwysedd deddfwriaethol. Rhyw dŷ hanner ffordd fu'r drefn hon. Credaf iddi fod yn anfoddfaol. Mae wedi dangos pam mae angen pleidlais 'ie' arnom. Fodd bynnag, croesawaf yr hyn a ddywedodd am deddfwriaeth a gynigir gan Aelodau. Mae hynny wedi bod yn bwysig, a phriodol ddigon oedd y teyrngedau a roddodd i Jonathan Morgan, Ann Jones a Jenny Randerson. Yn ystod cyfnod olaf y Cynulliad hwn, yr wyf yn gobeithio y bydd modd ichi barhau i gefnogi deddfwriaeth a gynigir gan Aelodau. Mae'n rhaid imi ddweud nad yw hynny wedi bod yn wir bob tro. Mae rhai Gweinidogion wedi bod yn fwy parod i wneud hynny na rhai eraill. Mae rhai cynigion am Fesurau a Gorchmynion cymhwysedd deddfwriaethol wedi mynd i'r gors gan nad yw'r Llywodraeth efallai wedi bod mor gefnogol ag y bu mewn achosion eraill. Yr wyf yn gobeithio y bydd y Prif Weinidog yn datgan bod parodrwydd i

edrych ar ddeddfwriaeth a gynigir gan Aelodau a lle bo hynny'n briodol, barodrwydd i gynorthwyo gyda pheiriant y Llywodraeth, gan nad yw'r cymorth hwnnw ar gael i'r meinciau cefn.

I will now turn to the specifics of the proposed Measures and the proposed LCO that the First Minister set out. First, on school safety, he will know that we have been here before; this was one proposal that did not move forward. We are strongly supportive of the need to do something here. In particular, he will remember, as I do, the sad death of Stuart Cunningham-Jones. There is a need to do something in this area. It is high time that we did. Alun Cairns in particular and other Members—including Jane Hutt, to be fair—have been committed to this. We need to move forward, so let us do so. On the proposed Measure on housing, I have had the opportunity to speak to Mark Isherwood, and we will certainly support it. It makes sound sense. The devil is often in the detail, but we support the general principles.

Trof yn awr ar fanylion y Mesurau arfaethedig a'r Gorchymyn cymhwysedd deddfwriaethol y cyfeiriodd y Prif Weinidog atynt. Yn gyntaf, o ran diogelwch ysgolion, bydd yn gwybod inni fod yn y sefyllfa hon o'r blaen; dyma un cynnig nad aeth yn ei flaen. Yr ydym yn cefnogi'n gryf yr angen i wneud rhywbeth yn y maes hwn. Yn benodol, bydd yn cofio, fel yr wyf fi, farwolaeth drist Stuart Cunningham-Jones. Mae angen gwneud rhywbeth yn y maes hwn. Mae'n hen bryd inni wneud hynny. Mae Alun Cairns yn benodol ac Aelodau eraill—gan gynnwys Jane Hutt, a bod yn deg—wedi dangos ymrwymiad i hyn. Mae angen inni symud ymlaen, felly gadewch inni wneud hynny. O ran y Mesur arfaethedig ynghylch tai, yr wyf wedi cael cyfle i siarad â Mark Isherwood, a byddwn yn sicr yn cefnogi hyn. Mae'n gwneud synnwyr perffaith. Er mai yn y manylion y mae'r diafol yn aml, byddwn yn cefnogi'r egwyddorion cyffredinol.

On the proposed Measure on education, again, the First Minister will be pleased to know that we will be supportive of any proposed Measures that help with the collaboration and federation of small schools. He will know of our commitment to keeping small schools open, particularly in rural Wales and particularly where there is an issue of the Welsh language, which is dear to his heart as it is to mine. Once again, as an opposition party, we will obviously scrutinise the detail, but we will be supportive of any proposed Measure that improves school governance and that helps with the federation and collaboration of small schools.

O ran y Mesur arfaethedig ynghylch addysg, bydd y Prif Weinidog yn falch o wybod y byddwn yn cefnogi unrhyw Fesurau arfaethedig a fydd yn gymorth i ysgolion gydweithredu a ffederaleiddio. Bydd yn gwybod am ein hymrwymiad i gadw ysgolion bychain yn agored, yn enwedig mewn ardaloedd gwledig yng Nghymru a phan fydd y Gymraeg yn ystyriaeth. Mae hynny yr un mor annwyl iddo ef ag y mae i mi. Unwaith eto, a ninnau'n wrthblaid, byddwn yn amlwg yn craffu ar y manylion, ond byddwn yn cefnogi unrhyw Fesur arfaethedig sy'n gwella llywodraethu ysgolion ac yn cynorthwyo ysgolion bychain i ffederaleiddio a chydweithredu.

That brings us to the proposed LCO on organ donation. In some ways, it is the most difficult, because it is an issue of conscience on which there will be different views, I suspect, around the Chamber and within parties. There are different views within my party. I am sympathetic to this. I think that it is the right way forward. However, it is an issue of conscience; we will certainly have a

Daw hynny â ni at y Gorchymyn cymhwysedd deddfwriaethol ynghylch rhoi organau. Mewn ambell ffordd, dyma'r un anhawsaf, gan ei fod yn fater o gydwybod a chan y bydd gan bobl yn y Siambr ac o fewn y pleidiau wahanol safbwyntiau, mi dybiaf. Ceir gwahanol safbwyntiau yn fy mhlaid fy hun. Yr wyf yn cydymdeimlo â hyn. Credaf mai dyma'r ffordd iawn ymlaen. Fodd

free vote on this in our party. There are also issues, not just in relation to the basic issue, but issues that have been raised by Jonathan Morgan, Andrew R.T. Davies and others in my own group, about capacity and whether, even if we have this system—and as I say, my instinct is to be in favour of it—we have the capacity in terms of operating theatres and surgeons to carry this forward. It is not just simply a question of having more organs available, important though that is.

With those caveats I welcome much of what was in the First Minister's statement, but would be particularly interested in what he has to say about the importance of that 'yes' vote. I was pleased that he committed himself to that, and to the importance of getting that all-party group up and running. I hope that he will give that a nudge.

The First Minister: I can give the leader of the opposition my assurance that I want the steering group to meet as soon as possible. It is important that the putative cross-party 'yes' campaign, if I can describe it thus, gets off to a flying start so that we are fully able to take matters forward in the autumn. I welcome his without-prejudice support—if I can put it that way—in broad principle for the Measures that have been proposed. Of course, work will be done in terms of preparation and scrutiny of the proposed Measures themselves. With regard to organ donation, we are talking about a proposed legislative competence Order rather than a proposed Measure at this stage. The subsequent proposed Measure will require very careful scrutiny and I fully appreciate that there will be different views according to conscience among Assembly Members. We are currently discussing the Assembly having the power to legislate in this area. The actual legislation itself will be a matter for a new Assembly, no doubt, after May 2011. It is important, given the consultation that has taken place, that the powers to decide the kind of organ donation system that we require in Wales reside here and not elsewhere.

bynag, mae'n fater o gydwybod; yn sicr, bydd ein plaid ni'n rhoi pleidlais rydd i bawb ynglŷn â hyn. Mae ystyriaethau hefyd, nid dim ond yng nghyswllt yr ystyriaeth sylfaenol, ond ystyriaethau y mae Jonathan Morgan, Andrew R.T. Davies ac eraill yn fy ngrŵp fy hun wedi'u codi ynglŷn â chapasiti. Hyd yn oed os cawn y system hon—ac yr wyf wedi dweud mai fy ngreddf yw bod o'i blaid—a oes gennym y capasiti o ran theatrau llawdriniaeth a llawfeddygon i fwrw ymlaen â hyn. Nid cwestiwn o gael rhagor o organau yn unig yw hyn, er pwysiced yw hynny.

Gyda'r eithriadau hynny, croesawaf lawer o'r hyn a oedd yn natganiad y Prif Weinidog, ond byddai'n dda gennyf yn benodol glywed beth sydd ganddo i'w ddweud am bwysigrwydd y bleidlais 'ie' honno. Yr oeddwn yn falch ei fod wedi ymrwymo i hynny, ac i bwysigrwydd sefydlu'r grŵp hollbleidiol er mwyn iddo ddechrau ar ei waith. Gobeithiaf y bydd yn rhoi hwb i hynny.

Y Prif Weinidog: Gallaf sicrhau arweinydd yr wrthblaid fy mod am weld y grŵp llywio'n cyfarfod cyn gynted â phosibl. Mae'n bwysig bod yr ymgyrch 'ie' drawsbleidiol dybiedig, os caf ei ddisgrifio felly, yn cael cychwyn da er mwyn inni fwrw ymlaen o ddifrif â phethau yn yr hydref. Croesawaf ei gefnogaeth ddiragfarn—os caf ei roi felly—mewn egwyddor i'r Mesurau sydd wedi'u cynnig. Wrth gwrs, bydd gwaith yn cael ei wneud ar baratoi a chraffu ar y Mesurau arfaethedig eu hunain. O ran rhoi organau, am Orchymyn cymhwysedd deddfwriaethol yr ydym yn sôn, yn hytrach na Mesur arfaethedig ar hyn o bryd. Bydd angen craffu'n fanwl iawn ar y Mesur arfaethedig a ddaw yn ei sgil a gwerthfawrogaf yn llwyr y bydd gan Aelodau'r Cynulliad wahanol safbwyntiau a dibynnu ar eu cydwybod. Trafod rhoi'r pŵer i'r Cynulliad ddeddfu yn y maes hwn yr ydym ar hyn o bryd. Heb amheuaeth, mater i Gynulliad newydd ar ôl mis Mai 2011 fydd y ddeddfwriaeth ei hun. Ac ystyried yr ymgynghori sydd wedi bod, mae'n bwysig bod y pwerau ar gael yn y fan hon, yn hytrach nag yn unman arall, i benderfynu ar ba fath o system rhoi organau y mae ei angen arnom yng Nghymru.

Helen Mary Jones: I very much welcome the Government's legislative statement. It is entirely appropriate to set out the progress that has been made so far. The First Minister will not be surprised to hear me put on record my belief that had there been more sensible legislative devolution from the beginning, the Government could have achieved even more. Had we not needed, for example, to seek legislative competence with regard to the safety of travel for learners, we would undoubtedly have that Measure with regard to safety and learner travel on the statute books now. Be that as it may, does the First Minister agree that the success of this programme clearly demonstrates that, for all of those who were making noises prior to the Government of Wales Act 2006 about this Assembly not being somehow mature enough to legislate, and that somehow Wales was not a country that could pass its own laws, whatever else has happened we have proved that that is not true? The fact that backbench Members have been able to participate in that process and that our Government has been much more open than is usual for Governments to take on board both Measures and legislative competence Orders from backbench Members is a tribute to the maturity across this Chamber, not only within the Government, and our capacity to legislate, as the First Minister has said, in the best interests of the people of Wales.

I wish to thank Gwenda Thomas very much for taking up my proposal for an LCO on carers, which not only saved me a great deal of work and heartache, but also meant that we ended up with a broader competence Order that will lead to broader legislation around carers' rights. I am very grateful for that.

I am sure that it is sensible to have a less ambitious programme for these last months of the One Wales Government, since, as the First Minister has pointed out, there is other legislation that we will need to complete that we are already progressing. I very much welcome the safety in learner travel. I concur with everything that Nick Bourne has said. Any of us who are parents and who have children who use school transport will know

Helen Mary Jones: Croesawaf yn fawr ddatganiad deddfwriaethol y Llywodraeth. Mae'n gwbl briodol nodi'r cynnydd yr ydym wedi'i wneud hyd yma. Ni fydd y Prif Weinidog yn synnu fy nghlywed yn rhoi ar glawr fy nghred, pe baem wedi cael datganoli deddfwriaethol mwy synhwyrol o'r dechrau, y byddai'r Llywodraeth wedi gallu cyflawni mwy, hyd yn oed. Er enghraifft, pe na baem wedi gorfod cael cymhwysedd deddfwriaethol i ymdrin â diogelwch teithio i ddysgwyr, byddai'r Mesur hwnnw ynghylch diogelwch a theithio i ddysgwyr wedi bod yn y llyfrau statud bellach. Serch hynny, a yw'r Prif Weinidog yn cytuno bod llwyddiant y rhaglen hon yn profi'n anghywir yr holl bobl hynny a oedd yn ymhoni cyn cyflwyno Deddf Llywodraeth Cymru 2006 nad oedd y Cynulliad hwn rywsut yn ddigon aeddfed i ddeddfu, a rhywsut nad oedd Cymru'n wlad a allai basio'i chyfreithiau ei hun? Mae'r ffaith bod Aelodau'r meinciau cefn wedi gallu cyfrannu at y broses honno a bod ein Llywodraeth wedi bod yn llawer mwy agored na Llywodraethau fel rheol drwy dderbyn y ddau Fesur a'r Gorchmynion cymhwysedd deddfwriaethol gan Aelodau'r meinciau cefn yn deyrnged i aeddfedrwydd y Siambr hon, ac nid yn unig o fewn y Llywodraeth. Mae'n deyrnged hefyd i'n gallu i ddeddfu, fel y mae'r Prif Weinidog wedi dweud, er budd pobl Cymru.

Hoffwn ddiolch yn fawr i Gwenda Thomas am fwrw ymlaen â'm cynnig am Orchymyn cymhwysedd deddfwriaethol ynghylch gofalwyr. Nid yn unig yr arbedodd hynny gryn lafur a chur pen, ond golygodd ein bod wedi cael Gorchymyn cymhwysedd deddfwriaethol a fydd yn arwain at ddeddfwriaeth ehangach ym maes hawliau gofalwyr. Yr wyf yn ddiolchgar iawn am hynny.

Yn sicr, mae'n synhwyrol cael rhaglen lai uchelgeisiol ar gyfer misoedd olaf Llywodraeth Cymru'n Un. Fel y dywedodd y Prif Weinidog, mae angen cwblhau'r gwaith ar ddarnau eraill o ddeddfwriaeth sydd ar y gweill eisoes. Croesawaf yn fawr y cynnig ynghylch diogelwch teithio i ddysgwyr. Cytunaf â phopeth y mae Nick Bourne wedi'i ddweud. Bydd pawb ohonom sy'n rhieni a phlant gennym sy'n defnyddio trafniadaeth i'r

that there are still very real worries out there. I am sure that most people would have believed that, since this Government is in charge of education and transport policy, the power would have been here to legislate earlier. It was not here, but I very much welcome the fact that we can now move on this.

3.20 p.m.

With regard to the proposed Measure on housing, will the First Minister take this opportunity to congratulate the Deputy Minister for Housing and Regeneration on finally having achieved this legislative competence Order? Christine Chapman has described the Children and Young People Committee as the dog-with-the-bone committee, which never lets anything go. We might meaningfully describe the Deputy Minister for Housing and Regeneration as the dog with the bone Minister, who has stuck to her guns through thick and thin. I welcome the opportunity to regulate social housing more effectively, and for local authorities to be able to request the suspension of the right to buy. I welcome what the Leader of the Opposition has said with regard to his party's tentative approach towards this proposed Measure. I just hope that they will not be tempted to throw any babies out with the bathwater, as, sadly, they were at certain stages of the legislative competence Order process.

The proposed Measure on education is also to be welcomed. These are powers, again, that people would have assumed the Assembly Government would have anyway, which will be achieved through the successful passing of this proposed Measure. The First Minister's statement draws attention to the fact that some questions may be raised about why the Government is seeking any kind of competence Order when we are hopefully looking forward to a successful referendum. However, it is right to proceed in this regard, and it would be inappropriate for the Government of Wales to take for granted in any way, shape or form what the outcome of that referendum may be.

The First Minister will be aware that, when

ysgol yn gwybod bod pethau i bryderu o ddifrif yn eu cylch. Yr wyf yn sicr y bydd y rhan fwyaf o bobl wedi credu, gan fod y Llywodraeth hon yn gyfrifol am bolisi addysg a thrafnidiaeth, y byddai'r pŵer i ddeddfu wedi bod yma ynghynt. Nid oedd y pŵer yma, ond croesawaf yn fawr y gallwn yn awr fwrw ymlaen â hyn.

O ran y Mesur arfaethedig ynghylch tai, a wnaiff y Prif Weinidog achub ar y cyfle hwn i longyfarch y Dirprwy Weinidog dros Dai ac Adfywio ar gael y Gorchymyn cymhwysedd deddfwriaethol o'r diwedd? Yn ôl Christine Chapman mae'r Pwyllgor Plant a Phobl Ifanc mor ystyfnig â mul, gan nad yw byth yn fodlon rhoi'r gorau i ddim. Gallwn yn wir ddefnyddio'r un disgrifiad wrth sôn am y Dirprwy Weinidog dros Dai ac Adfywio oherwydd ei bod hithau wedi dal ati'n ddyfal drwy'r cyfan. Yr wyf yn croesawu'r cyfle i reoleiddio tai cymdeithasol yn fwy effeithiol, ac i awdurdodau lleol allu gwneud cais i atal yr hawl i brynu. Croesawaf yr hyn a ddywedodd Arweinydd yr Wrthblaid am agwedd betrus ei blaid tuag at y Mesur arfaethedig. Ni allaf ond gobeithio na chânt eu denu i daflu'r llo a chadw'r brych, fel y gwnaethant, yn anffodus, ar adegau penodol yn ystod proses y Gorchymyn cymhwysedd deddfwriaethol.

Mae'r Mesur arfaethedig ynghylch addysg i'w groesawu hefyd. Unwaith eto, pwerau yw'r rhain y byddai rhywun wedi tybio eu bod yn nwylo'r Cynulliad Cenedlaethol beth bynnag. Llwyddir i gael y pwerau hyn os caiff y Mesur arfaethedig hwn ei basio'n llwyddiannus. Mae datganiad y Prif Weinidog yn tynnu sylw at y ffaith ei bod yn bosibl y bydd rhai'n holi pam mae'r Llywodraeth yn gwneud cais am unrhyw fath o Orchymyn cymhwysedd a ninnau, gobeithio, yn edrych ymlaen at refferendwm llwyddiannus. Fodd bynnag, mae'n briodol bwrw ymlaen yn y fath fodd, ac amhriodol fyddai i Lywodraeth Cymru gymryd yn ganiataol mewn unrhyw fodd beth fydd canlyniad y refferendwm.

Pan glywodd y Pwyllgor Iechyd, Lles a

the Health, Wellbeing and Local Government Committee took evidence about this, there was a difference of views, not only among those who gave evidence, but also among committee members. What I hope we can achieve unanimity on is that this decision should be made here. We can then, as the First Minister rightly pointed out in his response to Nick Bourne, make our own individual responses when a proposed Measure comes before the Assembly, as to where we stand on the issue itself. However, I am sure that we would all agree that it is appropriate that this legislation is here. Has the Government yet had any indication of the attitude of central Government towards this proposed competence Order? The First Minister notes in his statement that discussion has begun; I am sure that the First Minister would agree with me that it would be profoundly disappointing were central Government to get in the way of this power being brought down. I am sure that we all hope that it will not be so.

Finally, in accepting that this is entirely the right approach to the Government's legislative programme, will the Government look for any further, additional opportunities for devolution that the Westminster Government's programme may provide us with? This issue was raised by the Secretary of State for Wales when she spoke to the Assembly recently. For example, if the Westminster Government proceeds to legislate around the democratic control of the police service, it might be possible for our Government to seek for that legislation to devolve the police service to Wales. That matter is broadly welcomed, certainly by the police service. There may be other opportunities where we may be able to seek further devolution. Therefore, I would ask that the First Minister and the Government keep their eye on the ball.

Again, many of these issues might be resolved if we have a successful outcome to the referendum. However, I agree with the First Minister that it is right that that should not be taken for granted, and that we should

Llywodraeth Leol dystiolaeth ynghylch hyn, bydd y Prif Weinidog yn gwybod bod gwahaniaeth barn, nid yn unig ymhlith y rheini a roddodd dystiolaeth, ond hefyd ymhlith aelodau'r pwyllgor. Yr wyf yn gobeithio y gallwn gael unfrydedd barn y dylai'r penderfyniad gael ei wneud yma. Wedyn, fel y dywedodd y Prif Weinidog yn gywir yn ei ymateb i Nick Bourne, gallwn fynegi'n safbwyntiau am y pwnc ei hun drwy ymateb yn unigol pan ddaw Mesur arfaethedig gerbron y Cynulliad. Fodd bynnag, yr wyf yn sicr y byddem i gyd yn cytuno ei bod yn briodol bod y ddeddfwriaeth gennym yma. A oes gan y Llywodraeth unrhyw syniad beth yw agwedd y Llywodraeth ganolog tuag at y Gorchymyn cymhwysedd deddfwriaethol hwn? Dywed y Prif Weinidog yn ei ddatganiad bod y drafodaeth wedi dechrau; yr wyf yn sicr y byddai'r Prif Weinidog yn cytuno â mi y byddai'n hynod o siomedig pe bai'r Llywodraeth ganolog yn rhwystro trosglwyddo'r pŵer hwn. Yr wyf yn sicr ein bod i gyd yn gobeithio na fydd hynny'n digwydd.

Yn olaf, wrth dderbyn mai dyma'r ffordd iawn o fwrw ati gyda rhaglen deddfwriaethol y Llywodraeth, a fydd y Llywodraeth yn chwilio am unrhyw gyfleoedd eraill, ychwanegol, ar gyfer datganoli a allai ddod yn sgil rhaglen Llywodraeth San Steffan? Codwyd y mater hwn gan Ysgrifennydd Gwladol Cymru pan ddaeth i siarad â'r Cynulliad yn ddiweddar. Er enghraifft, os yw Llywodraeth San Steffan yn bwrw ati i ddeddfu ynghylch rheoli gwasanaeth yr heddlu mewn ffordd ddemocrataidd, efallai y bydd yn bosibl i'n Llywodraeth wneud cais am ddatganoli gwasanaeth yr heddlu i Gymru drwy'r ddeddfwriaeth honno. Yn gyffredinol, mae hyn wedi cael croeso, ac yn sicr gan wasanaeth yr heddlu. Efallai y bydd cyfleoedd eraill lle gallwn geisio rhagor o ddatganoli. Felly, byddwn yn gofyn i'r Prif Weinidog ac i'r Llywodraeth gadw llygad ar hynny.

Unwaith eto, efallai y caiff nifer o'r materion hyn eu datrys os cawn ganlyniad llwyddiannus yn y refferendwm. Fodd bynnag, cytunaf â'r Prif Weinidog na ddylid cymryd hynny'n ganiataol, ac na ddylem

not lose any opportunities, given that the Secretary of State has said that the Government will be prepared to consider representations from the Assembly Government in that regard, as part of its respect agenda. I am not sanguine about that respect agenda, but it may well provide us with some opportunities, so let us hope that, in that regard, I am not right.

The First Minister: I join you in congratulating the Minister for Housing for her tenacity in taking through the LCO on housing. It is a great pleasure to see it finally being taken forward, so that we can produce a proposed Measure on housing in the course of the next Assembly year.

With regard to the proposed LCO on organ donation, we have not detected any opposition yet from central Government in these early stages, and we hope that that continues. We always look to see whether there are appropriate framework powers that we can take in any legislation that passes through Parliament. It is rather like watching a train coming through the station and trying to jump on it as it passes through. However, we are aware of that.

On our capacity here, the LCO process has given us the opportunity to demonstrate that we can draft sound law here in Wales. As I have mentioned, we have now drafted eight Measures, none of which has been subject to any kind of challenge. The drafting of those Measures has not been challenged in any way, or thought to be deficient in any way. They represent what are, in effect, Acts. That is what they are; they look like Acts of Parliament, but the terminology at the moment is to call them Measures. I never doubted the capacity of Members here to scrutinise legislation; I do not think that it is genetically beyond Assembly Members to scrutinise legislation, as some outside this Chamber seem to think. However, we have demonstrated to the people of Wales, first, that we are able to produce sound legislation, and secondly, that Members here have more than enough capacity to scrutinise it.

golli unrhyw gyfle, ac ystyried bod yr Ysgrifennydd Gwladol wedi dweud y bydd yn barod i ystyried ceisiadau gan Lywodraeth y Cynulliad yn hynny o beth, fel rhan o'r agenda parch. Nid wyf yn rhy obeithiol ynghylch yr agenda parch, ond efallai'n wir y cawn ambell gyfle yn ei sgil, felly gobeithio, yn hynny o beth, fy mod yn anghywir.

Y Prif Weinidog: Ymunaf â chi i longyfarch y Gweinidog dros Dai am ei dycnwch yn llywio'r Gorchymyn cymhwysedd deddfwriaethol drwy'r system. Mae'n bleser mawr gweld ein bod yn bwrw ymlaen â hwn o'r diwedd, fel y gallwn greu Mesur arfaethedig ynghylch tai yn ystod blwyddyn nesaf y Cynulliad.

O ran y Gorchymyn cymhwysedd deddfwriaethol ynghylch rhoi organau, nid ydym wedi clywed unrhyw wrthwynebiad hyd yma gan y Llywodraeth ganolog yn y dyddiau cynnar hyn, a byddwn yn gobeithio y bydd pethau'n parhau felly. Yr ydym yn wastad yn chwilio i weld a oes pwerau fframwaith priodol y gallwn eu cymryd mewn unrhyw ddeddfwriaeth sy'n pasio drwy'r Senedd. Mae'n debyg i wyltio trêrn yn dod drwy'r orsaf a cheisio neidio arno wrth iddo basio. Fodd bynnag, yr ydym yn ymwybodol o hynny.

O ran ein gallu yma, mae proses y Gorchymyn cymhwysedd deddfwriaethol wedi rhoi cyfle inni ddangos y gallwn ddrafftio cyfreithiau cadarn yma yng Nghymru. Fel yr wyf wedi crybwyll eisoes, yr ydym wedi drafftio wyth Mesur hyd yn hyn, ac ni heriwyd yr un ohonynt. Nid yw'r ffordd y drafftiwyd yr un ohonynt wedi'i herio mewn unrhyw ffordd, ac ni farnwyd fod y gwaith hwnnw'n ddiffygiol mewn unrhyw fodd. Mewn gwirionedd, deddfau yw'r rhain. Dyna'r hyn ydynt; maent yn edrych fel Deddfau Seneddol, ond mae'r derminoleg ar hyn o bryd yn golygu ein bod yn eu galw'n Fesurau. Ni fu gennyf ddim amheuaeth ar unrhyw adeg ynghylch gallu'r Aelodau yma i graffu ar ddeddfwriaeth; ni chredaf fod craffu ar ddeddfwriaeth y tu hwnt i allu genetig Aelodau'r Cynulliad, er bod rhai y tu allan i'r Siambr hon, i bob golwg, yn meddwl hynny. Fodd bynnag, yr ydym wedi dangos i bobl Cymru ein bod, yn y lle cyntaf, yn gallu creu

deddfwriaeth gadarn, ac yn ail, bod gan yr Aelodau yn y fan hon fwy na digon o allu i graffu arni.

Kirsty Williams: I begin by thanking the First Minister for his statement. I note that it covered the legislation of previous months more than the Government's hopes for legislation in the remaining months. That is understandable, but it begs the question of how much more we could have done with the relevant law-making powers, if we could have avoided the lengthy and often tortuous process of legislative competence Orders.

Kirsty Williams: Dechreuaf drwy ddiolch i'r Prif Weinidog am ei ddatganiad. Sylwaf iddo roi mwy o sylw i ddeddfwriaeth y misoedd diwethaf nag i obeithion y Llywodraeth am gyflwyno deddfwriaeth yn y misoedd nesaf. Mae hynny'n ddealladwy, ond mae'n rhaid gofyn faint yn fwy y gallem fod wedi'i wneud petasai gennym y pwerau perthnasol i greu cyfreithiau, petaem wedi gallu osgoi proses hirwyntog a throellog y Gorchmynion cymhwysedd deddfwriaethol.

Having said that, I was slightly alarmed by the First Minister's response to Helen Mary Jones on issues around capacity in this National Assembly. We do the legislative role of this Assembly an injustice if we say that everything is fine; we should consider our experience carefully. If we are to campaign successfully for a 'yes' vote, we have to acknowledge some of the challenges that we have had as an institution, both in drafting legislation and in properly scrutinising it. If we cannot be honest about that ourselves, then, believe me, the opponents of a 'yes' campaign will take every opportunity to point that out to people ahead of that referendum. We have to be open about the fact that the process has not gone as smoothly as it ought, and we need to learn the lessons of that prior to the fourth Assembly and these further legislative powers. The issues lie both on the Welsh Assembly Government side and on the National Assembly side.

Ar ôl dweud hynny, cefais rywffaint o fraw o glywed ymateb y Prif Weinidog i sylw Helen Mary Jones allu'r Cynulliad Cenedlaethol hwn. Gwneud tro gwael â swyddogaeth deddfu'r Cynulliad hwn yw dweud bod popeth yn iawn; dylem gnoi cil yn ofalus ar ein profiadau. Er mwyn inni ymgyrchu'n llwyddiannus o blaid pleidlais 'ie', rhaid inni gydnabod rhai o'r heriau yr ydym wedi'u hwynebu yn y sefydliad hwn, wrth ddrafftio deddfwriaeth ac wrth graffu'n iawn arni. Oni allwn fod yn onest ynghylch hynny ein hunain, yna, coeliwch fi, bydd gwrthwynebwyr ymgyrch 'ie' yn achub ar bob cyfle i roi gwybod i bobl am hynny cyn y refferendwm. Mae'n rhaid inni fod yn agored am y ffaith nad yw'r broses wedi bod mor ddiraffferth ag y dylasai fod, ac mae angen inni ddysgu'r gwersi o hynny cyn y pedwerydd Cynulliad a chyn cael rhagor o bwerau deddfu. Mae'r problemau ar ochr Llywodraeth y Cynulliad ac ar ochr y Cynulliad Cenedlaethol.

Recent weeks have highlighted the Government's habit of drafting legislation that is difficult for the National Assembly to scrutinise. Another Member said earlier that the devil is in the detail; you might also say that the devil is in the regulations, which do not appear before this National Assembly alongside proposed Measures, but come later. The legislation that is presented to us as a National Assembly is often based on enabling powers for Ministers, with no guarantee that subsequent regulations containing the meat of the policy objective will come before to this Assembly. The Welsh Assembly Government needs to look at the criticism raised by

Mae'r wythnosau diwethaf wedi amlygu ei bod yn arfer gan y Llywodraeth ddrafftio deddfwriaeth y mae'n anodd i'r Cynulliad Cenedlaethol graffu arni. Dywedodd Aelod arall gynnu mai yn y manylion y mae'r diafol; gallech ddweud yr un mor rhydd mai yn y rheoliadau y mae'r diafol, er nad yw'r rheini'n ymddangos gerbron y Cynulliad Cenedlaethol hwn gyda'r Mesurau arfaethedig, gan eu bod yn cael eu cyflwyno'n ddiweddarach. Bydd y ddeddfwriaeth a gyflwynir inni yn y Cynulliad Cenedlaethol yn aml wedi'i seilio ar bwerau galluogi i Weinidogion, heb ddim sicrwydd y cyflwynir y rheoliadau dilynol

legislative committees and consider the way that it drafts its legislation. As an institution, we need to review the effectiveness of our legislative committees in properly scrutinising Government-proposed legislation, as well as looking at the role of the Finance Committee in scrutinising the financial aspects of legislation. If we are not honest about some of those issues, and if we are not prepared to look at them ourselves, then any opponents to the 'yes' campaign will do so for us.

Turning to the issues raised in the statement, I too am pleased that we can talk about a proposed Measure on housing rather than a housing LCO. It is very welcome indeed, and I am particularly glad to see that local authorities will be able to apply to the Minister to suspend the right to buy if they feel that that is helpful in achieving the housing goals for their area.

With regard to the proposals on learner travel safety, they are long overdue, and I welcome the fact that we are getting around to dealing with that. Could the First Minister confirm whether that legislation will finally address the issue of three-for-two seating and compulsory seat-belted on school transport? They were the two issues at the core of the tragic accident in the Vale of Glamorgan, and need to be addressed.

Turning to education and the focus on governance, could you confirm whether the proposed Measure will deal solely with schools? The Minister for Children, Education and Lifelong Learning has recently launched a review of governance in the further education sector; is it the intention for the proposed Measure to cover issues around that sector? The Minister talks about innovative new ways of creating governance arrangements, which may include the creation of joint governing bodies for FE colleges and a series of schools. Therefore,

sy'n cynnwys gwir sylwedd y polisi gerbron y Cynulliad hwn. Mae angen i Lywodraeth y Cynulliad edrych ar y feirniadaeth sydd wedi'i lleisio gan y pwyllgorau deddfwriaeth a chnoi cil ar y modd y mae'n drafftio'i deddfwriaeth. Yn y sefydliad hwn, mae angen inni adolygu pa mor effeithiol yw ein pwyllgorau deddfwriaeth wrth iddynt graffu'n iawn ar ddeddfwriaeth a gynigir gan y Llywodraeth, yn ogystal ag edrych ar waith y Pwyllgor Cyllid wrth iddo graffu ar yr agweddau ariannol ar ddeddfwriaeth. Os nad ydym yn onest ynghylch rhai o'r materion hynny, ac os nad ydym yn barod i edrych arnynt ein hunain, yna, bydd unrhyw un sy'n gwrthwynebu'r ymgyrch 'ie' yn gwneud hynny ar ein rhan.

Gan droi at y materion a godwyd yn y datganiad, yr wyf finnau'n falch y gallwn siarad am Fesur arfaethedig ynghylch tai yn hytrach nag am Orchymyn cymhwysedd deddfwriaethol. Mae hynny i'w groesawu yn wir, ac yr wyf yn arbennig o falch o weld y bydd modd i awdurdodau lleol wneud cais i'r Gweinidog am atal yr hawl i brynu os ydynt yn teimlo y bydd hynny'n gymorth i gyflawni'r amcanion ym maes tai yn eu hardal.

O ran y cynigion ynglŷn â diogelwch teithio i ddysgwyr, mae'n hen bryd eu cael, a chroesawaf y ffaith ein bod yn ymdrin â hyn o'r diwedd. A allai'r Prif Weinidog gadarnhau a fydd y ddeddfwriaeth hon o'r diwedd yn rhoi sylw i broblem tri'n eistedd mewn sedd i ddau ac yn sicrhau bod gwregysau diogelwch yn orfodol wrth gludo plant i'r ysgol? Dyma ddau o'r pethau a oedd yn sail i'r ddamwain drasig ym Mro Morgannwg, ac mae angen rhoi sylw iddynt.

Gan droi at addysg a'r canolbwyntio ar lywodraethu, a allwch gadarnhau mai dim ond i ysgolion y bydd y Mesur arfaethedig yn berthnasol? Mae'r Gweinidog dros Blant, Addysg a Dysgu Gydol Oes wedi lansio adolygiad o lywodraethu yn y sector addysg bellach yn ddiweddar; a yw'n fwriad i'r Mesur arfaethedig ymdrin â materion sy'n ymwneud â'r sector hwnnw? Mae'r Gweinidog yn sôn am ffyrdd arloesol newydd o greu trefniadau llywodraethu, a allai gynnwys creu cyrff llywodraethu ar y cyd i golegau addysg bellach a chyfres o ysgolion.

does it cover the FE sector?

Felly, a yw'r Mesur arfaethedig yn cynnwys y sector addysg bellach?

3.30 p.m.

I very much welcome a proposed legislative competence Order on presumed consent for organ donation. People are dying in Wales for the want of an available organ. International evidence shows that a system of presumed consent makes more organs available, with very few people choosing to opt out of that system. I can assure the First Minister of the Liberal Democrats' support for that proposed legislative competence Order and for driving that forward as quickly as possible.

Croesawaf yn fawr y Gorchymyn cymhwysedd deddfwriaethol ynghylch caniatâd tybiedig i roi organau. Mae pobl yn marw yng Nghymru am nad oes organ ar gael iddynt. Mae tystiolaeth ryngwladol yn dangos bod system caniatâd tybiedig yn golygu bod rhagor o organau ar gael, ac mai dim ond ychydig o bobl sy'n dewis ymeithrio o'r system. Gallaf roi sicrwydd i'r Prif Weinidog y bydd y Democratiaid Rhyddfrydol yn cefnogi'r Gorchymyn cymhwysedd deddfwriaethol arfaethedig hwnnw ac yn galw am fwrw ymlaen â hynny cyn gynted â phosibl.

I also welcome the First Minister's commitment to look at issues around framework powers, particularly those mentioned in the statement with regard to park homes. There are real problems facing those people in Wales who live in park homes. It is a significant housing sector in its own right in Wales, but it is one of the least regulated sectors. We have done a huge amount of work in recent years on houses in multiple occupation, for example, but park homes remain the one area of housing where the legislation surrounding it is old and out of date and not fit for purpose. We need to move to a system that gives people who live in park homes more rights than they currently have, particularly over the issues of fit and proper persons and site licensing procedures.

Croesawaf hefyd ymrwymiad y Prif Weinidog i edrych ar faterion sy'n ymwneud â phwerau fframwaith, yn enwedig y rheini y cyfeiriwyd atynt yn y datganiad ynghylch cartrefi mewn parciau. Mae'r bobl yng Nghymru sy'n byw mewn cartrefi mewn parciau'n wynebu problemau go iawn. Mae'n sector tai sylweddol ynddo'i hun yng Nghymru, ond dyma un o'r rhai sy'n cael ei reoleiddio leiaf. Yr ydym wedi gwneud gwaith mawr iawn yn y blynyddoedd diwethaf ar dai amlfeddiannaeth, er enghraifft, ond mae cartrefi mewn parciau yn un o'r meysydd tai lle nad yw'r ddeddfwriaeth berthnasol yn gyfoes nac yn addas i'w diben. Mae angen inni gael system sy'n rhoi mwy o hawliau nag sydd ganddynt ar hyn o bryd i bobl sy'n byw mewn cartrefi mewn parciau, yn enwedig yng nghyswllt pobl sy'n addas ac yn gymwys a gweithdrefnau trwyddedu safleoedd.

May I be so bold as to suggest that when the First Minister looks for opportunities to jump on the moving train in the field of public health that he may like to consider issues around the Food Standards Agency? There has been huge hue and cry this afternoon from Members around this Chamber about what may or may not happen to the FSA. Given the high level of concern among Labour and Plaid Members, I am surprised not to see a proposal for an LCO that could devolve further powers, which are currently held by the FSA, to the National Assembly

Wrth i'r Prif Weinidog chwilio am gyfleoedd i neidio ar y trên sy'n symud ym maes iechyd cyhoeddus, a gaf fod mor hy ag awgrymu y dylai edrych ar yr Asiantaeth Safonau Bwyd? Mae Aelodau'r Siambr hon wedi gwneud sŵn mawr y prynhawn yma am yr hyn a all ddigwydd i'r Asiantaeth neu beidio. Gan fod Aelodau Llafur a Phlaid Cymru'n poeni gymaint, yr wyf yn synnu nad oes cynnig ynglŷn â chyflwyno Gorchymyn cymhwysedd deddfwriaethol a allai ddatganoli rhagor o bwerau, pwerau sydd ar hyn o bryd yn nwylo'r Asiantaeth Safonau

for Wales—for example, powers relating to the implementation of the Pennington review. As I said, there has been terrible uproar today that we cannot implement the Pennington review without the FSA. If there were a proposal for an LCO, we could, for instance, move forward with the scores on the doors policy, which everyone who responded to the Pennington review said was much needed. We could therefore take the opportunity to look for legislation in that area.

I echo what Helen Mary said with regard to the devolution of the police forces. There is to be a great deal of legislation around the constitution in forthcoming months. Do you therefore agree that this is the perfect opportunity for us to have legislation that would allow the National Assembly to decide how many National Assembly Members should sit in this Chamber and legislation that would allow us to decide for ourselves what the electoral arrangements for those Members should be?

The First Minister: With regard to the number of AMs and the electoral arrangements, the difficulty is that if you start saying that there needs to be a referendum on the alternative vote for elections to Parliament, the implication is that there then must be a referendum on a change of the electoral system here, which is some way off in the distance. Let us take one referendum at a time.

Our view is that the FSA should remain and should not be devolved into a Welsh FSA. It is difficult to take forward any kind of proposal for an LCO regarding a policy on scores on the doors when we do not know whether the body that would be responsible for implementing it will still be in place. That is the uncertainty that surrounds that issue.

The proposed Measure on education will deal with schools; that is the intention. The intention of proposed Measure on safety of learner travel is to deal with safety standards on contracted school transport to ensure that those standards are sufficiently high. I can

bwyd, i Gynulliad Cenedlaethol Cymru—er enghraifft, pwerau sy'n ymwneud â rhoi adolygiad Pennington ar waith. Fel y dywedais, mae sŵn mawr wedi bod heddiw ynglŷn â'r ffaith na allwn roi adolygiad Pennington ar waith heb yr Asiantaeth. Petai cynnig ar gyfer Gorchymyn cymhwysedd deddfwriaethol, gallem, er enghraifft, symud ymlaen â'r polisi sgoriau ar ddrysau. Dywedodd pawb a ymatebodd i adolygiad Pennington fod hwnnw'n beth yr oedd ei angen yn fawr. Gallem felly achub ar y cyfle i geisio deddfu yn y maes hwnnw.

Ate gaf eiriau Helen Mary ynglŷn â datganoli'r heddluoedd. Bydd llawer iawn o ddeddfwriaeth yn ymwneud â'r cyfansoddiad yn y misoedd nesaf. A gytunwch felly mai dyma'r cyfle delfrydol inni gael deddfwriaeth a fyddai'n caniatáu i'r Cynulliad Cenedlaethol benderfynu faint o Aelodau'r Cynulliad Cenedlaethol a ddylai eistedd yn y Siambr hon a deddfwriaeth a fyddai'n caniatáu inni benderfynu drosom ein hunain beth fyddai'r trefniadau etholiadol ar gyfer yr Aelodau hynny?

Y Prif Weinidog: O ran nifer yr ASau a'r trefniadau etholiadol, yr anhawster yw, os dechreuwch ddweud bod angen cael refferendwm ynglŷn â'r bleidlais amgen ar gyfer etholiadau i'r Senedd, goblygiad hynny wedyn yw ei bod yn rhaid ichi gael refferendwm ynglŷn â newid y drefn etholiadol yma, ac mae hynny dipyn yn y dyfodol. Gadewch inni gynnal un refferendwm ar y tro.

Ein barn ni yw y dylai'r Asiantaeth Safonau Bwyd barhau ac na ddylid ei datganoli i greu Asiantaeth Safonau Bwyd i Gymru. Mae'n anodd bwrw ymlaen ag unrhyw gynnig ar gyfer Gorchymyn cymhwysedd deddfwriaethol ynglŷn â pholisi sgoriau ar ddrysau heb inni wybod a fyddai'r corff a fyddai'n gyfrifol am ei roi ar waith yn dal i fodoli. Dyna'r ansicrwydd sydd ynghlwm wrth hynny.

Bydd y Mesur addysg arfaethedig yn ymwneud ag ysgolion; dyna'r bwriad. Bwriad y Mesur arfaethedig ynghylch diogelwch teithio i ddysgwyr yw ymdrin â safonau diogelwch ar gludiant o dan contract i ysgolion er mwyn sicrhau bod y safonau

assure the Assembly that it will be a framework Measure. A large number of regulations will be attached to the proposed Measure, but we propose that any regulations that will be made will be subject to the affirmative resolution of the Assembly, so that Members will have more opportunity to scrutinise any regulations that may be made.

David Lloyd: I will concentrate my comments on the proposed legislative competence Order on presumed consent for organ donation. As a long-term campaigner for presumed consent, I give this a huge welcome. Thank you very much for your announcement today. It makes Wales the first nation in the United Kingdom to have his life-saving system in place. I can assure colleagues who are sitting opposite me that we need soft presumed consent to save lives. One person in Wales dies every 11 days waiting for a kidney and 500 people in Wales are currently on a waiting list—waiting, in the main, for a kidney. The main reason why they are waiting is the lack of organs. They are sitting there this afternoon waiting for a telephone call that tells them, ‘There’s a kidney for you’. It will not say that you cannot have your operation because there is no intensive care bed for you; it will say that you will have your operation because there is a kidney available for you. There are people here today who are overjoyed at this announcement. I commend the work that the Minister for health has done on this over the years, and the work that you, as the First Minister, have done in pushing forward this very important system.

As you will be aware, international experience shows that having an opt-out system increases the number of organs that are available by upwards of 30 per cent. In Belgium, there was an increase of 55 per cent in the number of organs that were available for donation. This simple change in the system has transformed lives in Belgium and, of course, this is about saving lives. We know that about 90 per cent of people say that they are in favour of organ donation, but only about 28 per cent of us get around to opting in, under the current system, to register as

hynny’n ddigon da. Gallaf sicrhau’r Cynulliad mai Mesur fframwaith fydd hwnnw. Bydd nifer fawr o reoliadau’n cael eu cysylltu â’r Mesur arfaethedig, ond ein bwriad yw y bydd unrhyw reoliadau a wneir yn dod o dan y weithdrefn gadarnhaol yn y Cynulliad, er mwyn i’r Aelodau gael rhagor o gyfle i graffu ar unrhyw reoliadau a wneir.

David Lloyd: Canolbwyntiaf fy sylwadau ar y Gorchymyn cymhwysedd deddfwriaethol arfaethedig ynghylch caniatâd tybiedig ar gyfer rhoi organau. A minnau wedi ymgyrchu ers tro byd o blaid caniatâd tybiedig, yr wyf yn croesawu hyn yn fawr iawn. Diolch yn fawr iawn ichi am eich cyhoeddiad heddiw. Mae’n golygu mai Cymru fydd y genedl gyntaf yn y Deyrnas Unedig i roi’r drefn achub bywyd hwn ar waith. Gallaf sicrhau fy nghyd-Aelodau gyferbyn fod angen caniatâd tybiedig meddal arnom er mwyn achub bywydau. Bydd un person yn marw yng Nghymru bob 11 diwrnod wrth ddisgwyl am aren ac mae 500 o bobl ar restr aros yng Nghymru ar hyn o bryd—yn aros, a hynny am aren, gan amlaf. Y prif reswm pam maent yn aros yw oherwydd diffyg organau. Maent yn eistedd yno y prynhawn yma’n disgwyl galwad ffôn a fydd yn dweud wrthynt, ‘Mae aren ar gael ichi’. Ni fydd yn dweud na chewch eich llawdriniaeth oherwydd nad oes gwely gofal dwys ichi; bydd yn dweud y cewch eich llawdriniaeth oherwydd bod aren ar gael ichi. Mae pobl yma heddiw sydd ar ben eu digon o glywed y cyhoeddiad hwn. Yr wyf yn cymeradwyo’r gwaith y mae’r Gweinidog dros iechyd wedi’i wneud ar hyn dros y blynyddoedd, a’r gwaith yr ydych chi, Brif Weinidog, wedi’i wneud yn rhoi hwb ymlaen i’r drefn bwysig iawn hon.

Gwyddoch fod profiad rhyngwladol yn dangos bod cael system ymeithrio yn cynyddu nifer yr organau sydd ar gael 30 y cant a mwy. Yng ngwlad Belg, gwelwyd cynnydd o 55 y cant yn nifer yr organau a oedd ar gael i’w rhoi. Mae’r newid syml hwn yn y drefn wedi gwednewid bywydau yng ngwlad Belg, ac, wrth gwrs, mae a wnelo hyn ac achub bywydau. Gwyddom fod oddeutu 90 y cant o bobl yn dweud eu bod o blaid rhoi organau, ond mai dim ond oddeutu 28 y cant ohonom sy’n gwneud rhywbeth ynglŷn â hynny, o dan y drefn bresennol ac yn

organ donors. Despite excellent campaigns such as Donate Wales and the Tell a Loved One campaign, the figure is still only 28 per cent, and it needs to grow. The Spanish experience of soft presumed consent means that there is only a 15 per cent refusal rate. The excellent backcloth of the settled will of the nation helps doctors to have that difficult conversation with the family about the availability of those organs. The opt-out will truly transform lives. This is an historic announcement for the people of Wales and I hope that it will act as a driver for the rest of the United Kingdom to think about taking on the same system.

With regard to the referendum, I would prefer for the Assembly to have the powers now to legislate for soft presumed consent, from today onwards; however, as you will be well aware, that is not the situation that we are in. In view of the facts that point out that this will save lives, and that it will stop the situation of one person dying in Wales every 11 days while waiting for an organ donation, does the First Minister agree that one of the best possible arguments for a 'yes' vote in the referendum is this very issue of soft presumed consent?

The First Minister: I agree very much with what you have said. The great advantage of the soft opt-out system is that it increases the supply of organs without increasing the extra emotional cost on donor families. That is why we are enthusiastic about taking it forward. You were right to point out that the majority of people would, if they were asked, say that they were happy for their organs to be taken and to become a donor in the event of their death. However, the reality is that comparatively few will take the proactive step of filling in the card and carrying it with them. That is the great disadvantage of the present system. I very much welcome the fact that we are now moving forward with plans to get the powers that we need in order to make sure, bluntly, that more people in Wales are able to live, and that more are able to live fulfilled lives.

Andrew R.T. Davies: First Minister, I welcome the statement that you have made to give the opposition parties an indication of

cofrestru i roi organau. Er gwaethaf ymgyrchoedd rhagorol megis Rhodd Cymru a'r ymgyrch Dywed wrth Rywun Agos, dim ond 28 y cant yw'r ffigur o hyd, ac mae angen iddo dyfu. Yn Sbaen, mae'r drefn caniatâd tybiedig meddal yn dangos mai dim ond 15 y cant sy'n gwrthod. Mae cael ewyllys sefydlog y genedl yn gefnlen yn gymorth i feddygon gynnal y sgwrs anodd honno gyda'r teulu ynglŷn ag a yw'r organau hynny ar gael. Bydd y drefn ymeithrio'n gweddnewid bywydau o ddifrif. Dyma gyhoeddiad hanesyddol i bobl Cymru ac yr wyf yn gobeithio y bydd yn sbardun i weddill y Deyrnas Unedig feddwl am fabwysiadu'r un system.

O ran y refferendwm, byddai'n well gennyf adael i'r Cynulliad gael y pwerau yn awr i ddeddfu ar gyfer caniatâd tybiedig meddal, o heddiw ymlaen; serch hynny, fel y gwyddoch yn iawn, nid dyna'r sefyllfa yr ydym ynddi. Yn sgil y ffeithiau sy'n dangos y bydd hyn yn achub bywydau ac y bydd yn atal y sefyllfa lle bydd rhywun yn marw yng Nghymru bob 11 diwrnod wrth ddisgwyl i rywun roi organ, a yw'r Prif Weinidog yn cytuno mai un o'r dadleuon gorau posibl o blaid pleidlais 'ie' yn y refferendwm yw'r union fater hwn, sef caniatâd tybiedig meddal?

Y Prif Weinidog: Yr wyf yn cytuno'n llwyr â chi. Mantais fawr y system ymeithrio feddal yw ei bod yn cynyddu'r cyflenwad o organau heb roi pwysau emosiynol ychwanegol ar deuluoedd y rhoddwr. Dyna pam yr ydym yn frwd o blaid bwrw ymlaen â hi. Yr oeddech yn iawn yn dweud y byddai'r rhan fwyaf o bobl yn dweud, pe gofynnid iddynt, eu bod yn fodlon i rywun ddefnyddio'u horganau a dod yn rhoddwr pe digwyddai iddynt farw. Serch hynny, y gwirionedd yw mai cymharol ychydig a wnaiff gymryd y cam rhagweithiol o lenwi'r cerdyn a'i gario. Dyna anfantais fawr y drefn bresennol. Yr wyf yn croesawu'n fawr iawn y ffaith ein bod yn awr yn symud ymlaen â chynlluniau i gael y pwerau y mae eu hangen arnom er mwyn sicrhau, a bod yn blwmp ac yn blaen, y gall mwy o bobl yng Nghymru fyw, a bod mwy o bobl yn gallu byw bywyd cyflawn.

Andrew R.T. Davies: Brif Weinidog, yr wyf yn croesawu eich datganiad sy'n rhoi syniad i'r gwrthbleidiau beth fydd rhaglen

the Government's legislative programme, and I wish to touch on three aspects of it in particular. I welcome broadly proposed Measure on safety of learner travel on school transport. As I represent South Wales Central and live about 3 miles from the village of Ystradowen, I know full well of the enthusiasm and dedication of Stuart Cunningham-Jones's family to this issue and the campaign that they have led. I sat on the committee that looked into this when it was first proposed.

On the proposed LCO on organ donation, I am very sympathetic to the cause, but I understand people's principled reservations with regard to organ donation. Therefore, I hope that the Government will engage constructively in working to address people's concerns, and in particular to address those included in the substantive report that was put together by the Health, Wellbeing and Local Government Committee on this subject. I hope that we can work together on this issue. It is surely not a political issue; it is a question of addressing the concerns that Dr Dai Lloyd touched on, namely that many people are sitting at home or lying in bed, waiting for that phone call. Therefore, I hope that the Government will move forward on a consensual basis, and, as long as an understanding approach is taken, we will provide any help that we can.

3.40 p.m.

I would also like to touch on the point that Kirsty Williams raised on scores on the doors. We touched on this last Thursday, in the Health, Wellbeing and Local Government Committee, and many points were raised at that meeting. However, it is a little perverse of you to say that, following the removal of the FSA, there would be no organisation to implement such legislation if we had the competence here. I think that that is what you said to the leader of the Welsh Liberal Democrats. Surely, if you gained that competence via a proposed LCO on public health, you could implement it through local authorities. So, what consideration, if any, has been given to trying to seek competence in this field? It has been stated in various reports, and was considered in detail at last

ddeddfwriaethol y Llywodraeth, a hoffwn sôn am dair agwedd ohoni'n benodol. Yr wyf yn croesawu'n gyffredinol y Mesur arfaethedig ynghylch diogelwch teithio i ddysgwyr ar gludiant i ysgolion. A minnau'n cynrychioli Canol De Cymru ac yn byw tua 3 milltir o bentref Ystradowen, gwn yn dda am frwdfrydedd ac ymroddiad teulu Stuart Cunningham-Jones yn y cyswllt hwn a'r ymgyrch y maent wedi'i harwain. Yr oeddwn yn aelod o'r pwyllgor a fu'n ystyried hyn pan gafodd ei gynnig gyntaf.

O ran y Gorchymyn arfaethedig ynglŷn â rhoi organau, yr wyf yn cydymdeimlo'n fawr â'r achos, ond yr wyf yn deall amheuron egwyddorol pobl ynglŷn â rhoi organau. Felly, yr wyf yn gobeithio yr aiff y Llywodraeth ati mewn ffordd adeiladol i fynd i'r afael â phryderon pobl, ac yn benodol i fynd i'r afael â'r pryderon hynny y cyfeirir atynt yn yr adroddiad sylweddol a baratowyd am y pwnc gan y Pwyllgor Iechyd, Lles a Llywodraeth Leol. Yr wyf yn gobeithio y gallwn gydweithio ar y mater hwn. Siawns nad mater gwleidyddol ydyw; mater o fynd i'r afael â'r pryderon a grybwyllwyd gan y Dr Dai Lloyd ydyw, sef bod llawer o bobl yn eistedd gartref neu'n gorwedd mewn gwely'n disgwyl yr alwad ffôn honno. Felly, yr wyf yn gobeithio y gwnaiff y Llywodraeth symud ymlaen ar sail consensws, a chyn belled ag y dangosir parch at safbwynt pobl, byddwn yn rhoi unrhyw gymorth a allwn.

Hoffwn grybwyll hefyd y pwynt a godwyd gan Kirsty Williams ynglŷn â sgoriau ar ddrysau. Crybwyllwyd hyn ddydd Iau diwethaf yn y Pwyllgor Iechyd, Lles a Llywodraeth Leol a chodwyd llawer o bwyntiau yn y cyfarfod hwnnw. Fodd bynnag, mae'n rhyfedd braidd eich bod yn dweud, ar ôl dileu'r Asiantaeth Safonau Bwyd, na fyddai sefydliad ar gael i roi deddfwriaeth o'r fath ar waith petai'r cymhwysedd gennym yma. Credaf mai dyna a ddywedasoich wrth arweinydd Democratiaid Rhyddfrydol Cymru. Siawns na allech roi'r cymhwysedd ar waith drwy'r awdurdodau lleol petaech yn ei gael drwy Orchymyn arfaethedig ar iechyd cyhoeddus. Felly pa ystyriaeth, os o gwbl, sydd wedi'i rhoi i geisio sicrhau cymhwysedd yn y maes hwn?

Thursday's committee meeting, that such competence would be a significant weapon in the arsenal of the Assembly Government to improve public health. Is there a hope, at this late stage, that you might be able to incorporate such a request for competence in your agenda going forward, given that I appreciate that the timescales are tight?

The First Minister: It is difficult to proceed with a proposed LCO on the issue of scores on the doors if we do not know whether the organisation with which we would work will actually exist. If the FSA is to be abolished, we will wait to see what the outcome will be. Would that mean that there would be a devolution of funding as a result? That issue needs to be explored. What is proposed to replace the FSA itself? Until those issues are resolved, there is no point in taking forward a proposed LCO because the future of the organisation with which we would want to work is in question. Until that is resolved, we cannot take this forward. If the FSA is abolished, that might well provide us with an opportunity to proceed without the need for a proposed LCO, but until that is resolved, it is difficult to take this matter forward.

On organ donation, I have not yet heard anyone in the Chamber express a contrary view on the devolution of powers to the Assembly so that we could take such an important decision.

*Daeth y Dirprwy Lywydd Dros Dro (William Graham) i'r Gadair am 3.42 p.m.
The Temporary Deputy Presiding Officer (William Graham) took the Chair at 3.42 p.m.*

Datganiad am Wariant yn ystod y Flwyddyn Statement on In-year Spending

The Minister for Business and Budget (Jane Hutt): On 24 May, the UK Government announced that it would be cutting budgets in 2010-11 by a total of £6.2 billion, net of £500 million of savings recycled into additional spending. Wales was given a share of these budget cuts and recycled savings equivalent to a net reduction of around 1 per cent of our total budget. We were also given the opportunity to defer some

Mae wedi'i ddweud mewn amrywiol adroddiadau, ac fe'i hystyriwyd yn fanwl yng nghyfarfod y pwyllgor ddydd Iau diwethaf, y byddai cymhwysedd o'r fath yn arf bwysig ym mlwch arfau Llywodraeth y Cynulliad i wella iechyd cyhoeddus. A oes gobaith, a hithau'n hwyr yn y dydd, y gallech gynnwys cais o'r fath am gymhwysedd yn eich agenda ar gyfer y dyfodol, er fy mod yn sylweddoli bod yr amserlen yn dynn?

Y Prif Weinidog: Mae'n anodd bwrw ymlaen â Gorchymyn arfaethedig ynghylch sgoriau ar ddrysau heb wybod a fydd y sefydliad y byddem yn gweithio gydag ef yn bodoli ai peidio. Os dilëir yr Asiantaeth Safonau Bwyd, byddwn yn aros i weld beth fydd y canlyniad. A fyddai hynny'n golygu y datganolid yr arian yn sgil hynny? Mae angen archwilio'r mater hwnnw. Beth a gynigir i ddisodli'r Asiantaeth ei hun? Nes inni ddatrys y materion hynny, nid oes pwynt bwrw ymlaen â Gorchymyn arfaethedig oherwydd bod dyfodol y sefydliad y byddem am weithio gydag ef yn ansicr. Nes inni ddatrys hynny, ni allwn fwrw ymlaen â hyn. Os ceir gwared ar yr Asiantaeth Safonau Bwyd, gallai hynny'n sicr roi cyfle inni fwrw ymlaen heb fod angen Gorchymyn arfaethedig, ond nes inni ddatrys hynny, mae'n anodd bwrw ymlaen â hyn.

O ran rhoi organau, nid wyf eto wedi clywed neb yn y Siambr yn mynegi barn groes ynglŷn â datganoli pwerau i'r Cynulliad er mwyn inni allu gwneud penderfyniad mor bwysig.

Y Gweinidog dros Fusnes a'r Gyllideb (Jane Hutt): Ar 24 Mai, cyhoeddodd Llywodraeth y DU y byddai'n torri cyfanswm o £6.2 biliwn oddi ar gyllidebau yn 2010-11, net £500 miliwn o arbedion wedi'u hailgylchu yn wariant ychwanegol. Cafodd Cymru gyfran o'r toriadau hyn ac arbedion wedi'u hailgylchu sy'n cyfateb i ostyngiad net sydd oddeutu 1 y cant o gyfanswm ein cyllideb. Cawsom hefyd y

or all of the budget reduction to next year. After the split between revenue and capital was clarified and the mistake on the consequential relating to the Olympic Games was rectified, I can clarify that our share of the cuts is £162 million, which equates to £113 million in revenue and £49 million in capital.

After careful consideration, we have decided to take as much as we can of the 2010-11 budget reductions this year, but we are doing this without taking money from our key policy priorities and especially without taking risks with the fragile economic recovery.

I would like to make clear what we have had to take into account to make this decision. These reductions will hit Wales harder than other parts of the UK because, as the independent Holtham commission has made clear, Wales is already underfunded by some £300 million per year. We recognise that action on the commission's recommendation on Barnett reform will take some time. However, we will continue to press for the immediate introduction of a funding floor to prevent underfunding becoming worse. In the meantime, this underfunding for Wales makes these in-year reductions even more difficult to manage.

We have also had to consider what the impact would be if we were to defer all the cuts to next year. If we were to defer all the budget reductions until next year, we would start 2011-12 with a £237 million reduction in our revenue budget—equivalent to a 1.7 per cent cut—and a £111 million reduction in our capital budget, which would be equivalent to a 6.7 per cent cut. It would mean that the challenge for 2011-12 would be even greater than the challenge that we already know that we are facing. That would not be in the best interests of Wales and certainly would not be what the people of Wales would expect from us. We have made it clear that our priority is to protect and improve the public services on which people rely, while continuing to lead Wales into economic recovery. Continuing capital investment is the key to delivering this.

cyfle i ohirio rhai o'r gostyngiadau yn y gyllideb neu'r cwbl tan y flwyddyn nesaf. Ar ôl egluro'r rhaniad rhwng refeniw a chyfalaf ac ar ôl cywiro'r camgymeriad ynghylch yr arian canlyniadol a oedd yn ymwneud â'r Gemau Olympaidd, gallaf ddatgan mai £162 miliwn yw ein cyfran ni o'r toriadau sy'n golygu £113 mewn refeniw a £49 miliwn mewn cyfalaf.

Ar ôl ystyried hyn yn ofalus, yr ydym wedi penderfynu cymryd cymaint ag y gallwn o'r gostyngiadau yng nghyllideb 2010-11 eleni, ond yr ydym yn gwneud hyn heb dynnu arian oddi wrth ein prif flaenoriaethau polisi ac yn enwedig heb gymryd risgiau gyda'r adferiad economaidd bregus.

Carwn egluro'r hyn y bu'n rhaid inni ei ystyried er mwyn gwneud y penderfyniad hwn. Bydd y gostyngiadau hyn yn taro Cymru yn galetach na rhannau eraill o'r DU, oherwydd fel yr eglurodd comisiwn annibynnol Holtham, mae Cymru eisoes yn cael ei thanariannu oddeutu £300 miliwn y flwyddyn. Yr ydym yn cydnabod y bydd gweithredu ar argymhelliad y comisiwn ar ddiwygio Barnett yn cymryd amser. Fodd bynnag, byddwn yn parhau i bwysu am gyflwyno terfyn ariannu isaf ar unwaith i atal y tanariannu rhag gwaethygu. Yn y cyfamser, mae'r tanariannu hyn ar gyfer Cymru yn golygu bod y gostyngiadau hyn yn ystod y flwyddyn hyd yn oed yn anos eu rheoli.

Bu'n rhaid inni hefyd ystyried beth fyddai'r effaith petaem yn gohirio'r holl doriadau tam y flwyddyn nesaf. Petaem yn gohirio'r holl ostyngiadau yn y gyllideb tan y flwyddyn nesaf, byddem yn dechrau 2011-12 gyda gostyngiad o £237 miliwn yn ein cyllideb refeniw—sy'n cyfateb i doriad o 1.7 y cant—a gostyngiad o £111 miliwn yn ein cyllideb gyfalaf, a fyddai'n gyfystyr i doriad o 6.7 y cant. Byddai'n golygu y byddai'r sialens ar gyfer 2011-12 hyd yn oed yn fwy na'r sialens yr ydym eisoes yn gwybod sy'n ein hwynebu. Ni fyddai hynny er budd gorau Cymru ac yn ddiau ni fyddai pobl Cymru yn disgwyl inni wneud hynny. Yr ydym wedi datgan yn glir mai ein blaenoriaeth yw diogelu a gwella'r gwasanaethau cyhoeddus y mae pobl yn dibynnu arnynt, ar yr un pryd ag arwain Cymru at adferiad economaidd. Parhau â buddsoddi cyfalaf yw'r allwedd i

gyflawni hyn.

That is why I have resolved to protect the capital budget this year, so that vital education, health, housing and social care projects will continue. To enable us to do that, I will be protecting capital investment by using our end-year flexibility funding, or EYF, to meet the capital cut of £49 million. That means that we are now able to progress with capital projects that were under threat of being cut or delayed following the UK Government's June budget. The decision will make a real difference to the people of Wales, to jobs and services, and it will also support the construction sector and our continuing efforts to lead Wales towards recovery. Tomorrow, the Minister for education will be making an announcement on our hugely important school building programme, and other announcements of capital investment will follow—in health and housing, for example.

We have also made solid progress in identifying revenue savings, and we will continue to look for further opportunities over the coming months. However, we will only make reductions that do not lead to unacceptable consequences for front-line service delivery or for our economic recovery. We will be reviewing the position regularly to ascertain the amount of revenue savings that can be secured in-year, and will take a final decision in November on the precise amount of revenue budget reductions that we will make this year, including whether we use any of our reserves or EYF to help to meet the revenue reductions. We are committed to making these reductions in a way that does the least damage to the economy, to jobs, to public services and to the most vulnerable. We know that difficult choices and tough decisions need to be made, but we are determined to ensure that we continue to use our resources responsibly and to maximum effect. This budgetary statement demonstrates the distinctive approach that the Welsh Assembly Government is taking to meet the twin objectives of supporting economic renewal and social justice for the people, communities and economy of Wales.

Dyna pam fy mod wedi penderfynu diogelu'r gyllideb gyfalaf eleni, er mwyn i brosiectau addysg, iechyd, tai a gofal cymdeithasol hollbwysig barhau. Er mwyn ein galluogi i wneud hynny, byddaf yn gwarchod buddsoddiad cyfalaf drwy ddefnyddio ein harian hyblygrwydd diwedd blwyddyn i ddiwallu'r toriad cyfalaf o £49 miliwn. Mae hynny'n golygu ein bod yn awr yn gallu symud ymlaen â phrosiectau cyfalaf a oedd mewn perygl o gael eu torri neu eu gohirio yn dilyn cyllideb Llywodraeth y DU ym mis Mehefin. Bydd y penderfyniad yn gwneud gwahaniaeth go iawn i bobl Cymru, i swyddi ac i wasanaethau a bydd hefyd yn helpu'r sector adeiladwaith a'n hymdrechion parhaus i arwain Cymru at adferiad. Yfory, bydd y Gweinidog dros addysg yn gwneud cyhoeddiad am ein rhaglen adeiladu ysgolion sy'n bwysig dros ben, a bydd cyhoeddiadau eraill ynghylch buddsoddiad cyfalaf yn cael eu gwneud maes o law—ym maes iechyd a thai, er enghraifft.

Yr ydym hefyd wedi cymryd camau breision ymlaen o ran adnabod arbedion refeniw, a byddwn yn parhau i chwilio am ragor o gyfleoedd dros y misoedd nesaf. Fodd bynnag, dim ond gostyngiadau nad ydynt yn arwain at ganlyniadau annerbyniol i gyflenwi gwasanaethau ar y rheng flaen nac i'n hadferiad economaidd y byddwn yn eu gwneud. Byddwn yn adolygu'r sefyllfa'n rheolaidd i gael gwybod faint o arbedion refeniw gallwn eu cyflawni yn ystod y flwyddyn a byddwn yn gwneud penderfyniad terfynol ym mis Tachwedd ar union faint o ostyngiadau yn y gyllideb refeniw y byddwn yn eu gwneud eleni, gan gynnwys a fyddwn yn defnyddio unrhyw rai o'n cronfeydd wrth gefn neu hyblygrwydd diwedd blwyddyn i helpu i ddiwallu'r gostyngiadau mewn refeniw. Yr ydym wedi ymrwymo i wneud y gostyngiadau hyn mewn ffordd sy'n golygu cyn lleied â phosibl o ddifrod i'r economi, i swyddi, i wasanaethau cyhoeddus ac i'r bobl fwyaf agored i niwed. Yr ydym yn gwybod ei bod yn rhaid gwneud penderfyniadau a dewisiadau anodd ac astrus ond yr ydym yn benderfynol ein bod am sicrhau ein bod yn parhau i ddefnyddio ein hadnoddau yn gyfrifol ac yn y ffordd fwyaf effeithiol bosibl. Mae'r datganiad cyllidebol hwn yn dangos y

dull gweithredu gwahanol y mae Llywodraeth Cynulliad Cymru yn ei gymryd i ddiwallu dau amcan sef cefnogi adferiad economaidd a chyfiawnder cymdeithasol i bobl, i gymunedau ac i economi Cymru.

Nick Ramsay: I thank you, Minister, for this statement. I have been asking for a long time for your decision on whether you will be deferring the budget cuts, and so, to give credit where credit is due, we now have some more clarity on the matter, which is to be welcomed. It is important that the people, businesses and public sector of Wales have clarity on the issue of deferral, which is of such importance at this time. We, on this side of the Chamber, broadly welcome the decision not to defer the reductions. We have had discussions on this issue in the past, and there were arguments in favour of and against deferral, so I appreciate that the decision was not an easy one to make. I understand that not deferring would have meant storing up a bigger problem to be faced next year, and I welcome the fact that your Government has decided to take this issue on the nose. However, your decision raises a series of further questions as to where the axe will fall, and I am sure that you were expecting me to ask them. While I welcome the tone of your statement, I am sure that you will agree that there is still an amount of detail to be added. Over the weeks and months ahead, in the run-up to the comprehensive spending review and beyond, I look forward to hearing further details of exactly where you think these cuts can be made.

As I have said before, I welcome the Assembly Government's conversion on this issue of the Barnett formula and the £300 million of underfunding. Until 6 May, it was difficult to get an answer on whether you supported a revision of the Barnett formula. My party has been saying for a long time that the underfunding of Wales is to be lamented, and I am pleased that you have come onside to support us on that. Before we have a revision of the formula—and, as you said, that will take time—the issue of a funding floor is of great importance, being considered by the Finance Committee and by your

Nick Ramsay: Diolch ichi, Weinidog, am y datganiad hwn. Yr wyf wedi bod yn holi ers tro byd am eich penderfyniad ynghylch a fyddwch yn gohirio'r toriadau yn y gyllideb ai peidio, ac felly, i roi clod lle mae'n ddyledus, mae gennym rywfaint yn fwy o eglurder ynghylch y mater nawr ac mae hynny i'w groesawu. Mae'n bwysig bod pobl, busnesau a sector cyhoeddus Cymru yn glir ynghylch y gohirio, sydd mor bwysig yn awr. At ei gilydd, yr ydym ar yr ochr hwn o'r Siambr yn croesawu'r penderfyniad i beidio â gohirio'r gostyngiadau. Yr ydym wedi trafod y mater hwn yn y gorffennol, ac yr oedd dadleuon o blaid ac yn erbyn gohirio, felly yr wyf yn gwerthfawrogi nad oedd hwn yn benderfyniad hawdd. Yr wyf yn deall y byddai peidio â gohirio wedi golygu storio problem fwy i'w hwynebu'r flwyddyn nesaf, ac yr wyf yn croesawu'r ffaith bod eich Llywodraeth wedi penderfynu delio â'r mater hwn ar ei ben. Fodd bynnag, mae eich penderfyniad yn codi cyfres o gwestiynau eraill ynghylch lle bydd y fwyell yn disgyn, ac yr wyf yn siŵr eich bod yn disgwyl imi eu gofyn. Er fy mod yn croesawu tôn eich datganiad, yr wyf yn siŵr y byddwch yn cytuno bod angen ychwanegu llawer o fanylion o hyd. Dros yr wythnosau a'r misoedd nesaf, yn y cyfnod cyn yr adolygiad cynhwysfawr o wariant a thu hwnt, yr wyf yn edrych ymlaen at glywed rhagor o fanylion ynghylch yn union lle'r ydych yn meddwl y gellir gwneud y toriadau hyn.

Fel yr wyf wedi dweud o'r blaen, yr wyf yn croesawu tröedigaeth Llywodraeth y Cynulliad ar y mater hwn o fformiwla Barnett a'r £300 miliwn o danariannu. Cyn 6 Mai, yr oedd yn anodd cael ateb ynghylch a oeddech yn cefnogi diwygio fformiwla Barnett ai peidio. Mae fy mhlaid wedi bod yn dweud ers tro byd y gresynir wrth y tanariannu a geir yng Nghymru, ac yr wyf yn falch eich bod bellach yn ein cefnogi ar hynny. Cyn inni ddiwygio'r fformiwla—ac, fel y dywedasoeh, bydd hynny'n cymryd amser—mae mater terfyn ariannu isaf yn bwysig dros ben, sy'n cael ei ystyried gan y

officials. In safeguarding the Welsh budget, it is important that you make the point that the way in which the Holtham review anticipates the funding floor working does not necessarily guarantee extra funding for Wales in difficult times, although it will be more beneficial as we go into better economic times, hopefully, as it ensures that the Assembly budget does not suffer when public spending at Westminster is growing. That is an important point on which I seek your clarification. We do not want to give the public the idea that a funding floor is the be-all and end-all or the ultimate answer.

3.50 p.m.

I would also be grateful if you would tell us about your discussions with Westminster about how the Westminster Government sees a funding floor operating. There are two ways of doing it, are there not? You can either implement a funding floor across department budgets, or you can implement one across the whole spectrum of portfolios. Those methods give you quite different outcomes, as we saw when we looked at this in the Finance Committee. If you implement a funding floor across the spectrum, you have what I think would be perceived by the Westminster Government as a fairer result for the Assembly. However, if you take the health and education budgets separately, for example, and you implement a floor in those different areas, you end up with a different result. It is important that the detail is worked out, as given how the Assembly is funded and how the strands of the Barnett formula come together, we might not necessarily get the result that we are hoping for.

I welcome your decision on end-year flexibility, and your decision to try to mitigate the threat of losing £49 million in capital funding. You did not mention in your statement that the Westminster Government has safeguarded our end-year flexibility to the tune of some £200 million, I think. I am sure that you will want to welcome that, in responding to my questions on this. Admittedly, that is money that we have not

Pwyllgor Cyllid a gan eich swyddogion. Wrth ddiogelu cyllideb Cymru, mae'n bwysig eich bod yn gwneud y pwynt nad yw'r ffordd y mae adolygiad Holtham yn disgwyl y bydd y terfyn ariannu isaf yn gweithio o reidrwydd yn gwarantu arian ychwanegol i Gymru yn ystod cyfnodau anodd, er y bydd yn fwy buddiol wrth inni symud ymlaen i gyfnodau economaidd gwell, gobeithio, gan ei fod yn sicrhau nad yw cyllideb y Cynulliad yn dioddef pan fydd gwariant cyhoeddus yn San Steffan yn tyfu. Mae hwnnw'n bwnt pwysig yr wyf yn gofyn i chi ei egluro. Nid oes arnom eisiau rhoi'r syniad i'r cyhoedd mai terfyn ariannu isaf fydd yr ateb i bopeth.

Byddwn hefyd yn ddiolchgar petaech yn dweud wrthym am eich trafodaethau â San Steffan ynghylch sut y mae Llywodraeth San Steffan yn gweld terfyn ariannu isaf yn gweithio. Mae dwy ffordd o wneud hyn, onid oes? Gallwch naill ai weithredu terfyn ariannu isaf ar draws cyllidebau adrannau, neu gallwch weithredu un ar draws sbectrwm cyfan y portffolios. Mae'r dulliau hynny'n rhoi canlyniadau eithaf gwahanol i chi, fel y gwelsom wrth edrych ar hyn yn y Pwyllgor Cyllid. Os byddwch yn gweithredu terfyn ariannu isaf ar draws y sbectrwm, mae gennych yr hyn yr wyf yn meddwl a fyddai'n cael ei weld gan Lywodraeth San Steffan fel canlyniad tecach i'r Cynulliad. Fodd bynnag, os cymerwch y cyllidebau iechyd ac addysg ar wahân, er enghraifft, a'ch bod yn cyfrifo'r terfyn isaf yn y meysydd gwahanol hynny, cewch ganlyniad gwahanol. Mae'n bwysig dod i ddeall y manylion, oherwydd mae sut y caiff y Cynulliad ei ariannu a sut y mae haenau fformiwla Barnett yn dod ynghyd, ni fyddwn o reidrwydd yn cael y canlyniad yr ydym yn ei ddeisyf.

Yr wyf yn croesawu eich penderfyniad ynghylch hyblygrwydd diwedd blwyddyn, a'ch penderfyniad i geisio lliniaru bygythiad colli'r £49 miliwn mewn cyllid cyfalaf. Ni soniasoch yn eich datganiad fod Llywodraeth San Steffan wedi diogelu ein hyblygrwydd diwedd blwyddyn i oddeutu £200 miliwn, yr wyf yn meddwl. Yr wyf yn siŵr y bydd arnoch eisiau croesawu hynny, wrth ymateb i fy nghwestiynau ar hyn. Yn ddiau, mae

spent in previous years and that we are hoping to access, but it was not necessarily safeguarded by the previous Government, and so it is to be welcomed that that is happening now. I hope that there will be clarity on that happening in future.

Finally, I welcome the fact that we finally have a decision on the deferral, which was important for the people of Wales. I do not quite understand why there was previously a level of dithering, if I may use a negative word. Previously, you said that you were waiting for the comprehensive spending review, but clearly you were not, as we have had some answers today. Thank you for the statement, Minister. I look forward to hearing your views on these issues, and please would you keep us updated as you review this process as it proceeds? Everyone in the Chamber would welcome being kept up to date on this quickly-changing situation.

Jane Hutt: Thank you, Nick, for a constructive contribution and set of questions. There were very few areas on which you seemed inclined to disagree with the statement that I made today. I welcome the fact that I see clear commitment from you, as the finance spokesperson for the Welsh Conservatives, and from all your fellow Welsh Conservative AMs, to working with me. I hope that I will also get that kind of support from the Welsh Liberal Democrats, to ensure that we deliver on the Holtham commission recommendations and address the £300 million in underfunding that was so evident in the report.

I wish to make something clear, Nick. Three years ago, I was Minister for Budget and Business Management—however briefly—and it was I who announced that we would undertake a review of the Barnett formula as part of the ‘One Wales’ programme for government. My successor, Andrew Davies, then appointed Gerry Holtham and his team to undertake that work. Last year, not only was the first report received and debated, but it was supported unanimously across the Chamber and by the Welsh Assembly Government. The UK Government, through

hynny'n arian nad ydym wedi'i wario mewn blynyddoedd a fu ac yr ydym yn gobeithio ei ddefnyddio, ond ni chafodd o reidrwydd ei ddiogelu gan y Llywodraeth flaenorol, ac felly dylid croesawu'r ffaith bod hyn yn digwydd yn awr. Gobeithiaf y bydd eglurder ynghylch hynny'n digwydd yn y dyfodol.

I gloi, croesawaf y ffaith ein bod o'r diwedd wedi cael penderfyniad ynghylch y gohirio, a oedd yn bwysig i bobl Cymru. Nid wyf yn deall yn llwyr pam y bu rhywfaint o din-droi yn flaenorol, os caf ddefnyddio gair negyddol. Yn y gorffennol, dywedasoch eich bod yn disgwyl am yr adolygiad cynhwysfawr o wariant, ond yn amlwg nid oeddech, gan ein bod wedi cael rhai atebion heddiw. Diolch ichi am y datganiad Weinidog. Edrychaf ymlaen at glywed eich sylwadau am y materion hyn, ac a fydddech cystal â rhoi'r wybodaeth ddiweddaraf inni wrth i chi adolygu'r broses hon wrth iddi fynd rhagddi? Byddai pawb yn y Siambr yn croesawu cael yr wybodaeth ddiweddaraf am y sefyllfa hon sy'n newid yn gyflym.

Jane Hutt: Diolch ichi, Nick, am gyfraniad a chyfres o gwestiynau adeiladol. Prin iawn oedd y meysydd lle'r oeddech yn tueddu i anghytuno â'r datganiad a wneuthum heddiw. Yr wyf yn croesawu'r ffaith fy mod yn gweld ymrwymiad clir gennych, fel llefarydd cyllid y Ceidwadwyr Cymreig, a gan eich holl gyd-Aelodau Ceidwadol yn y Cynulliad, i weithio gyda mi. Gobeithiaf y caf y math hwnnw o gefnogaeth gan Ddemocratiaid Rhyddfrydol Cymru, i sicrhau ein bod yn cyflawni ar argymhellion comisiwn Holtham ac yn mynd i'r afael â'r £300 miliwn mewn tanariannu a oedd mor amlwg yn yr adroddiad.

Carwn egluro rhywbeth, Nick. Dair blynedd yn ôl, yr oeddwn yn Weinidog dros y Gyllideb a Rheoli Busnes—er bod hynny am gyfnod byr—a fi a gyhoeddodd y byddem yn cynnal adolygiad o fformiwla Barnett fel rhan o'r rhaglen ‘Cymru'n Un’ ar gyfer llywodraeth. Penododd Andrew Davies, fy olynydd, Gerry Holtham a'i dîm i wneud y gwaith. Y llynedd, cawsom yr adroddiad cyntaf a dadl yn ei gylch, ac ar ben hynny cafodd ei gefnogi'n unfrydol ar draws y Siambr a gan Lywodraeth Cynulliad Cymru. Daeth Llywodraeth y DU, drwy

the Secretary of State for Wales at the time, Peter Hain, came back last autumn and said that it would start work on addressing issues relating to the disadvantageous impact of the Barnett squeeze, the convergence, on our funding arrangements for Wales. It is important to note that, when I met with the former Chief Secretary to the Treasury, Liam Byrne, in January, work started from that point onwards. Treasury officials, working with our officials, started to look at the impact of convergence.

I met the new Chief Secretary to the Treasury, Danny Alexander, only a few weeks ago. I got to meet him within days of his appointment, and I asked whether he could revisit the work that was commenced by officials from the Treasury, the Wales Office and the Assembly, which the previous UK Government had agreed to undertake. It is also important that you use your influence with the new UK coalition Government, Nick, to ensure that the considerations of the Holtham commission, particularly in implementing the Barnett floor, are taken forward, and we will be holding you to account on that, to see what impact your influence has had. I circulated a note on the Barnett floor, which I hope you found useful, which included calculations to ensure that every Assembly Member understood the importance of addressing this and understood the complexities of the Holtham commission's recommendations. However, I have to say that it is not that complicated. It was an independent commission set up, because we wanted to prevent our underfunding from becoming worse, and that is why we should introduce the funding floor immediately.

The analysis in the first Holtham report demonstrated that although our absolute budget has increased substantially over the past decade, there has been a marked convergence in the relative spending per head in comparison with the average in England. The commission's analysis also showed that funding is currently quite close to being on a par with what it would be were it funded using the various formulae that the UK Government uses to allocate resources throughout England. It is clear from the final

Ysgrifennydd Gwladol Cymru bryd hynny, Peter Hain, yn ôl hydref diwethaf a dywedodd y byddai'n dechrau gweithio i fynd i'r afael â'r materion a oedd yn ymwneud ag effaith anfanteisiol gwasgfa Barnett, y cydgyfeirio, ar ein trefniadau ariannu i Gymru. Mae'n bwysig datgan pan gyfarfûm â chyn Brif Ysgrifennydd y Trysorlys, Liam Byrne, ym mis Ionawr, i waith ddechrau o'r pwynt hwnnw ymlaen. Dechreuodd swyddogion y Trysorlys, gan weithio gyda'n swyddogion, edrych ar effaith cydgyfeirio.

Cyfarfûm a Phrif Ysgrifennydd newydd y Trysorlys, Danny Alexander, ychydig o wythnosau yn ôl. Cefais gwrdd ag ef ychydig o ddyddiau wedi iddo gael ei benodi, a gofynnais iddo a allai ailedrych ar y gwaith a ddechreuwyd gan swyddogion o'r Trysorlys, Swyddfa Cymru a'r Cynulliad, yr oedd Llywodraeth flaenorol y DU wedi cytuno i'w wneud. Mae'n bwysig hefyd eich bod yn defnyddio eich dylanwad yn Llywodraeth glymblaid newydd y DU, Nick, i sicrhau bod ystyriaethau comisiwn Holtham, yn enwedig wrth weithredu terfyn isaf Barnett, yn mynd rhagddynt, a byddwn yn eich dal i gyfrif am hynny, i weld pa effaith a gaiff eich dylanwad. Dosbarthais nodyn ar derfyn isaf Barnett, a gobeithiaf y bu o ddefnydd ichi, a oedd yn cynnwys cyfrifiadau i sicrhau bod pob Aelod Cynulliad yn deall pwysigrwydd mynd i'r afael â hyn a'u bod yn deall cymhlethdodau argymhellion comisiwn Holtham. Fodd bynnag, rhaid imi ddweud nad yw mor gymhleth â hynny. Yr oedd yn gomisiwn annibynnol a sefydlwyd oherwydd bod arnom eisiau atal ein tanariannu rhag gwaethygu, a dyna'r pam ddylem gyflwyno'r terfyn ariannu isaf ar unwaith.

Yr oedd y dadansoddiad yn adroddiad cyntaf Holtham yn dangos er bod ein cyllideb absoliwt wedi cynyddu'n sylweddol dros y degawd diwethaf, y bu cydgyfeirio amlwg yn y gwariant cymharol y pen wrth gymharu â'r cyfartaledd yn Lloegr. Yr oedd dadansoddiad y comisiwn hefyd yn dangos bod arian ar hyn o bryd yn eithaf agos at fod ar yr un lefel â'r hyn a fyddai petai'n cael ei ariannu drwy ddefnyddio'r amrywiol fformiwlâu y mae Llywodraeth y DU yn eu defnyddio i ddyrannu adnoddau ledled Lloegr. Mae'n

report of the commission, published last week, and the work done in December that we are being disadvantaged, and the immediate introduction of a floor would prevent the underfunding from becoming worse.

I have questioned why the UK coalition agreement said that it would not be looking at the Holtham commission's recommendations until after a referendum or after deficit reduction had taken place. Gerry Holtham and his colleague, David Miles, said in the *Financial Times* last week that if you want to deal with deficit reduction, you should implement the Holtham commission's recommendations, because we are being underfunded and perhaps the Barnett formula needs to be looked at in the context of funding elsewhere in the UK. If we can get cross-party support to take forward the Holtham recommendations, that would be a major achievement for the National Assembly's strength and confidence, backing its Government in Wales.

It is also important to recognise what end-year flexibility means. It is money that Parliament has voted to give to Wales, and it is also important to recognise that the Treasury's announcement gives us access to end-year flexibility in 2010-11, as was agreed by the previous UK Government. It is no more than we expected. We also believe—as supported by the Holtham commission, as you know, Nick—that we should have free and unfettered access to EYF, but that has not been guaranteed for 2011-12, and so that reduces our flexibility. We reached agreement last week that we could have access to our money in the Treasury—and it is our money—but we have not had that guarantee. I am going to a quadrilateral meeting on Thursday, at which I will be pressing, as I am sure the Ministers for finance of the other devolved administrations will be doing, for unfettered access to our end-year flexibility. It is our money, and Parliament has voted to give it to Wales.

amlwg o adroddiad terfynol y comisiwn, a gyhoeddwyd yr wythnos diwethaf, a'r gwaith a wnaethpwyd ym mis Rhagfyr, ein bod dan anfantais, ac y byddai cyflwyno terfyn isaf ar unwaith yn atal y tanariannu rhag gwaethygu.

Yr wyf wedi holi pam ddywedodd cytundeb clymblaid y DU na fyddai'n edrych ar argymhellion comisiwn Holtham cyn refferendwm na chyn lleihau'r diffyg. Dywedodd Gerry Holtham a'i gydweithiwr David Miles, yn y *Financial Times* yr wythnos diwethaf, os oedd arnoch eisiau delio â lleihau'r diffyg y dylech roi argymhellion comisiwn Holtham ar waith, oherwydd ein bod yn cael ein tanariannu ac efallai fod angen edrych ar fformiwla Barnett yng nghyd-destun ariannu mewn rhannau eraill o'r DU. Os gallwn gael cefnogaeth drawsbleidiol i fynd ag argymhellion Holtham rhagddynt, byddai hynny'n llwyddiant ysgubol i gryfder a hyder y Cynulliad Cenedlaethol, gan gefnogi ei Lywodraeth yng Nghymru.

Mae'n bwysig cydnabod beth mae hyblygrwydd diwedd blwyddyn yn ei olygu hefyd. Mae'n arian y mae'r Senedd wedi pleidleisio dros ei roi i Gymru, ac mae'n bwysig cydnabod hefyd bod cyhoeddiad y Trysorlys yn golygu y gallwn ddefnyddio hyblygrwydd diwedd blwyddyn yn 2010-11, fel y cytunwyd arno gan Lywodraeth flaenorol y DU. Nid yw'n ddim mwy na'r hyn yr oeddem yn ei ddisgwyl. Yr ydym hefyd yn credu—fel y cefnogwyd gan gomisiwn Holtham, fel y gwyddoch, Nick—y dylem allu defnyddio hyblygrwydd diwedd blwyddyn yn hawdd ac yn ddilyffethair, ond nid yw hynny wedi cael ei warantu ar gyfer 2011-12, ac felly mae hynny'n lleihau ein hyblygrwydd. Cytunasom yr wythnos diwethaf y gallem gael gafael ar ein harian yn y Trysorlys—a'n harian ni yw hyn—ond nid ydym wedi cael y warrant honno. Yr wyf yn mynd i gyfarfod â phedair ochr iddo ddydd Iau, ac yn y cyfarfod hwnnw byddaf yn pwysu, yn yr un modd â Gweinidogion cyllid gweinyddiaethau datganoledig eraill yr wyf yn siŵr, am fynediad dilyffethair i'n hyblygrwydd diwedd blwyddyn. Ein harian ni yw hwn, ac mae'r Senedd wedi pleidleisio dros ei roi i Gymru.

We have to take a cautious and measured approach to finding these reductions, and we will use some end-year flexibility to meet the reductions this year. There may be scope to use more as we look to this year's financial management returns. We are looking at early opportunities for savings by monitoring expenditure pressures and risks, because we are a responsible Government in Wales. We have already been preparing and planning for what we know is likely to be a difficult spending review. We have not only been making planning assumptions but setting baselines and working through that for the 2011 budget onwards.

4.00 p.m.

There has been no dithering, Nick, and this is my final point: after what I would describe, as I did then, as the avoidable cuts in the May budget, which has been described not only as a savage budget but as a risky budget—and that is not by politicians, but by economists—I came back to the Chamber and said that we had to have clarity on the revenue/capital split. We got that clarity in the last few weeks. I said that we also had to have clarity as to whether we would access the end-of-year flexibility. We only got that clarity last week. You know that I rectified the mistake that was made about the Olympic consequential when I met the Chief Secretary to the Treasury following his appointment. I am grateful that you recognise that this is the right decision to make and I am sure that you will agree that, as a result of this, our capital programme will benefit not just the public sector, but also the private sector. It will also ensure the recovery that we have been proactive about securing in Wales, in terms of fiscal stimulus, and it will build extra care housing, new schools and health facilities that will provide jobs, services and important opportunities to protect the economy and our communities.

Chris Franks: Minister, do you find it as

Rhaid inni fod yn ofalus ac yn bwylllog wrth ddod o hyd i'r gostyngiadau hyn, a byddwn yn defnyddio rhywfaint o hyblygrwydd diwedd blwyddyn i ddiwallu'r gostyngiadau eleni. Efallai fod posibilrwydd defnyddio mwy wrth inni edrych ar ffurflenni rheolaeth ariannol eleni. Yr ydym yn edrych ar gyfleoedd cynnar am arbedion drwy fonitro pwysau a risgiau gwariant, oherwydd ein bod yn Llywodraeth gyfrifol yng Nghymru. Yr ydym eisoes wedi bod yn paratoi ac yn cynllunio ar gyfer adolygiad o wariant y gwyddom sy'n debygol o fod yn anodd. Yn ogystal â gwneud tybiaethau cynllunio, yr ydym wedi bod yn gosod gwaelodlinau ac yn gweithio drwy hynny ar gyfer cyllideb 2011 ymlaen.

Ni fu dim tin-droi, Nick, a dyma fy mhwynt olaf: ar ôl yr hyn y byddwn yn ei ddisgrifio, fel y gwneuthum bryd hynny, yn doriadau roedd modd eu hosgoi yng nghyllideb mis Mai, a ddisgrifiwyd nid yn unig fel cyllideb ffyrnig ond cyllideb beryglus hefyd—ac nid gan wleidyddion oedd hynny, ond gan economegwyr—deuthum yn ôl i'r Siambr a dweud ei bod yn rhaid inni gael eglurder ar y rhaniad refeniw/cyfalaf. Cawsom yr eglurder hwnnw dros yr ychydig wythnosau diwethaf. Dywedais ei bod yn rhaid inni hefyd gael eglurder ynghylch a fyddem yn cael mynediad i hyblygrwydd diwedd blwyddyn. Dim ond wythnos diwethaf y cawsom yr eglurder hwnnw. Yr ydych yn gwybod imi gywiro'r camgymeriad a wnaethpwyd am arian cyfatebol y Gemau Olympaidd pan gyfarfûm â Phrif Ysgrifennydd y Trysorlys ar ôl iddo gael ei benodi. Yr wyf yn ddiolchgar eich bod yn cydnabod mai dyma'r penderfyniad iawn ac yr wyf yn siŵr y byddwch yn cytuno, o ganlyniad i hyn, y bydd ein rhaglen gyfalaf o fudd nid yn unig i'r sector cyhoeddus ond y sector preifat hefyd. Bydd hefyd yn sicrhau'r adferiad yr ydym wedi bod yn rhagweithiol ynghylch ei sicrhau yng Nghymru, o ran ysgogiad ariannol, a bydd yn adeiladu tai gofal ychwanegol, ysgolion a chyfleusterau iechyd newydd a fydd yn darparu swyddi, gwasanaethau a chyfleoedd pwysig i warchod yr economi a'n cymunedau.

Chris Franks: Weinidog, a ydych yn

strange as I do that, when we hear Conservative Members' claims of support for the Holtham commission and the poor funding of Wales, they seem totally unable to convince their colleagues in London to implement the Holtham recommendations? Meanwhile, it is costing us £300 million a year.

It is right to spread the savings over two years due to the savage cuts that we have to endure. Plaid Cymru argued against cuts this year, as did the Liberal Democrats, until they got their first whiff of power. In 2010, the Lib Dem manifesto said that

'if spending is cut too soon, it would undermine the much-needed recovery and cost jobs'.

The Conservative Secretary of State for Wales kindly gave people in Wales a choice between cuts this year or double cuts next year, when she argued that the arrangements were fair and proportionate. Try telling that to people in our communities across Wales who will lose their jobs and their services. Does the Minister agree that the leaders of the Conservative and Lib Dem Assembly groups are irrelevant when it comes to important decisions made by their bosses in London? An example would be Nick Bourne's commitment prior to the May election that Wales would not suffer immediate cuts. We know that that has proved to be inaccurate. Double cuts next year would be a double blow for Welsh communities.

Can the Minister hold urgent discussions with Ministers in London regarding the Holtham report's recommendations? That would go some way to ensure fairness in future funding arrangements across the UK. It is worth repeating that we are losing £300 million each and every year. Further, does the Minister believe that Wales should not face any further cuts until a fair formula is in place for our public services and until our economy is in better shape? Can she also ensure that she discusses the Holtham reports with other members of her party so that any future leader of the opposition at Westminster

meddwl ei fod mor rhyfedd ag wyf fi, wrth glywed Aelodau Ceidwadol yn honni eu bod yn cefnogi comisiwn Holtham ac ariannu gwael Cymru, ymddengys na allant ddarbwylo eu cyd-Aelodau yn Llundain i weithredu argymhellion Holtham? Yn y cyfamser, mae'n costio £300 miliwn y flwyddyn i ni.

Mae'n iawn rhannu'r arbedion dros ddwy flynedd oherwydd y toriadau ffyrnig y mae'n rhaid inni eu goddef. Dadleuodd Plaid Cymru yn erbyn toriadau eleni, fel y gwnaeth y Democratiaid Rhyddfrydol, nes iddynt gael eu blas cyntaf ar bŵer. Yn 2010, yr oedd maniffesto'r Democratiaid Rhyddfrydol yn datgan

os caiff gwariant ei dorri'n rhy fuan, byddai'n tanseilio'r adferiad mawr ei angen ac yn golygu colli swyddi.

Yn garedig, cafodd pobl Cymru ddewis gan Ysgrifennydd Gwladol Ceidwadol Cymru rhwng toriadau eleni neu doriadau dwbl y flwyddyn nesaf, pan ddadleuodd bod y trefniadau yn deg ac yn gymesur. Ceisiwch ddweud hynny wrth bobl yn ein cymunedau ledled Cymru a fydd yn colli eu swyddi a'u gwasanaethau. A yw'r Gweinidog yn cytuno bod arweinwyr y grwpiau Ceidwadol a Democratiaid Rhyddfrydol yn y Cynulliad yn amherthnasol yng nghyswllt penderfyniadau pwysig a wneir gan eu penaethiaid yn Llundain? Un enghraifft fyddai ymrwymiad Nick Bourne cyn etholiad mis Mai na fyddai Cymru yn dioddef toriadau ar unwaith. Gwyddom fod hynny'n anghywir. Byddai toriadau dwbl flwyddyn nesaf yn ergyd ddwbl i gymunedau Cymru.

A all y Gweinidog gynnal trafodaethau brys â Gweinidogion yn Llundain ynghylch argymhellion adroddiad Holtham? Byddai hynny'n gam at sicrhau tegwch mewn trefniadau ariannu yn y dyfodol ledled y DU. Mae'n werth ailadrodd ein bod yn colli £300 miliwn bob blwyddyn. Ar ben hynny, a yw'r Gweinidog yn credu na ddylai Cymru wynebu rhagor o doriadau nes bod fformiwla deg ar waith ar gyfer ein gwasanaethau cyhoeddus a nes bod gwell siâp ar ein heconomi? A all hefyd sicrhau ei bod yn trafod adroddiadau Holtham ag aelodau eraill ei phlaid er mwyn sicrhau bod unrhyw

understands that the idea that 'Wales gets too much cash' is incorrect? We know that cuts would have come under a Labour Government, but this coalition has now begun cuts that are far deeper than necessary, which will not just affect devolved services, but the number of police on our streets, the number of courts to administer justice and the funds available to our broadcaster. Will the Minister comment on whether she thinks the Government in London should have waited until Wales's economy was in a better and stronger position?

Jane Hutt: Thank you, Chris, for your supportive response to my statement. I have already commented that we felt that cuts were not only avoidable, but very risky for the economy and for protecting the most vulnerable members of society. In his framework for the comprehensive spending review, the Chancellor said that he would be taking account not only of devolved administrations and the impact on public services, but the more vulnerable members of society. The issues with regard to the impact on the economy and the recovery have been well rehearsed by leading economists across the board.

Consider what would happen if we made the sort of cuts that Michael Gove is making in Westminster, cuts to the building schools for the future programme, which it seems might result in Conservative councillors marching on Westminster before too long. This is a result of a Government that is, as far as we can see, determined to follow a slash-and-burn budgetary approach. As well as risking the economic recovery, it is risking the loss of services to people who are social housing tenants, for example. Consider what the situation would be had we decided to take cuts in the capital programme this year. A reduction of £5 million to the social housing grant budget would mean the loss of 50 extra-care flats, 70 homes or 800 adaptations to tenants' homes. This is why we are going to protect our capital programme. We are going to use our money from end-of-year flexibility to protect the capital programme. Over the past two years, we have invested £587

arweinydd yr wrthblaid a fydd yn San Steffan yn y dyfodol yn deall bod y syniad bod 'Cymru yn cael gormod o arian' yn anghywir? Gwyddom y byddem wedi cael toriadau dan Lywodraeth Lafur, ond mae'r glymblaid hon nawr wedi dechrau toriadau sy'n ddyfnach o lawer nag y mae angen, a fydd yn effeithio ar wasanaethau datganoledig ynghyd â nifer y swyddogion heddlu ar ein strydoedd, nifer y llysoedd i weinyddu cyfiawnder a'r cronfeydd sydd ar gael i'n darlledwr. A wnaiff y Gweinidog roi sylw ynghylch a yw'n meddwl y dylai'r Llywodraeth yn Llundain fod wedi aros nes i economi Cymru fod mewn sefyllfa well a chryfach?

Jane Hutt: Diolch, Chris, am eich ymateb cefnogol i'm datganiad. Yr wyf eisoes wedi dweud ein bod yn teimlo y byddid wedi gallu osgoi'r toriadau a'u bod hefyd yn beryglus iawn i'r economi ac o ran gwarchod aelodau mwyaf agored i niwed cymdeithas. Yn ei fframwaith ar gyfer yr adolygiad cynhwysfawr o wariant, dywedodd y Canghellor y byddai'n ystyried gweinyddiaethau datganoledig a'r effaith ar wasanaethau cyhoeddus, ynghyd ag aelodau mwyaf agored i niwed cymdeithas. Mae'r materion sy'n ymwneud â'r effaith ar yr economi a'r adferiad wedi cael eu hymarfer droeon gan brif economegwyr yn gyffredinol.

Ystyriwch beth fyddai wedi digwydd petaem yn gwneud y math o doriadau y mae Michael Gove yn eu gwneud yn San Steffan, toriadau i'r rhaglen adeiladu ysgolion i'r dyfodol. Mae'n debyg y gallai hyn arwain at weld cynghorwyr Ceidwadol yn gorymdeithio i San Steffan cyn bo hir. Mae hyn o ganlyniad i Lywodraeth sydd, cyn belled ag y gwelwn ni, â'i bryd ar ddilyn dull gweithredu o chwalu a chwtogi'r gyllideb. Yn ogystal â rhoi'r adferiad economaidd yn y fantol, mae'n mentro colli gwasanaethau i bobl sy'n denantiaid tai cymdeithasol, er enghraifft. Ystyriwch beth fyddai'r sefyllfa petaem wedi penderfynu torri'r rhaglen gyfalaf eleni. Byddai gostyngiad o £5 miliwn i'r gyllideb grant tai cymdeithasol yn golygu colli 50 o fflatiau gofal ychwanegol, 70 o gartrefi neu 800 o addasiadau i gartrefi tenantiaid. Dyma'r rheswm ein bod am ddiogelu ein rhaglen gyfalaf. Yr ydym am ddefnyddio ein harian o hyblygrwydd diwedd blwyddyn i

million in NHS capital developments and equipment. In the coming weeks, with regard to health capital schemes, spend-to-save schemes will be announced that will benefit not only services, but jobs in the public sector as well.

We know that the impact on public services provided by non-devolved departments will be considerable. To see this we need only look at the Consumer Focus Wales report, published earlier this week, which demonstrated the impact already of the recession and the fact that the effect of the cuts on families and communities will be considerable. This Government has a duty to produce a budget that will protect communities, those who depend on social housing and the extra-care budget and our learners, who will benefit from the twenty-first-century-school building programme, which is developed with and supported financially by our colleagues in local government. So, our approach is a responsible and prudent one that recognises, as I said, those twin objectives of supporting economic renewal and recognising our commitment to social justice and tackling inequality.

Peter Black: I have heard a great deal of rhetoric today from the Minister for Business and Budget, but if we are to believe what she tells us, it seems that we are faced with either a slash-and-burn agenda from the UK Government or the profligacy and economic illiteracy that this Government has inherited. It seems that it does not do us any good to argue the toss on that issue, when we should be talking about what we have in front of us here and how we can best protect the services that we have with the resources available to us. It was inevitable, given even Labour's plans, that there would be cuts to public services. We now have to accept that and work with it. The Minister herself said before the general election that we would face cuts and that the Assembly Government has been planning for those cuts for some time. We have to make the best of the situation in

ddiogelu'r rhaglen gyfalaf. Dros y ddwy flynedd diwethaf, yr ydym wedi buddsoddi £587 miliwn mewn offer a datblygiadau cyfalaf GIG. Dros yr wythnosau nesaf, ac ystyried cynlluniau cyfalaf iechyd, bydd cynlluniau gwario i gynilo yn cael eu cyhoeddi a fydd o fudd i wasanaethau ynghyd â swyddi yn y sector cyhoeddus hefyd.

Yr ydym yn gwybod y bydd yr effaith ar wasanaethau cyhoeddus a ddarperir gan adrannau nas datganolwyd yn sylweddol. Nid oes arnom ond angen edrych ar adroddiad Llais Defnyddwyr Cymru, a gyhoeddwyd yn gynharach yr wythnos yma, i weld hyn. Yr oedd yr adroddiad yn dangos yr effaith y mae'r dirwasgiad eisoes yn ei chreu a'r ffaith y bydd effaith y toriadau ar deuluoedd ac ar gymunedau yn sylweddol. Mae gan y Llywodraeth hon ddyletswydd i gynhyrchu cyllideb a fydd yn gwarchod cymunedau, y rheini sy'n dibynnu ar dai cymdeithasol a'r gyllideb gofal ychwanegol a'n dysgwyr a fydd yn elwa o'r rhaglen adeiladu ysgolion ar gyfer yr unfed ganrif ar hugain, sy'n cael cefnogaeth ariannol ac yn cael ei datblygu gan ein cydweithwyr mewn llywodraeth leol. Felly, mae ein dull gweithredu yn un cyfrifol a chall sy'n cydnabod, fel y dywedais, y ddau amcan hynny sef cefnogi adfywiad economaidd a chydabod ein hymrwymiad i gyfiawnder cymdeithasol a mynd i'r afael ag anghydraddoldeb.

Peter Black: Yr wyf wedi clywed llawer iawn o rethreg heddiw gan y Gweinidog dros Fusnes a'r Gyllideb, ond os ydym am gredu'r hyn a ddywed wrthym, ymddengys ein bod yn wynebu naill ai agenda chwalu a chwtogi gan Lywodraeth y DU neu'r anllythrennedd economaidd ac afradlonedd y mae'r Llywodraeth hon wedi'u hetifeddu. Ymddengys na ddaw dim daioni o daeru ynghylch hynny, pan ddylem fod yn siarad am yr hyn sydd gennym o'n blaenau yma a'r ffordd orau o ddiogelu'r gwasanaethau sydd gennym gyda'r adnoddau sydd gennym. Yr oedd yn anochel, ac ystyried cynlluniau Llafur hyd yn oed, y byddai gwasanaethau cyhoeddus yn cael eu torri. Rhaid inni dderbyn hynny yn awr a gweithio gyda hynny. Cyn yr etholiad cyffredinol dywedodd y Gweinidog ei hun y byddem yn wynebu toriadau a bod Llywodraeth y Cynulliad wedi

which we find ourselves, which is one of long making over a number of years.

4.10 p.m.

I start by welcoming the decision that you have taken to protect the capital budget from end-of-year flexibility. That is a sensible and prudent decision. Clearly, the end-of-year flexibility could always be put to good use if it was available, but the capital budget that the Assembly Government has in hand is also one that needs to be seen through. Hopefully, that will help in terms of next year's budget. I also welcome the fact that you try to accommodate these cuts in-year. I think that you are absolutely right to say that it would have been very difficult to accommodate this £162 million and the cuts that we are expecting next year in one budget. I think that it is right that we try to spread the pain over the two years.

I take issue with two points that you make in your statement. I think that there has been a lot of misrepresentation about the alleged £300 million underfunding that the Holtham commission has identified. If you read that report and its recommendations, it is clear that that £300 million will not be available just like that in one year. Even the Holtham commission recommends that we can only get to that stage over a period of time; if we were to bring into effect a means-tested funding formula, which would take some time to be put together and agreed, there could still be five, six or 10 years before we get the full benefit of that £300 million. Let us not pretend that we are short of £300 million this year, next year or even the year after, because it is not true. We know that the whole process of reforming the Barnett formula has to be one of securing the agreement of all parties to it. That is why the coalition Government has a commitment to carry out a Treasury-led review, which will get that agreement once we have got other constitutional issues out of the way.

bod yn cynllunio ar gyfer y toriadau hynny ers amser. Rhaid inni wneud y gorau o'r sefyllfa yr ydym ynddi, sef sefyllfa sydd wedi cael ei chreu dros nifer o flynyddoedd.

Yr wyf am ddechrau drwy groesawu eich penderfyniad i ddiogelu'r gyllideb gyfalaf o'r hyblygrwydd diwedd blwyddyn. Mae hwnnw'n benderfyniad doeth a chall. Yn amlwg, gellid bob amser defnyddio'r hyblygrwydd diwedd blwyddyn yn dda petai ar gael, ond mae'r gyllideb gyfalaf sydd gan Lywodraeth y Cynulliad mewn llaw yn un y mae hefyd yn rhaid iddi gael ei rhoi ar waith. Gobeithio y bydd hynny'n helpu gyda chyllideb y flwyddyn nesaf. Yr wyf hefyd yn croesawu'r ffaith eich bod yn ceisio darparu ar gyfer y toriadau hyn yn ystod y flwyddyn. Yr wyf yn meddwl eich bod yn llygad eich lle yn dweud y byddai wedi bod yn anodd iawn darparu ar gyfer y £162 miliwn hwn a'r toriadau yr ydym yn eu disgwyl flwyddyn nesaf mewn un gyllideb. Yr wyf yn meddwl ei bod yn iawn ein bod yn ceisio'r rhannu'r boen dros y ddwy flynedd.

Yr wyf yn anghytuno â dau bwynt a wnewch yn eich datganiad. Yr wyf yn meddwl y bu llawer o gamddechongli ynghylch y £300 miliwn o danariannu honedig y mae comisiwn Holtham wedi'i ganfod. Os darllenwch yr adroddiad hwnnw a'i argymhellion, mae'n amlwg na fydd y £300 miliwn hwnnw ar gael ar ei union mewn blwyddyn. Mae hyd yn oed comisiwn Holtham yn argymhell mai dim ond dros gyfnod y cyrhaeddwn y cam hwnnw; petaem yn cyflwyno fformiwla ariannu ar sail prawf modd, a fyddai'n cymryd amser i'w lunio a chytuno arno, gallem weld pump, chwech neu 10 mlynedd cyn inni gael budd llawn y £300 miliwn hwnnw. Gadewch inni beidio â chymryd arnom ein bod £300 miliwn yn brin eleni, y flwyddyn nesaf neu hyd yn oed y flwyddyn wedyn, oherwydd nid yw hynny'n wir. Gwyddom ei bod yn rhaid i holl broses diwygio fformiwla Barnett olygu sicrhau cytundeb pawb sy'n rhan ohoni. Dyma pam mae'r Llywodraeth glymblaid wedi ymrwymo i gynnal adolygiad dan arweiniad y Trysorlys a fyddai'n sicrhau'r cytundeb hwnnw ar ôl inni ddatrys materion cyfansoddiadol eraill.

I also take issue with your characterisation of the Barnett floor. You said on a number of occasions that that floor is necessary to protect us from further cuts, and you say in the statement that it is necessary to prevent underfunding becoming worse. If you actually read the Holtham report, you will see that it argues that the floor should be put in place to prevent the differential spending per head from converging, so that, at present, we spend more per head in Wales than is done in England. It is in place to stop that differential converging and equalising out, so as to give us the edge that we currently have and to compensate for the fact that the formula is not means-tested. That convergence only happens when public expenditure is rising, which is clearly not currently the case. Therefore, to characterise the Barnett floor as necessary to protect Wales from cuts from the UK Government or to protect Wales from underfunding is, in my view, a misrepresentation. We need to be clear about that. We also need to be clear that, although I support the Barnett floor and believe that it is a necessary precursor to proper reform, we cannot put it forward as a panacea for the problems that the UK economy faces as a result of the huge deficit and debts inherited from the previous Labour Government, or for the problems that will be visited upon the Welsh Government, the Welsh Assembly and Wales as a result of the profligacy and economic illiteracy of the previous Government.

Jane Hutt: It was a good start but a sad finish. However, I do welcome your support for this. To me, this is a distinctive way in which we, in Wales, are trying to protect our services, to which I know that you are committed, Peter. I know that you are committed, just like the Government, to supporting those and making sure that we develop those extra-care schemes and that we deal with the pressures on housing, which are only too clear to us. Your standing up for the sustainable housing legislative competence Order was recognised on this side of the Chamber, even when you stood up against the new UK coalition Government. I know that you find it hard, Peter, to defend the

Yr wyf hefyd yn anghytuno â'r ffordd yr ydych yn disgrifio terfyn isaf Barnett. Dywedasoch droeon bod angen y terfyn isaf er mwyn ein diogelu rhag rhagor o doriadau, a dywedwch yn y datganiad ei fod yn angenrheidiol er mwyn atal tanariannu rhag gwaethygu. Os darllenwch adroddiad Holtham, gwelwch ei fod yn dadlau y dylid rhoi'r terfyn isaf ar waith i atal y gwariant gwahaniaethol y pen rhag cydgyfeirio, felly, ar hyn o bryd, yr ydym yn gwario mwy y pen yng Nghymru nag a wneir yn Lloegr. Mae ar waith i roi diwedd ar y cydgyfeirio gwahaniaethol hwnnw a gwastatáu pethau, er mwyn rhoi'r fantais inni sydd gennym ar hyn o bryd a gwneud iawn am y ffaith nad yw'r fformiwla yn seiliedig ar brawf modd. Dim ond pan mae gwariant cyhoeddus yn codi y mae'r cydgyfeirio hwnnw'n digwydd, ac yn amlwg nid yw hynny'n digwydd ar hyn o bryd. Felly, yn fy marn i nid yw'n gywir disgrifio terfyn isaf Barnett fel rhywbeth y mae ei angen er mwyn diogelu Cymru rhag toriadau gan Lywodraeth y DU neu er mwyn diogelu Cymru rhag tanariannu. Mae arnom angen bod yn glir ynghylch hynny, er fy mod yn cefnogi terfyn isaf Barnett ac yn credu ei fod yn rhagflaenydd angenrheidiol i ddiwygio iawn, ni allwn ei gyflwyno fel ateb i'r holl broblemau mae economi'r DU yn eu hwynebu o ganlyniad i'r diffyg a'r dyledion enfawr a etifeddwyd gan y Llywodraeth Lafur flaenorol, na'r problemau a gaiff Llywodraeth Cymru, y Cynulliad Cenedlaethol a Chymru o ganlyniad i afradlonedd ac anllythrennedd economaidd y Llywodraeth flaenorol.

Jane Hutt: Cawsom ddechrau da ond diwedd truenus. Fodd bynnag, yr wyf yn croesawu eich cefnogaeth ar gyfer hyn. I mi, mae hon yn ffordd wahanol yr ydym ni yng Nghymru yn ceisio diogelu ein gwasanaethau a gwn eich bod wedi ymrwymo i hynny Peter. Gwn eich bod wedi ymrwymo, yn yr un modd â'r Llywodraeth, i gefnogi'r rheini a gwneud yn siŵr ein bod yn datblygu'r cynlluniau gofâl ychwanegol hynny a'n bod yn delio â'r pwysau ar dai, sydd yn gwbl amlwg inni. Yr oeddem ar yr ochr hon o'r Siambr wedi cydnabod eich safiad dros y Gorchymyn cymhwysedd deddfwriaethol ynghylch tai cynaliadwy, hyd yn oed pan safasoch yn erbyn Llywodraeth glymblaid newydd y DU.

slash-and-burn budget from the UK coalition Government. That is quite clear to us, and we have common cause in this Chamber to say that we find it hard that we have had not only the cuts announced in May, but those in the budget in June. This Chamber should be united in saying that this is not good for Wales, not good for the people of Wales, not good for our public services, and not good for economic recovery. I hope that you will back me as I continue with my negotiations.

Chris asked whether I will be raising the Holtham recommendations with Treasury Ministers. I am going to the quadrilateral meeting on Thursday and will also be seeking a bilateral meeting with the Chief Secretary to the Treasury. I will press home the importance of the Holtham recommendations—indeed, of the whole of the final report. I am glad to say that I believe that he is meeting with Gerry Holtham, as you did, as Nick did, and as we all did when we the report was published last week.

However, you cannot pick and choose. Having backed the Holtham report wholeheartedly in that debate, and having backed the first report, you cannot now try to reinterpret what Gerry Holtham is saying, picking and choosing your analysis of the Holtham floor. You cannot pick and choose; you should come out and back us, sticking to what you said—I will go back over the transcript, because I am sure that, in that debate, you were clear and unequivocal in your support of the Holtham commission's report.

Let us be clear—Wales is already underfunded by some £300 million a year. We recognise that the commission's recommendation on Barnett reform will take some time. I said that in my statement. We are not the only ones who think that the Barnett formula needs to be reformed; clearly, the House of Lords select committee agreed with that, as did Lord Lawson. I have been reminding Welsh Conservative friends that he recently said that if we deal with the Barnett formula, then that will help with the

Gwn ei bod yn anodd ichi Peter amddiffyn y gyllideb chwalu a chwtogi gan Lywodraeth glymblaid y DU. Mae hynny'n ddigon amlwg inni, ac mae gennym achos cyffredin yn y Siambr hon i ddweud ei bod yn anodd oherwydd inni gael y toriadau a gyhoeddwyd ym mis Mai a'r rheini a gyhoeddwyd yn y gyllideb ym mis Mehefin hefyd. Dylai'r Siambr hon godi mewn un llais a dweud nad yw hyn yn dda i Gymru, nid yw'n dda i bobl Cymru, nid yw'n dda i'n gwasanaethau cyhoeddus ac nid yw'n dda i adferiad economaidd. Gobeithiaf y byddwch yn fy nghefnogi wrth imi barhau â'm trafodaethau.

Holodd Chris a fyddaf yn codi argymhellion Holtham gyda Gweinidogion y Trysorlys. Yr wyf yn mynd i'r cyfarfod â phedair ochr ddydd Iau a byddaf hefyd yn ceisio trefnu cyfarfod dwyochrog gyda Phrif Ysgrifennydd y Trysorlys. Byddaf yn pwysleisio pwysigrwydd argymhellion Holtham—a dweud y gwir, yr adroddiad terfynol yn ei gyfanrwydd. Yr wyf yn falch o ddweud fy mod yn credu ei fod yn cwrdd â Gerry Holtham, fel y gwnaethoch chi Nick, ac fel y gwnaethom i gyd pan gyhoeddwyd yr adroddiad yr wythnos diwethaf.

Fodd bynnag, ni allwch ddewis a dethol. A chithau wedi cefnogi adroddiad Holtham i'r carn yn y ddadl honno, ac wedi cefnogi'r adroddiad cyntaf, ni allwch yn awr geisio ail-ddehongli'r hyn y mae Gerry Holtham yn ddweud, gan ddewis a dethol eich dadansoddiad o derfyn isaf Holtham. Ni allwch ddewis a dethol; dylech ddod allan a'n cefnogi, gan lynu wrth yr hyn a ddywedaso—af yn ôl dros y trawsgrifiad, oherwydd yr wyf yn siŵr, yn y ddadl honno, eich bod yn glir ac yn ddigamsyniol yn eich cefnogaeth i adroddiad comisiwn Holtham.

Gadewch inni fod yn glir—mae Cymru eisoes yn cael ei thanariannu oddeutu £300 miliwn y flwyddyn. Yr ydym yn cydnabod y bydd argymhelliad y comisiwn ar ddiwygio Barnett yn cymryd amser. Dywedais hynny yn fy natganiad. Nid ni yw'r unig rai sy'n meddwl bod angen diwygio fformiwla Barnett; yn amlwg, yr oedd pwyllgor dethol Tŷ'r Arglwyddi yn cytuno â hynny, fel y gwnaeth yr Arglwydd Lawson. Yr wyf wedi bod yn atgoffa cyfeillion Ceidwadol Cymreig iddo ddweud yn ddiweddar petaem yn delio â

deficit reduction, so we have a route-map for dealing with that.

We are talking about a floor that is intended to prevent the underfunding from becoming worse. It is a simple solution, but if we do not introduce it immediately, it will not happen at all. It has to be approved and introduced, and it can remain in place until we reach that difficult agreement, across the UK, about a needs-based formula. Holtham recommended that, for the time being, Barnett should operate as normal, but that any positive increments for Wales should be multiplied by 114 per cent to reflect the level of funding that Wales would get if it were funded by the methods used by the UK Government to determine funding for English regions. That was the analysis that it did in December to allocate resources in England. That is what would happen if we placed that floor under the Barnett squeeze. It does not mean that we will get £300 million overnight—of course not. It is a floor to prevent further convergence, and to ensure that, as the economy recovers and public finances improve, we get that recognition that 114 per cent of the positive increments in spending should apply to Wales—otherwise we will slip further and further back into underfunding. Instead, we can gradually move towards a recovery, as well as the longer-term aim of a needs-based formula, which, after all, was the flagship of your manifesto for the elections in May.

Andrew Davies: I welcome the Minister's statement. As you know, I have argued that the Assembly Government—the coalition Government at this end of the M4—had no option but to make this decision, and I would like you to share with us, at some future date, the implications.

To hear the opposition speak, you would think that this was just a technical issue. I know that the Assembly Government will try to protect the most vulnerable and disadvantaged in Wales from the impact of the Liberal Democrat-Conservative budget at Westminster, which was not an emergency

fformiwla Barnett, y bydd hynny'n helpu i leihau'r diffyg, felly mae gennym drywydd ar gyfer delio â hynny.

Yr ydym yn sôn am derfyn isaf sydd wedi'i fwrriadu i atal y tanariannu rhag gwaethygu. Mae'n ateb syml, ond os na fyddwn yn ei gyflwyno ar unwaith, ni fydd yn digwydd o gwbl. Rhaid iddo gael ei gymeradwyo a'i gyflwyno, a gall aros ar waith nes i ni gyrraedd y cytundeb anodd hwnnw, ar draws y DU, am fformiwla ar sail anghenion. Yr oedd Holtham yn argymhell, ar hyn o bryd, y dylai Barnett weithredu yn ôl yr arfer, ond y dylai unrhyw gynnydd cadarnhaol i Gymru gael ei luosi â 114 y cant i adlewyrchu lefel yr arian y byddai Cymru yn ei gael petaem yn cael ein hariannu gan y dulliau a ddefnyddir gan Lywodraeth y DU i bennu arian ar gyfer rhanbarthau Lloegr. Dyna'r dadansoddiad a wnaeth ym mis Rhagfyr i ddyrannu adnoddau yn Lloegr. Dyna beth fyddai'n digwydd petaem yn rhoi'r terfyn isaf hwnnw dan wasgfa Barnett. Nid yw'n golygu y cawn £300 miliwn dros nos—wrth gwrs ddim. Mae'n derfyn isaf i atal rhagor o gydgyfeirio, a sicrhau, wrth i'r economi adfer ac wrth i gyllid cyhoeddus wella, y cawn y gydnabyddiaeth honno y dylai 114 y cant o'r cynnydd cadarnhaol mewn gwariant fod yn berthnasol i Gymru—fel arall byddwn yn llithro ymhellach ac ymhellach yn ôl i danariannu. Yn hytrach, gallwn symud yn raddol at adferiad, yn ogystal â'r nod tymor hwy o fformiwla ar sail anghenion, a oedd wedi'r cwbl yn un brif addewidion eich maniffesto ar gyfer yr etholiadau ym mis Mai.

Andrew Davies: Yr wyf yn croesawu datganiad y Gweinidog. Fel y gwyddoch, yr wyf wedi dadlau nad oedd gan Lywodraeth y Cynulliad—y Llywodraeth glymblaid y pen hwn i'r M4—ddim dewis ond gwneud y penderfyniad hwn, a hoffwn ichi ddweud wrthym am y goblygiadau, ryw bryd yn y dyfodol.

Wrth glywed yr wrthblaid yn siarad, byddech yn meddwl mai dim ond mater technegol oedd hwn. Gwn y bydd Llywodraeth y Cynulliad yn ceisio gwarchod y bobl fwyaf agored i niwed a dan anfantais yng Nghymru rhag effaith cyllideb y Democratiaid Rhyddfrydol a'r Ceidwadwyr yn San Steffan,

budget, but a political one. We know that this is the shape of things to come. When I hear Peter Black and Nick Ramsay talk about technical issues, I think, 'Watch out; count your money, because something is afoot'. Peter Black talks about us misinterpreting the Holtham report—he, his party and his party leader never lost an opportunity to berate this Government and the Labour Government at Westminster over their 'failure to reform the Barnett formula', but, now, on reflection, it appears to be a matter of 'technicalities'. Nick Ramsay says, 'We are in favour of reforming Barnett'. If you were in favour, Nick, why was your party leader—and why was your party leader, Peter Black—not ensuring that reference to the reform of the Barnett formula was in your parties' coalition agreement? There is no reference to it.

4.20 p.m.

Peter Black: It is there.

Andrew Davies: Ah yes, mañana, mañana—wait until the referendum, which will, of course, be put off. Therefore, we have two political parties here that are now admitting their helplessness and lack of influence at a Westminster level. The Liberal Democrat-Conservative coalition agreement makes reference to the Calman report and to implementing it. There is no reference to the immediate negotiation or implementation of Barnett. Therefore do not quibble about Barnett; you have had your chance and you have blown it.

This is a political budget, and the relish that George Osborne and the Tories have shown in taking an axe to public expenditure is revolting. We know what the impact will be, not only on the economy, but on people's lives. What are the Liberal Democrats doing? I have never seen anyone capitulate so quickly as Vince Cable did; it took one meeting with the Governor of the Bank of England for him to see the errors of his ways, although all through the election campaign we were being lectured that no immediate cuts should be made because of the economic damage that they would cause. By the way,

nad oedd yn gyllideb frys ond yn un wleidyddol. Gwyddom fod hyn yn rhagflas o'r hyn sydd i ddod. Pan glywaf Peter Black a Nick Ramsay yn siarad am faterion technegol, yr wyf yn meddwl, 'Cymerwch ofal; cyfrwch eich arian, oherwydd mae rhywbeth ar droed'. Mae Peter Black yn siarad amdanom yn camddehongli adroddiad Holtham—ni cholodd ef, ei blaid nac arweinydd ei blaid yr un cyfle erioed i roi pryd o dafod i'r Llywodraeth hon a'r Llywodraeth Lafur yn San Steffan ynghylch eu 'methiant i ddiwygio fformiwla Barnett', ond nawr, wrth edrych yn ôl, ymddengys mai mater 'technegol' ydyw. Dywed Nick Ramsay, 'Yr ydym o blaid diwygio Barnett'. Petaech o'i blaid, Nick, pam nad oedd arweinydd eich plaid—a pham nad oedd arweinydd eich plaid chi, Peter Black—yn sicrhau y cyfeiriwyd at ddiwygio fformiwla Barnett yng nghytundeb clymblaid eich pleidiau? Ni chyfeirir ato.

Peter Black: Mae yno.

Andrew Davies: O ie, mañana, mañana—arhoswch tan y refferendwm, a fydd, wrth gwrs, yn cael ei wthio'n ôl. Felly, mae gennym ddwy blaid wleidyddol yma sy'n cyfaddef yn awr na allant wneud dim ac nad oes ganddynt ddylanwad ar lefel San Steffan. Mae cytundeb clymblaid y Democratiaid Rhyddfrydol a'r Ceidwadwyr yn cyfeirio at adroddiad Calman a'i roi ar waith. Nid oes dim cyfeiriad at drafod na gweithredu Barnett ar unwaith. Felly, peidiwch â hollti blew am Barnett; yr ydych wedi cael eich cyfle ac yr ydych wedi'i wastraffu.

Cyllideb wleidyddol yw hon, ac mae'r mwynhad y mae George Osborne a'r Torïaidd wedi'i ddangos wrth chwifio bwyell dros wariant cyhoeddus yn warthus. Gwyddom beth fydd yr effaith, nid yn unig ar yr economi ond ar fywydau pobl. Beth mae'r Democratiaid Rhyddfrydol yn wneud? Nid wyf erioed wedi gweld neb yn ildio mor gyflym ag y gwnaeth Vince Cable; dim ond un cyfarfod gyda Llywodraethwr Banc Lloegr oedd ei angen iddo ddod at ei goed, er iddo drwy gydol ymgyrch yr etholiad bregethu na ddylid gwneud dim toriadau ar unwaith oherwydd y difrod economaidd y

that was the Governor of the Bank of England, who, as we all know, has such a wonderful track record, who was lecturing Government and the banks about moral hazard. That was the Governor of the Bank of England who, through the Monetary Policy Committee, was ensuring that interest rates were kept at such a high level because the biggest threat to the British economy was inflation, not deflation. Only one member of the MPC argued about the danger of deflation, and that was David Blanchflower. Therefore, I do not think that the Governor of the Bank of England has a good track record in this area.

The Temporary Deputy Presiding Officer: Andrew, could we have a question please?

Andrew Davies: I will come to it now. I would like your comments on this, Minister. This Government will make decisions to protect the interest and the lives of the people of Wales. Therefore, to accuse a Government that is taking measured decisions of dithering is an absolute disgrace. Perhaps Michael Gove, one of your Ministers in Westminster, should have dithered longer before making his four statements, three of which were incorrect.

Minister, I would like to know when you will come back to us with the implications for services and the budget in Wales. I would also like you to point out what the implications of this attitude towards public expenditure will be for Wales in future, not just for the economy but also for the lives of the people of Wales. We must have a clear dividing line between what this coalition Government in Cardiff is doing and what the UK Government is doing in London. Will you put on record what that difference will be?

Jane Hutt: I will start by saying that this budget was imposed on us, with the May cuts. Do not forget that we are not just talking about the impact on our budget with regard to the £162 million that we must find, but also the cuts in May with regard to the Future Jobs fund. The Organisation for Economic Co-operation and Development is now saying that it was a risky move to remove the Future Jobs fund with regard to the impact on youth

byddent yn ei achosi. Gyda llaw, hwn oedd Llywodraethwr Banc Lloegr sydd, fel y gwyddom i gyd, ag enw mor dda, a fu'n pregethu wrth y Llywodraeth a'r banciau am beryglon moesol. Hwn oedd Llywodraethwr Banc Lloegr a oedd, drwy'r Pwyllgor Polisi Ariannol, yn sicrhau bod cyfraddau llog yn cael eu cadw ar lefel mor uchel oherwydd mai chwyddiant, nid datchwyddiant, oedd y bygythiad mwyaf i economi Prydain. Dim ond un aelod o'r Pwyllgor Polisi Ariannol a ddadleuodd am berygl datchwyddiant, a David Blanchflower oedd hwnnw. Felly, nid wyf yn meddwl bod gan Lywodraethwr Banc Lloegr enw da iawn yn hyn o beth.

Y Dirprwy Lywydd Dros Dro: Andrew, a gawn gwestiwn os gwelwch yn dda?

Andrew Davies: Dof iddo yn awr. Hoffwn glywed eich sylwadau am hyn, Weinidog. Bydd y Llywodraeth hon yn gwneud penderfyniadau i warchod buddiannau a bywydau pobl Cymru. Felly, mae'n hollol warthus cyhuddo Llywodraeth sy'n gwneud penderfyniadau cymedrol o din-droi. Efallai y dylai Michael Gove, un o'ch Gweinidogion yn San Steffan, fod wedi tin-droi yn hwy cyn gwneud ei bedwar datganiad, a thri ohonynt yn anghywir.

Weinidog, hoffwn wybod pryd fyddwch yn dod yn ôl atom gyda'r goblygiadau i wasanaethau ac i'r gyllideb yng Nghymru. Hoffwn i chi hefyd ddweud beth yw goblygiadau'r agwedd hon at wariant cyhoeddus ar gyfer Cymru yn y dyfodol, nid dim ond yr economi ond hefyd ar gyfer bywydau pobl Cymru. Rhaid inni gael rhaniad clir rhwng yr hyn y mae'r Llywodraeth glymblaid hon yng Nghaerdydd yn ei wneud a'r hyn y mae Llywodraeth y DU yn ei wneud yn Llundain. A wnewch roi ar gofnod beth fydd y gwahaniaeth hwnnw?

Jane Hutt: Dechreuaf drwy ddweud y cafodd y gyllideb hon ei gorfodi arnom, gyda thoriadau mis Mai. Peidiwch ag anghofio nad ydym ond yn siarad am yr effaith ar ein cyllideb yng nghyswllt yr £162 miliwn y mae'n rhaid inni ddod o hyd iddo, ond hefyd y toriadau ym mis Mai yng nghyswllt cronfa Swyddi'r Dyfodol. Mae'r Sefydliad ar gyfer Cydweithrediad a Datblygiad Economaidd yn awr yn dweud yr oedd yn beryglus rhoi'r

unemployment. The *Financial Times* has said that having an efficient state in the long run is a much bigger fiscal prize than containing the deficit in the short term. Therefore, the UK Government has its economics totally wrong. It is following an entirely political agenda in order to shrink the state, and it is risky, because of the impact that it will have on the economy. Nick was not in the Chamber when this was being discussed, and was conspicuous by his absence—and I can hear the comments made—he was very fair in welcoming the fact that we are protecting our capital investment in Wales. You cannot disagree with that, and Nick certainly did not disagree with it. That means that we are protecting the private sector and small and medium-sized enterprises, and are bringing forward capital for the refurbishment of schools, for the schools building programme, social housing and the health service, and we are protecting the construction industry. We will continue to do that as a result of the statement that I have made today. That £49 million is our money, and we have chosen to use our money and our end-of-year flexibility to ensure that we can continue with a capital programme that will deliver all those benefits for people, communities and the private sector.

You mentioned David Blanchflower, the former Bank of England policy maker, who warned that the cuts that the UK Government announced in the June budget look certain to push the UK back into recession. We will wait and see. He said that you cannot just decimate the public sector and assume that the private sector will step into the hole. That is what David Blanchflower has predicted. We in Wales are taking a different approach, and this is where devolution proves itself. We say, as did Alistair Darling, the former Chancellor of the Exchequer, that cutting so much so early would slow the recovery, particularly in Wales, where we have a comparatively smaller private sector. Maintaining public investment is crucial to the services that we provide, not only for the benefit of the most vulnerable but for the jobs that we provide and for learners, through the twenty-first century schools building

gorau i gronfa Swyddi'r Dyfodol ac ystyried yr effaith ar ddiweithdra ymysg pobl ifanc. Mae'r *Financial Times* wedi dweud bod cael gwladwriaeth effeithlon yn y tymor hir yn wobwr ariannol llawer mwy na rheoli'r diffyg yn y tymor byr. Felly mae Llywodraeth y DU wedi cael ei heconomeg o chwith. Mae'n dilyn agenda hollol wleidyddol er mwyn lleihau'r wladwriaeth, ac mae'n beryglus oherwydd yr effaith a gaiff hyn ar yr economi. Nid oedd Nick yn y Siambr pan yr oedd hyn yn cael ei drafod, ac roedd yn amlwg yn ei absenoldeb—a gallaf glywed y sylwadau a wneir—yr oedd yn deg iawn wrth groesawu'r ffaith ein bod yn diogelu ein buddsoddiad cyfalaf yng Nghymru. Ni allwch anghytuno â hynny, ac yn ddiau nid oedd Nick yn anghytuno â hynny. Mae hynny'n golygu ein bod yn diogelu'r sector preifat a chwmnïau bach a chanolig eu maint, a'n bod yn dod â chyfalaf ymlaen ar gyfer ailwampio ysgolion, ac ar gyfer y rhaglen adeiladu ysgolion, tai cymdeithasol a'r gwasanaeth iechyd, ac yr ydym yn diogelu'r diwydiant adeiladu. Byddwn yn parhau i wneud hynny o ganlyniad i'r datganiad yr wyf wedi'i wneud heddiw. Ein harian ni yw'r £49 miliwn hwnnw, ac yr ydym wedi dewis defnyddio ein harian a'n hyblygrwydd diwedd blwyddyn i sicrhau ein bod yn gallu bwrw ymlaen â rhaglen gyfalaf a fydd yn darparu'r holl fuddion hynny i bobl, i gymunedau ac i'r sector preifat.

Soniasoch am David Blanchflower, cyn luniwr polisi Banc Lloegr, a rybuddiodd ei bod yn debyg y byddai'r toriadau a gyhoeddodd Llywodraeth y DU yng nghyllideb mis Mehefin yn siŵr o wthio'r DU yn ôl i ddirwasgiad. Cawn weld. Dywedodd na allwch chwalu'r sector cyhoeddus a thybio y bydd y sector preifat yn camu i'r adwy. Dyna'r hyn y mae David Blanchflower wedi'i ddarogan. Yng Nghymru mae gennym ddull gweithredu gwahanol, a dyma lle mae datganoli yn profi ei hun. Yr ydym ni yn dweud, fel y dywedodd Alistair Darling, cyn Ganghellor y Trysorlys, y byddai torri cymaint mor gynnar yn arafu'r adferiad, yn enwedig yng Nghymru, lle mae gennym sector preifat cymharol fach. Mae cynnal buddsoddiad cyhoeddus yn hanfodol i'r gwasanaethau yr ydym yn eu darparu, nid yn unig er budd y rheini sydd mwyaf agored i niwed ond ar

programme. Michael Gove, as Andrew said, might have been well advised to dither more and to make the right decisions in relation to slashing the Building Schools for the Future contracts, which is now causing the Government political difficulty in London and with its own party members in local government.

As I have said, the Minister for education will announce the next phase of the school building programme, and I have mentioned a number of schemes that the Deputy Minister for Housing and Regeneration will be taking forward. Schemes have an impact. For example, the extra care budget provides housing for elderly and vulnerable people, enables social care services to be provided, helps people to avoid hospital admission, and impacts on health and wellbeing. It is important to say that schemes would be delayed in Conwy, Flintshire, Gwynedd, Pembrokeshire, the Vale of Glamorgan and Wrexham if we did not go ahead with this year's budget. In Pembrokeshire, the local authority is selling land to an association. If we did not honour our capital budget, that would come to an end. You have to recognise that we are making responsible decisions.

In response to Andrew Davies's question, I will come back to you later in the year to tell you how we are making savings in relation to our revenue reductions as a result of our efficiency and innovation programme. I came to the Chamber only two or three weeks ago to present a statement on our efficiency and innovation programme, which local government, the health service, the police, the fire service—all our public sector partners—and the Wales Trades Union Congress and the third sector have signed up to. Therefore, we are playing our part in respect of efficiency and innovation, and I will share our examples at the quadrilateral meeting with the Chief Secretary to the Treasury and the finance Ministers for Scotland and Northern Ireland on Thursday.

4.30 p.m.

gyfer y swyddi yr ydym yn eu darparu ac ar gyfer dysgwyr drwy'r rhaglen adeiladu ysgolion ar gyfer yr unfed ganrif ar hugain. Efallai y byddai wedi bod yn ddoeth i Michael Gove, fel y dywedodd Andrew, dindroi yn hwy a gwneud y penderfyniadau iawn yng nghyswllt torri'r contractau Adeiladu Ysgolion ar gyfer y Dyfodol, sydd yn awr yn achosi anawsterau gwleidyddol i'r Llywodraeth yn Llundain a gydag aelodau ei phlaid ei hun mewn llywodraeth leol.

Fel yr wyf wedi dweud, bydd y Gweinidog dros addysg yn cyhoeddi cam nesaf y rhaglen adeiladu ysgolion, ac yr wyf wedi sôn am nifer o gynlluniau y bydd y Dirprwy Weinidog dros Dai ac Adfywio yn mynd â nhw rhagddynt. Mae effaith i gynlluniau. Er enghraifft, mae'r gyllideb gofal ychwanegol yn darparu tai i bobl hŷn ac agored i niwed, yn galluogi darparu gwasanaethau gofal cymdeithasol, yn helpu pobl rhag gorfod mynd i'r ysbyty, ac yn effeithio ar iechyd a lles. Mae'n bwysig dweud y byddai cynlluniau'n cael eu dal yn ôl yng Nghonwy, sir y Fflint, Gwynedd, sir Benfro, Bro Morgannwg a Wrecsam pe na baem yn symud ymlaen â chyllideb eleni. Yn sir Benfro, mae'r awdurdod lleol yn gwerthu tir i gymdeithas. Pe na baem yn anrhydeddu ein cyllideb gyfalaf, byddai hynny'n dod i ben. Rhaid ichi gydnabod ein bod yn gwneud penderfyniadau cyfrifol.

I ateb cwestiwn Andrew Davies, dof yn ôl atoch yn nes ymlaen yn ystod y flwyddyn i ddweud wrthyf sut yr ydym yn arbed arian yng nghyswllt ein gostyngiadau refeniw o ganlyniad i'n rhaglen effeithiolrwydd ac arloesedd. Deuthum i'r Siambr gwta ddwy neu dair wythnos yn ôl i gyflwyno datganiad am ein rhaglen effeithiolrwydd ac arloesi. Mae llywodraeth leol, y gwasanaeth iechyd, yr heddlu, y gwasanaeth tân—ein holl bartneriaid yn y sector cyhoeddus—a Chyngres Undebau Llafur Cymru a'r trydydd sector wedi ymrwymo i'r rhaglen hon. Felly, yr ydym yn chwarae ein rhan o ran effeithlonrwydd ac arloesi, a byddaf yn rhannu ein henghreffftiau yn y cyfarfod â phedair ochr iddo gyda Phrif Ysgrifennydd y Trysorlys a Gweinidogion cyllid yr Alban a Gogledd Iwerddon ddydd Iau.

Datganiad Deddfwriaethol am y Mesur Arfaethedig ynghylch Llywodraeth Leol (Cymru)

Legislative Statement on the Proposed Local Government (Wales) Measure

The Minister for Social Justice and Local Government (Carl Sargeant): Yesterday, I laid the Proposed Local Government (Wales) Measure, together with an explanatory memorandum, before the Assembly. I also issued a written statement and I am pleased to introduce the proposed Measure for Assembly Members' consideration today. The proposed Measure addresses several longstanding commitments to bring forward legislation to tackle a range of issues in local government in Wales.

The policy origins for much of the proposed Measure flow from the Welsh Assembly Government's statement on local government, 'A Shared Responsibility', made in 2007, in which the Welsh Assembly Government undertook to seek new powers to set out how local government could represent people more effectively in their localities.

The proposed legislation was also informed by research undertaken by the councillor commission expert panel in Wales into widening participation in local government. The panel's work culminated in the publication of its report, 'Are we being served?' in August 2009.

We have also drawn on the study undertaken for the Welsh Assembly Government in 2003 by Aberystwyth University into the role and functions of community and town councils in Wales. The work of the independent remuneration panel for Wales on councillor remuneration further highlighted the need for legislation.

Turning to the content of the proposed Measure, it is the largest so far introduced into the Assembly, with 172 sections and 4

Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol (Carl Sargeant): Ddoe, gosodais y Mesur Arfaethedig ynghylch Llywodraeth Leol (Cymru), ynghyd â memorandwm esboniadol, gerbron y Cynulliad. Cyhoeddais ddatganiad ysgrifenedig hefyd ac yr wyf yn falch o gyflwyno'r Mesur arfaethedig i'w ystyried gan Aelodau'r Cynulliad heddiw. Mae'r Mesur arfaethedig yn cyflawni nifer o ymrwymadau hirsefydlog i gyflwyno deddfwriaeth i fynd i'r afael ag amryw o faterion mewn llywodraeth leol yng Nghymru.

Mae rhan helaeth o'r Mesur arfaethedig yn deillio o ran polisi o ddatganiad gan Lywodraeth Cynulliad Cymru am lywodraeth leol, 'Rhannu Cyfrifoldeb', a wnaethpwyd yn 2007, lle yr addawodd Llywodraeth Cynulliad Cymru geisio pwerau newydd i bennu sut y gallai llywodraeth leol gynrychioli pobl yn fwy effeithiol yn eu hardaloedd.

Yr oedd y ddeddfwriaeth arfaethedig wedi'i llunio hefyd yng ngoleuni ymchwil a gyflawnwyd gan banel arbenigol comisiwn cynghorwyr Cymru ynghylch ehangu cyfranogiad mewn llywodraeth leol. Arweiniodd gwaith y panel at gyhoeddi ei adroddiad, 'At ein gwasanaeth?' yn Awst 2009.

Yr ydym hefyd wedi gwneud defnydd o'r astudiaeth a gynhaliwyd ar ran Llywodraeth Cynulliad Cymru yn 2003 gan Brifysgol Aberystwyth ynghylch rôl a swyddogaethau cynghorau tref a chymuned yng Nghymru. Amlygwyd yr angen am ddeddfwriaeth ymhellach gan y gwaith gan banel annibynnol Cymru ar gydnabyddiaeth ariannol ar gydnabyddiaeth ariannol i gynghorwyr.

Gan droi at gynnwys y Mesur arfaethedig, ef yw'r mwyaf a gyflwynwyd hyd yma i'r Cynulliad, ac iddo 172 o adrannau a phedair

Schedules. Its provisions can be grouped under six main aims: first, Parts 1 and 2 of the proposed Measure contain provisions that we believe will help strengthen local democracy. They will do so by tackling some of the barriers that have been identified as preventing many people from standing for election to local authorities. Secondly, in Parts 3 to 5 of the proposed Measure, our aim is to reform some of the governance arrangements available to principal authorities, since the Local Government Act 2000, to make them more responsive to the needs and circumstances of local people. Thirdly, Part 6 of the proposed Measure brings forward proposals to improve and develop the overview and scrutiny arrangements in principal authorities and, in particular, to enhance the role of non-executive or backbench councillors in the scrutiny of local services. Fourthly, Part 7 of the proposed Measure includes provisions intended to develop and strengthen the role of community councils in Wales, including enabling them to deliver a wider range of services and actions locally. We also want to enable community councils to increase the effectiveness of their representational role and their ability to work in partnership with other bodies. Fifthly, in Part 8 of the proposed Measure, our aim is to introduce a more transparent and more coherent system for determining councillors' allowances. Finally, Part 9 of the proposed Measure includes a provision that will amend the Local Government (Wales) Measure 2009 by extending the powers of the Welsh Ministers to include the issuing of statutory guidance on the duties and powers of unitary authorities to collaborate.

The proposed Measure supports the Welsh Assembly Government's wider aims that democracy at a local level will be enhanced and its capacity to serve the citizens will be improved. One of our key principles for local government is to ensure that public services are citizen-centred and effective. In pursuance of that aim, we have, in the proposed Measure, sought to rationalise the governance arrangements available to councils and have refined the procedures applicable to scrutiny.

Atodlen. Gellir dosbarthu'r darpariaethau sydd ynddo dan chwe phrif nod: yn gyntaf, mae Rhannau 1 a 2 o'r Mesur arfaethedig yn cynnwys darpariaethau y credwn y byddant o gymorth i gryfhau democratiaeth leol. Gwnânt hynny drwy ddelio â rhai o'r rhwystrau y gwelwyd eu bod yn atal llawer o bobl rhag sefyll i'w hethol i awdurdodau lleol. Yn ail, yn Rhannau 3 i 5 yn y Mesur arfaethedig, ein nod yw diwygio rhai o'r trefniadau llywodraethu sydd ar gael i'r prif awdurdodau, ers gwneud Deddf Llywodraeth Leol 2000, i'w gwneud yn fwy ymatebol i anghenion ac amgylchiadau pobl leol. Yn drydydd, mae Rhan 6 o'r Mesur arfaethedig yn cyflwyno cynigion i wella a datblygu'r trefniadau trosolwg a chraffu yn y prif awdurdodau ac, yn benodol, i hyrwyddo rôl cynghorwyr anweithredol neu gynghorwyr y meinciau cefn wrth graffu ar wasanaethau lleol. Yn bedwerydd, mae Rhan 7 o'r Mesur arfaethedig yn cynnwys darpariaethau sydd â'r amcan o ddatblygu a chryfhau rôl cynghorau cymuned yng Nghymru, a hynny'n cynnwys eu galluogi i gyflenwi ystod ehangach o wasanaethau a chamau gweithredu'n lleol. Yr ydym hefyd am alluogi cynghorau cymuned i gyflawni eu rôl gynrychioladol yn fwy effeithiol a rhoi mwy o allu iddynt weithio mewn partneriaeth â chyrff eraill. Yn bumed, yn Rhan 8 o'r Mesur arfaethedig, ein nod yw cyflwyno system fwy tryloyw a mwy cydlynol i bennu lwfansau cynghorwyr. Yn olaf, mae Rhan 9 o'r Mesur arfaethedig yn cynnwys darpariaeth a fydd yn diwygio Mesur Llywodraeth Leol (Cymru) 2009 drwy ehangu cwmpas pwerau Gweinidogion Cymru fel eu bod yn cynnwys cyhoeddi canllawiau statudol ar ddyletswyddau a phwerau awdurdodau unedol i gydweithio.

Mae'r Mesur arfaethedig yn ategu nodau ehangach Llywodraeth Cynulliad Cymru i hyrwyddo democratiaeth ar lefel leol a'i gallu i wasanaethu'r dinasyddion. Un o'n prif egwyddorion ar gyfer llywodraeth leol yw sicrhau bod gwasanaethau cyhoeddus yn canolbwyntio ar y dinesydd a'u bod yn effeithiol. Yn unol â'r nod hwnnw, yn y Mesur arfaethedig yr ydym wedi ceisio rhesymoli'r trefniadau llywodraethu sydd ar gael i gynghorau ac wedi gwella'r gweithdrefnau ar gyfer craffu.

Our intention is to make local government scrutiny arrangements more effective and to take a more holistic approach. We want to see the co-option of people with relevant experience and expertise onto scrutiny committees; we want to see joint scrutiny committees between local authorities and we want the overview and scrutiny committees of local authorities to be able to scrutinise the delivery of public services in their area. We want to ensure that councillors are properly supported in carrying out their representational work, which includes ensuring that councillors are offered opportunities to develop their skills and are given adequate officer support to enable them to carry out multiple roles.

We want to enable a more diverse cross-section of people to consider becoming councillors and to remain as councillors. We also want to ensure a coherent framework for the allowances that councillors receive—one that is fair, accountable and transparent and is hopefully welcomed by this institution. At the most local level, we recognise the importance of community councils in stimulating debate and engagement; we want to make it easier for community councils to be set up if the residents of an area wish to do so. We want to enhance the breadth of representation on community councils by allowing youth representation and we also want to extend the wellbeing power to community councils and to encourage their capacity to use this power for the benefit of their residents.

The proposed Measure also includes provision to allow Welsh Ministers to issue statutory guidance on collaboration; the previous Local Government (Wales) Measure provided local authorities in Wales with new powers to collaborate, and placed a new duty on them to consider collaboration when developing proposals for improving the services that they deliver.

To conclude, I encourage Members to study the proposed Measure carefully. It is a substantial piece of legislation, but I hope that Members will understand what the proposed Measure is for and why it has been introduced: it is a means of improving local government for the communities that form

Ein bwriad yw gwneud trefniadau craffu llywodraeth leol yn fwy effeithiol ac ymdrin â hyn mewn modd mwy cyfannol. Yr ydym am weld cyfethol pobl sydd â phrofiad ac arbenigedd perthnasol i bwyllgorau craffu; yr ydym am weld pwyllgorau craffu ar y cyd rhwng awdurdodau lleol ac am weld pwyllgorau trosolwg a chraffu awdurdodau lleol yn gallu craffu ar y cyflenwi ar wasanaethau cyhoeddus yn eu hardal. Yr ydym am sicrhau bod cynghorwyr yn cael cymorth priodol i gyflawni eu gwaith cynrychioladol, a hynny'n cynnwys sicrhau bod cynghorwyr yn cael cynnig cyfleoedd i feithrin eu sgiliau a'u bod yn cael cymorth digonol gan swyddogion i'w galluogi i gyflawni rolau amryfal.

Yr ydym am alluogi croestoriad mwy amrywiol o bobl i ystyried dod yn gynghorwyr a pharhau'n gynghorwyr. Yr ydym hefyd am sicrhau fframwaith ystyrllon ar gyfer y lwfansau y mae cynghorwyr yn eu cael—un sy'n deg, yn atebol ac yn dryloyw ac a gaiff groeso, gobeithio, gan y sefydliad hwn. Ar y lefel fwyaf lleol, yr ydym yn cydnabod pwysigrwydd cynghorau cymuned o ran ysgogi dadlau a chyfranogi; yr ydym am ei gwneud yn haws sefydlu cynghorau cymuned os yw trigolion ardal yn dymuno gwneud hynny. Yr ydym am ehangu cynrychiolaeth ar gynghorau cymuned drwy ganiatáu cynrychiolaeth i bobl ifanc ac yr ydym hefyd am ymestyn y pŵer ynghylch lles i gynghorau cymuned a hyrwyddo eu gallu i ddefnyddio'r pŵer hwn er budd eu trigolion.

Mae'r Mesur arfaethedig yn cynnwys darpariaeth hefyd i ganiatáu i Weinidogion Cymru gyhoeddi canllawiau statudol ar gydweithio; rhoddodd y Mesur Llywodraeth Leol (Cymru) blaenorol bwerau newydd i gydweithio i awdurdodau lleol yng Nghymru, a'u rhoi dan ddyletswydd newydd i ystyried cydweithio wrth ddatblygu cynigion i wella'r gwasanaethau y maent yn eu cyflenwi.

I gloi, anogaf Aelodau i astudio'r Mesur arfaethedig yn fanwl. Mae'n eitem sylweddol o ddeddfwriaeth, ond yr wyf yn gobeithio y bydd Aelodau'n deall pwrpas y Mesur arfaethedig a pham y mae wedi'i gyflwyno: mae'n fodd i wella llywodraeth leol er mwyn y cymunedau sy'n rhan o haen gyntaf

the first tier of democracy, for the councillors who devote their time and energy to democratic engagement and, most importantly, for the citizens who use their services.

Nick Ramsay: I am grateful for the opportunity to respond to this afternoon's statement. The Welsh Conservatives welcome any opportunity to highlight the importance of local government, especially the role that community bodies, such as town and community councils, play in their localities, as you mentioned. Legislation that seeks to enhance local democracy and promote real devolution by giving local councils more responsibility is to be welcomed. However, we are aware that there is still a considerable distance to go; what the proposed Measure looks like at the end of the legislative process is what matters.

As you said, Minister, this is a huge piece of legislation. It has many sections and is in 9 parts, which makes it by far the biggest proposed Measure that the Assembly has seen. I have some observations to make and questions to ask in the short time that I have. Parts of the proposed Measure attempt to deal with the recommendations of the expert panel on broadening and increasing participation in local government. There are a lot of good ideas here about increasing diversity and providing better support for councillors. Councils should, undoubtedly, be representative of the communities they serve, but, unfortunately, this is too often not the case.

I am pleased to note the plans to introduce support for Members to deal with family circumstances; this is to be welcomed, as family commitments are a major consideration for many who contemplate standing for elected office, and there are some relevant issues to be worked through in this regard. However, there are no provisions in the list that you provided that relate to long-term sickness absence in councils; this is an area that needs to be addressed—I see that the Minister is nodding—and I would be grateful if you could comment on this, and tell us whether it is something that you would be prepared to address in the proposed Measure.

democratiaeth, er mwyn y cynghorwyr sy'n rhoi o'u hamser a'u hegni i gyfranogi democrataidd ac, yn bwysicaf oll, er mwyn y dinasyddion sy'n defnyddio eu gwasanaethau.

Nick Ramsay: Yr wyf yn ddiolchgar am y cyfle i ymateb i'r datganiad y prynhawn yma. Mae'r Ceidwadwyr Cymreig yn croesawu pob cyfle i dynnu sylw at bwysigrwydd llywodraeth leol, yn enwedig y rhan sydd gan gyrrff cymunedol, fel cynghorau tref a chymuned, yn eu hardaloedd, fel y crybwyllasoch. Mae deddfwriaeth sy'n ceisio hyrwyddo democratiaeth leol a hybu datganoli gwirioneddol drwy roi mwy o gyfrifoldeb i gynghorau lleol i'w chroesawu. Er hynny, yr ydym yn ymwybodol bod cryn waith i'w wneud o hyd; y wedd a fydd ar y Mesur arfaethedig ar ddiwedd y broses ddeddfwriaethol yw'r hyn sy'n bwysig.

Fel y dywedasoch, Weinidog, mae hon yn eitem enfawr o ddeddfwriaeth. Mae iddi lawer o adrannau ac mae naw rhan iddi, fel mai hwn yw'r Mesur arfaethedig mwyaf o bell ffordd y mae'r Cynulliad wedi'i weld. Mae gennyf rai sylwadau i'w gwneud a chwestiynau i'w gofyn yn yr amser byr sydd gennyf. Mae rhannau o'r Mesur arfaethedig yn ceisio delio ag argymhellion y panel arbenigol ar ehangu a chynyddu cyfranogiad mewn llywodraeth leol. Mae llawer o syniadau da yma am gynyddu amrywiaeth a darparu cymorth gwell i gynghorwyr. Mae'n sicr y dylai cynghorau fod yn gynrychioladol o'r cymunedau a wasanaethant, ond, gwaetha'r modd, nid felly y mae'n rhy aml.

Yr wyf yn falch o nodi'r cynlluniau i gyflwyno cymorth i Aelodau i ddelio ag amgylchiadau teuluol; mae hyn i'w groesawu, gan fod ymrwymadau teuluol yn ystyriaeth o bwys i lawer sy'n ystyried sefyll etholiad, ac mae rhai materion perthnasol i'w datrys yn hyn o beth. Er hynny, nid oes darpariaethau yn y rhestr a roesoch sy'n ymwneud ag absenoldeb hirdymor oherwydd salwch mewn cynghorau; mae hwn yn faes sy'n galw am sylw—gwelaf fod y Gweinidog yn nodio ei ben—a byddwn yn ddiolchgar pe gallech wneud sylw am hyn, a dweud wrthym a yw'n rhywbeth y byddech yn barod i ymdrin ag ef yn y Mesur arfaethedig.

I turn to some of the finer details of the proposed Measure; for instance, the advent of video-conferencing aimed at improving attendance at council meetings. We all want to improve the attendance of councillors at meetings, but this particular move has significant potential cost implications, and I question whether this is the best use of public money at a time when difficult decisions are being taken over public spending. I also question the obligation on local authorities to survey elected and failed council candidates; not only is there a cost implication, but some of the questions—on sexual orientation, for example—could be viewed as intrusive, and may deter some candidates from running for election, which goes against the broader principles of the proposed Measure. You may have taken that into account already, so I look forward to hearing your comments on the issue.

I move on to Parts 3 and 4 of the proposed Measure, on the governance structures of local government. Across Wales, there are a number of options available to local authorities in terms of governance arrangements, and there are a number of different systems in operation. For example, many local authorities have a cabinet system. However, who is to say that, given the choice, many members of the public would not prefer a directly-elected mayoral system—you could see that that particular topic was coming—particularly in our larger towns and cities? What do you have to lose, Minister? Our larger towns and cities surely deserve the opportunity to elect a mayor if they wish to do so. I know that a trigger system is in place, but this should be equalised with that of England, at the very least. The Minister is well versed in dealing with this argument, so I am sure that it has not caught him by surprise. I look forward to hearing what he has to say.

I am pleased to see that the implementation of some of the findings of the report of the Health, Wellbeing, and Local Government Committee on local government scrutiny arrangements is provided for in Parts 5 and 6

Trof at rai o'r agweddau manylach ar y Mesur arfaethedig; er enghraifft, cyflwyno fideogynadledda er mwyn gwella presenoldeb yng nghyfarydydd cynghorau. Yr ydym i gyd am wella presenoldeb gan gynghorwyr mewn cyfarfodydd, ond gallai'r cynnig hwn fod â goblygiadau sylweddol o ran cost, ac yr wyf yn amau ai hon yw'r ffordd orau i ddefnyddio arian cyhoeddus ar adeg gwneud penderfyniadau anodd ynghylch gwariant cyhoeddus. Yr wyf hefyd yn cwestiynu'r rhwymedigaeth ar awdurdodau lleol i gynnal arolwg o ymgeiswyr etholedig ac aflwyddiannus am seddi ar gynghorau; nid yn unig y mae goblygiad o ran cost, ond gellid ystyried bod rhai o'r cwestiynau—am gyfeiriadedd rhywiol, er enghraifft—yn fusneslyd, a gallent droi rhai ymgeiswyr oddi ar ymgeisio mewn etholiad, ac mae hynny'n groes i egwyddorion ehangach y Mesur arfaethedig. Efallai ichi ystyried hynny'n barod, felly edrychaf ymlaen at glywed eich sylwadau am y mater.

Af ymlaen at Rannau 3 a 4 o'r Mesur arfaethedig, ynghylch fframweithiau llywodraethu llywodraeth leol. Ledled Cymru, mae nifer o opsiynau ar gael i awdurdodau lleol o ran trefniadau llywodraethu, ac mae nifer o systemau gwahanol ar waith. Er enghraifft, mae system gabinet gan lawer o awdurdodau lleol. Fodd bynnag, pwy a all ddweud na fyddai llawer o aelodau o'r cyhoedd, o gael y dewis, yn ffafrio system â maer wedi'i ethol yn uniongyrchol—gallech weld fy mod ar fin dod at y pwnc hwnnw—yn enwedig yn ein trefi mwy a'n dinasoedd? Beth sydd gennych i'w golli, Weinidog? Mae'n sicr bod ein trefi mwy a'n dinasoedd yn haeddu'r cyfle i ethol maer os ydynt yn dymuno. Gwn fod dull ar gael i gychwyn y broses, ond dylai fod yn gystal â'r un yn Lloegr, o leiaf. Mae'r Gweinidog wedi hen arfer ag ymateb i'r ddadl hon, felly yr wyf yn siŵr nad yw'n annisgwyl iddo. Edrychaf ymlaen at glywed beth sydd ganddo i'w ddweud.

Yr wyf yn falch o weld bod darpariaeth ar gyfer gweithredu ar rai o'r canfyddiadau yn adroddiad y Pwyllgor Iechyd, Lles a Llywodraeth Leol ar drefniadau craffu llywodraeth leol yn Rhannau 5 a 6 o'r Mesur

of the proposed Measure. I cannot think why anybody would oppose strengthening the overview and scrutiny process at a local level. I have spent some time on a local authority, and doing that is difficult, but I think that everyone would agree that the scrutiny process has a very important part to play. I see that the legislation also deals with the co-opting of non-councillor members with voting rights to scrutiny committees; to me, this is something that goes against the grain, but you may have different thoughts on the matter, and I am interested to hear how this could be progressed.

4.40 p.m.

Also in this section is the proposal to prohibit party whipping at committees. In principle, there is a lot to be said for that. However, I wonder how on earth you would ever regulate or enforce this idea. Could we ensure that some aspects of this proposed Measure are not simply pie in the sky, and that we are not going to put a huge range of proposals to local authorities that, in practice, would be very costly or almost impossible to implement?

I am also not sure whether the proposal to co-opt under-18s is the answer. However, as I said before, the Minister may have a different view. Are we saying that people over the age of 18 would be unable to represent those under 18? What sort of age limit is the Minister talking about? If it is 16, surely people over 16 can represent people under 16 at the moment. Why, therefore, does that argument not follow through with those who are over 18? I realise that this does touch on a broader principle of voting age at all sorts of elections.

I note that the Minister is to provide town and community councils with powers relating to wellbeing. Could he comment on whether, under this section, further powers could be devolved, such as powers relating to the environment? I realise that I have raised a lot of points. I urge the Minister to do his best to answer these questions, but I know that I have thrown a number of questions at you. I

arfaethedig. Ni allaf feddwl pam y byddai rhywun yn erbyn cryfhau'r broses trosolwg a chraffu ar lefel leol. Yr wyf wedi treulio rhywfaint o amser ar awdurdod lleol, ac mae gwneud hynny'n anodd, ond credaf y byddai pawb yn derbyn bod lle pwysig iawn i'r broses graffu. Gwelaf fod y ddeddfwriaeth yn delio hefyd â chyfethol aelodau nad ydynt yn gynghorwyr a chanddynt hawliau pleidleisio i bwyllgorau craffu; yn fy marn i, mae hyn yn mynd yn groes i'r graen, ond efallai fod gennyhych syniadau gwahanol am y mater, a bydd o ddiddordeb imi glywed sut y gellid symud ymlaen ar hyn.

Hefyd yn yr adran hon y mae'r cynnig i wahardd chwipio gan y pleidiau mewn pwyllgorau. Mewn egwyddor, mae llawer i'w ddweud o blaid hynny. Fodd bynnag, yr wyf yn meddwl sut ar y ddaear y byddech yn rheoleiddio neu'n gorfodi'r syniad hwn byth. A allem sicrhau y bydd rhai agweddau ar y Mesur arfaethedig hwn yn fwy na dim ond breuddwyd gwrach, ac na fyddwn yn rhoi cynigion o lawer math i awdurdodau lleol a fyddai, o'u rhoi ar waith, yn ddrud iawn neu bron yn amhosibl eu gweithredu?

Nid wyf yn sicr ychwaith a yw'r cynnig i gyfethol rhai dan 18 oed yn ateb. Er hynny, fel y dywedais o'r blaen, gallai'r Gweinidog fod â barn wahanol. A ydym yn dweud na fyddai pobl dros 18 oed yn gallu cynrychioli'r rheini sydd dan 18 oed? Pa fath o derfyn oedran y mae'r Gweinidog yn sôn amdano? Os mai 16 oed ydyw, mae'n sicr bod pobl dros 16 oed yn gallu cynrychioli pobl dan 16 oed ar hyn o bryd. Pam, felly, nad yw'r ddadl honno'n dal dŵr ar gyfer y rheini sydd dros 18 oed? Yr wyf yn sylweddoli bod hyn yn berthnasol i egwyddor ehangach yr oedran pleidleisio ym mhob math o etholiadau.

Sylwaf y bydd y Gweinidog yn rhoi pwerau i gynghorau tref a chymuned mewn cysylltiad â lles. A allai wneud sylw ynghylch a ellid datganoli pwerau pellach dan yr adran hon, fel pwerau sy'n ymwneud â'r amgylchedd? Yr wyf yn sylweddoli fy mod wedi codi llawer o bwyntiau. Anogaf y Gweinidog i wneud ei orau i ateb y cwestiynau hyn, ond gwn fy mod wedi taflu nifer o gwestiynau

will close with a question relating to councillors' allowances and remuneration. We would all agree that taking remuneration matters out of the hands of elected representatives is a sensible move. We have all agreed to that in the Assembly, and it has also been agreed at other levels of Government, so it probably makes sense at this level too. We completely support the proposal that allowances should be set by an independent body. I am concerned, however, about the proposal on allowances for town and community councillors. At present, community councillors do their work on a voluntary basis, out of duty and commitment to their towns and villages. It is often a matter for the heart. This has served us well for generations. Are you sure that we are not throwing the baby out with the bathwater in dealing with this? I can see the arguments for it, but this has to be handled very carefully.

I thank the Minister for his statement today. I look forward to the Assembly working with him throughout the legislative process. I have one final question to ask. Do you believe that the legislation is strong enough to maximise those all-important opportunities for collaboration, when some authorities seem unwilling to take this matter seriously? There are some excellent advertisements for collaboration out there. I know that the Minister could think of many, and so could I. However, in terms of carrying this forward, there have been clear problems over the last five or 10 years—and this is not a party-political point. Do you think that this proposed Measure will improve collaboration at local authority level when it has been implemented on the ground?

Carl Sargeant: As Nick recognises, this is an extremely large proposed Measure, the largest to go through the Assembly, with 172 sections—and I think that Nick threw me about 172 questions. I was writing frantically, and I may not address all of them, but I would be happy to discuss those further with you.

I wish to pick up on a few of the issues that

atoch. Terfynaf drwy ofyn cwestiwn sy'n ymwneud â lwfansau a chydabyddiaeth ariannol i gynghorwyr. Byddem i gyd yn derbyn bod mynd â materion sy'n ymwneud â chydabyddiaeth ariannol o ddwylo cynrychiolwyr etholedig yn gam synhwyrol. Yr ydym i gyd wedi derbyn hynny yn y Cynulliad, a chytunwyd ar hynny hefyd ar lefelau eraill Llywodraeth, felly mae'n debyg ei fod yn synhwyrol ar y lefel hon hefyd. Yr ydym yn llwyr o blaid y cynnig y dylai lwfansau gael eu pennu gan gorff annibynnol. Yr wyf yn pryderu, er hynny, ynghylch y cynnig ar lwfansau i gynghorwyr tref a chymuned. Ar hyn o bryd, mae cynghorwyr cymuned yn gwneud eu gwaith yn wirfoddol, o ran dyletswydd ac ymrwymiad i'w trefi a'u pentrefi. Mae'n aml yn fater i'r galon. Mae hyn wedi ateb y diben i ni am genedlaethau. A ydych yn sicr nad ydym yn taflu'r llo a chadw'r brych wrth ddelio â hyn? Gallaf weld y dadleuon o'i blaid, ond rhaid trin hyn yn ofalus iawn.

Diolchaf i'r Gweinidog am ei ddatganiad heddiw. Edrychaf ymlaen at weld y Cynulliad yn cydweithio ag ef drwy gydol y broses ddeddfwriaethol. Mae gennyf un cwestiwn olaf. A ydych yn credu bod y ddeddfwriaeth yn ddigon cadarn i achub i'r eithaf ar y cyfleoedd hollbwysig hynny i gydweithio, o gofio bod rhai awdurdodau'n ymddangos yn amharod i gymryd y mater hwn o ddifrif? Mae rhai enghreifftiau rhagorol o gydweithio ar gael. Gwn y gallai'r Gweinidog feddwl am lawer, fel y gallwn i. Fodd bynnag, o ran symud ymlaen ar hyn, cafwyd problemau amlwg dros y pump neu 10 mlynedd diwethaf—ac nid pwynt pleidiol yw hwn. A ydych yn credu y bydd y Mesur arfaethedig hwn yn gwella'r cydweithio ar lefel yr awdurdodau lleol ar ôl ei roi mewn grym yn lleol?

Carl Sargeant: Fel y mae Nick yn cydnabod, mae hwn yn Fesur arfaethedig mawr iawn, y mwyaf i fynd drwy'r Cynulliad, a chanddo 172 o adrannau—a chredaf i Nick ofyn tua 172 o gwestiynau i mi. Yr oeddwn yn ysgrifennu fel lladd nadroedd, ac efallai na fyddaf yn rhoi sylw i bob un ohonynt, ond byddwn yn fodlon trafod y rheini ymhellach â chi.

Dymunaf fynd ar ôl rhai o'r materion a

you raised, and thank you for the refreshing and constructive dialogue that has been started at an early stage. I turn to the survey of local councillors relating to strengthening local democracy. Nick raised issues relating to 'who', 'why' and 'what' in this process. At the moment, the average profile of a councillor in Wales is overwhelmingly white, male, elderly and retired, which has been the case for many years. This has been identified in many of the reports on electoral arrangements by the commissions that have been set up. You recognised, Nick, that there may be issues relating to the identity of individuals that might prevent them from considering applications. Candidates will be under no obligation to complete the survey forms, but the proposed Measure requires surveys to be confidential. This is about understanding the position of those who apply, whether successful or otherwise, and how we can strengthen that process.

Regarding remote attendance, this is a great opportunity to open the door so that future council members can attend council meetings. This relates to cases where there is difficulty in attending council meetings due to time and demography. It is about where a person lives and the difficulty of getting to the meeting and back, particularly with school runs and so on. It will give councils the opportunity to alter other times, to use this as a remote attendance opportunity.

On the technology, many local authorities already have a high-tech video-conferencing system. I was in Torfaen recently and every public building there has a video-conferencing suite. There may be some issues along the way, but I think that we are well advanced in developing opportunities for change in the way that we operate, and I think that we in the Assembly could learn from good practice in dealing with remote access. I use video-conferencing a lot with my officials across Wales, rather than have them travel, because it just makes sense and it makes things much easier.

godasoch, a diolchaf i chi am y ddeialog amheuthun ac adeiladol sydd wedi'i dechrau'n gynnar. Trof at yr arolwg o gynghorwyr lleol sy'n ymwneud â chryfhau democratiaeth leol. Cododd Nick faterion sy'n ymwneud â 'phwy', 'pam' a 'beth' yn y broses hon. Ar hyn o bryd, mae'r rhan fwyaf o lawer o gynghorwyr yng Nghymru'n wyn, yn wrywaidd, yn oedrannus ac wedi ymddeol, ac felly y bu ers blynnyddoedd lawer. Mae hyn wedi'i nodi mewn llawer o'r adroddiadau ar drefniadau etholiadol gan y comisiynau sydd wedi'u sefydlu. Cydnabuoch, Nick, y gallai materion godi mewn cysylltiad ag unigolion penodol a allai eu hatal rhag ystyried ymgeisio. Ni fydd unrhyw orfodaeth ar ymgeiswyr i gwblhau'r ffurflenni arolwg, ond mae'r Mesur arfaethedig yn mynnu y bydd arolygon yn gyfrinachol. Mae hyn yn ymwneud â deall sefyllfa'r rheini sy'n ymgeisio, pa un a fyddant yn llwyddo neu beidio, a sut y gallwn gryfhau'r broses honno.

O ran presenoldeb o bell, mae hyn yn gyfle gwych i agor y drws fel y gall aelodau cyngor y dyfodol gymryd rhan mewn cyfarfodydd cyngor. Mae hyn yn ymwneud ag achosion lle y mae'n anodd dod i gyfarfodydd cyngor oherwydd amser a demograffeg. Mae'n ymwneud â lle y mae rhywun yn byw ac anhawster wrth fynd i'r cyfarfod a dod oddi yno, yn enwedig wrth hebrwng plant yn ôl ac ymlaen i'r ysgol ac ati. Bydd yn rhoi cyfle i gynghorau newid amseroedd eraill, i ddefnyddio hyn fel cyfle i fod yn bresennol o bell.

Ynghylch y dechnoleg, mae system fideogynadledda uwchdechnolegol gan lawer o awdurdodau lleol eisoes. Yr oeddwn yn Nhor-faen yn ddiweddar ac mae ystafell fideogynadledda ym mhob adeilad cyhoeddus yn y fan honno. Efallai y bydd rhai anawsterau'n codi ar hyd y ffordd, ond credaf ein bod wedi cymryd camau mawr ymlaen wrth ddatblygu cyfleoedd i newid ein dull o weithredu, a chredaf y gallem ni yn y Cynulliad ddysgu o'r arferion da wrth ddelio â mynediad o bell. Yr wyf yn defnyddio fideogynadledda'n aml gyda fy swyddogion ledled Cymru, yn hytrach na pheri iddynt deithio, gan ei fod yn synhwyrol ac yn fwy hwylyus o lawer.

On the point about directly elected mayors, we had a long debate on the subject recently and I do not think that my position has changed in the intervening two weeks. You keep pressing the point, but I have had hardly any representations from anyone else in Wales about directly elected mayors. The only ones from whom I have had any correspondence on this subject are those in the Conservative Party. I find that interesting in one sense. The reality, however, is that if the appetite for directly elected mayors is as great in the public arena as you say that it is, then as far as the numbers and the impact on local authorities go, the names that would be required to trigger a referendum for a directly elected mayor could probably be collected on a busy market day. So, if you are really so keen on pushing this agenda forward, collect the names and respond, and I will act accordingly, based on the number of requests that I receive.

I welcome your comments on the independent panel on remuneration. This has received much publicity with regard to Members of Parliament, Assembly Members, and elected representatives across the board. I think that an arm's-length body will be beneficial in terms of raising confidence in such elected bodies. Your point about community councils being paid to do their job is something for the independent panel, but I welcome discussion, through the scrutiny committee, in terms of the broader views of witnesses.

Finally, on the collaboration agenda, which was your last point, you asked whether it goes far enough. My message to local government and the public sector has been very clear since I came to this post, and it is consistent with the message of the Minister for Business and Budget and the First Minister, and it is to do with collaboration and changing the way we operate. Beecham mentioned this many years ago, and we are still at the point of having a long way to move forward. The elephant in the room is the question that the Welsh Local Government Association posed about reorganisation. Reorganisation is still not on my agenda, but for councils and the whole of the public sector to look at how they do

Ynghylch y pwynt am feiri a etholir yn uniongyrchol, cawsom ddadl hir ar y pwnc yn ddiweddar ac nid wyf yn meddwl bod fy safbwynt wedi newid yn y pythefnos ers hynny. Yr ydych yn dal i wthio'r pwynt, ond nid wyf wedi cael bron dim sylwadau gan neb arall yng Nghymru ynghylch meiri a etholir yn uniongyrchol. Yr unig rai yr wyf wedi cael unrhyw ohebiaeth ganddynt am y pwnc hwn yw'r rheini yn y Blaid Geidwadol. Yr wyf yn cael hynny'n ddi-ddorol ar un ystyr. Y gwir amdani yw, fodd bynnag, os ydyw'r awydd am feiri a etholir yn uniongyrchol mor gryf ymysg y cyhoedd ag y dywedwch ei fod, yna o ran y niferoedd a'r effaith ar awdurdodau lleol, mae'n debyg y gellid casglu'r enwau a fyddai'n ofynnol i ysgogi refferendwm ar gyfer maer a etholir yn uniongyrchol ar ddiwrnod marchnad prysur. Felly, os ydych mor awyddus i hyrwyddo'r agenda hon, casglwch yr enwau ac ymatebwch, a gweithredaf yn unol â hynny, ar sail nifer y ceisiadau a gaf.

Croesawaf eich sylwadau am y panel annibynnol ar gydnabyddiaeth ariannol. Cafwyd llawer o gyhoeddusrwydd am hyn mewn cysylltiad ag Aelodau Seneddol, Aelodau Cynulliad, a chynrychiolwyr etholedig yn gyffredinol. Credaf y bydd corff hyd braich yn llesol o ran cynyddu ymddiriedaeth mewn cyrff etholedig o'r fath. Mae'r pwynt a wnaethoch am dalu cynghorau cymuned i wneud eu gwaith yn fater i'r panel annibynnol, ond croesawaf drafodaeth, drwy'r pwyllgor craffu, yng nghyd-destun barn ehangach y tystion.

Yn olaf, ynghylch yr agenda ar gydweithio, sef y pwynt olaf a wnaethoch, gofynasoch a yw'n mynd yn ddigon pell. Mae'r neges gennyf fi i lywodraeth leol ac i'r sector cyhoeddus wedi bod yn glir iawn ers imi ddod i'r swydd hon, ac mae'n gyson â neges y Gweinidog dros Fusnes a'r Gyllideb a'r Prif Weinidog, ac mae'n ymwneud â chydweithio a newid ein dull o weithredu. Soniodd Beecham am hyn flynyddoedd lawer yn ôl, ac mae gennym ffordd hir o'n blaen o hyd. Y cwestiwn amlwg sydd wedi'i anwybyddu yw'r un a ofynnodd Cymdeithas Llywodraeth Leol Cymru am ad-drefnu. Nid yw ad-drefnu ar fy agenda i eto, ond mae lle amlwg arni i'r angen i gynghorau a'r sector cyhoeddus cyfan ystyried sut y maent yn

business is very much on my agenda, so the ball is firmly in their court with regard to looking at how they can move on with the restricted funding that is available. Again, however, I would welcome, through the legislation committee, more evidence on whether collaboration goes far enough. Thank you for your contribution today.

Gareth Jones: Croesawaf innau'r datganiad. Mae'n seiliedig ar y Mesur arfaethedig sy'n deillio o ymchwil gofalus a thrylwyr yn adroddiadau Aberystwyth a'r panel arbenigol y llynedd. Mae'r adroddiadau hyn ac eraill yn profi bod angen inni wella ac atgyfnerthu sefyllfa llywodraeth leol, ac ar sail hynny, croesawaf y datganiad yn fawr.

Croesawaf yn arw'r amcan o geisio cryfhau democratiaeth leol, a hynny drwy oresgyn y rhwystrau sy'n golygu na all llawer o bobl sefyll mewn etholiadau lleol.

Datganaf fuddiant fel aelod o Gyngor Tref Llandudno, a dywedaf cymaint yr wyf yn croesawu Rhan 7 sydd yn mynegi bwriad i ddatblygu ac atgyfnerthu rôl cynghorau cymuned a threfol yng Nghymru.

4.50 p.m.

Hoffwn ofyn tri chwestiwn mwy penodol i chi, Weinidog. Pa sylw a fydd y Mesur arfaethedig yn ei roi i sicrhau nid yn unig fod unigolion yn medru sefyll mewn etholiad, ond y bydd unigolion anabl—ac mae amrywiaeth o anabledau, fel y gwyddoch yn dda—yn medru pleidleisio'n hawdd yn eu gorsafodd pleidleisio lleol? Bu rhai ohonom mewn grŵp trawsbleidiol yn ddiweddar yn gwrandao ar ddehongliad o adroddiad Scope lle cyfeiriwyd at y ffaith nad oedd rhai cannoedd, os nad miloedd, o unigolion ar y gofrestr bleidleisio oherwydd eu bod yn methu mynd i'r orsaf bleidleisio ac felly nid oeddent yn bwriadu cofrestru. Mae angen edrych ar hynny a sicrhau gwelliannau yn y maes hwnnw achos mae'n fater o bryder i chi, mae'n siŵr, fel i minnau bod pobl sydd yn methu â phleidleisio, yn enwedig pan eu bod o bosibl yn y grŵp mwyaf bregus sydd angen mwy o gymorth. A yw'r Mesur arfaethedig yn mynd i'r afael â gwella'r sefyllfa honno?

gweithredu, felly eu lle hwy yw ystyried sut y gallant symud ymlaen gyda'r cyllid cyfyngedig sydd ar gael. Unwaith eto, fodd bynnag, byddwn yn falch o gael mwy o dystiolaeth, drwy'r pwyllgor deddfwriaeth, ynghylch a yw cydweithio'n mynd yn ddigon pell. Diolch i chi am eich cyfraniad heddiw.

Gareth Jones: I welcome the statement. It is based on the proposed Measure that arises from the careful and thorough research in the Aberystwyth and expert panel's reports of last year. These reports and others prove that we need to improve and bolster the position of local government, and on that basis, I welcome the statement.

I strongly welcome the objective of trying to strengthen local democracy by overcoming the barriers that mean that many people cannot stand in local elections.

I declare an interest as a member of Llandudno Town Council, and let me say how much I welcome Part 7, which expresses an intention to develop and strengthen the role of community and town councils in Wales.

I want to ask you three questions, Minister, which will be more specific. What attention will the proposed Measure give to ensuring that individuals can not only stand for election, but that disabled individuals—and there is a variety of disabilities, as you know well—can vote easily in their local polling stations? Some of us were recently at a cross-party group listening to an interpretation of the Scope report in which reference was made to the fact that hundreds, if not thousands, of individuals are not on the electoral roll because they are unable to go to the polling station and therefore do not intend to register. That must be looked at to ensure improvements in that area, because I am sure that it is a cause for concern for you, as it is for me, that there are people who are unable to vote, particularly when they may be in the most vulnerable group that needs more assistance. Will the proposed Measure tackle improving that situation?

Yr ail gwestiwn yw: pan yr ydych yn cyfeirio at ymestyn cyfrifoldebau lles cymunedol—credaf fod cyfeiriad at ‘*well-being powers*’—a ydych yn rhagweld rôl allweddol i fentrau cymdeithasol a chydweithredol yn y maes hwn? A oes lle i ni annog mwy o’r math hwnnw o fentrau yn ein cymunedau lleol drwy rymuso ein cynghorau lleol?

Yn olaf, byddai llawer yn dadlau bod ‘Creu’r Cysylltiadau’ wedi methu. Sut bydd y cynigion yn y Mesur arfaethedig yn gwella’r agenda cydweithredol?

Carl Sargeant: Thank you for your comments this afternoon. On the first issue about strengthening local democracy, one of the difficulties that you raised in relation to the ability to vote—and I am familiar with the Scope survey—does not sit within the proposed Measure. However, what I have done and continue to do is to conduct a dialogue with the returning officers who are responsible for the Assembly and local government elections. I am doing more work on that that is separate from the proposed Measure.

You also touched on section 4 of Part 1, which refers to remote attendance at meetings. The ability of people to attend a council meeting that is outside what would be considered the norm is important in terms of having some flexibility and being able to accommodate the needs of councillors from more diverse backgrounds. The ability to attend meetings is sometimes purely an issue of the timing of council meetings.

On community and town councils, I was also a member of a local town council in north Wales. I recognise the good grass-roots work that community and town councils can do and the implications for local democracy and how that works. The welfare duty that will be placed on town councils will offer an opportunity for closer working relationships and partnership arrangements with all sorts of bodies outside the council structure. I could see opportunities to work together with the police, fire services or other agencies where there is currently no duty on town and community councils.

The second question is: when you refer to extending community wellbeing responsibilities—I think that there is a reference to ‘well-being powers’—do you foresee that there will be a crucial role for community enterprises and co-operatives in this field? Is there a place for us to encourage such enterprises in our local communities by empowering our local councils?

Finally, many would argue that ‘Making the Connections’ has failed. How will the proposals in the proposed Measure improve the collaborative agenda?

Carl Sargeant: Diolch i chi am eich sylwadau’r prynhawn yma. Ynghylch y mater cyntaf am gryfhau democratiaeth leol, nid yw un o’r anawsterau a godasoch mewn cysylltiad â’r gallu i bleidleisio—ac yr wyf yn gyfarwydd ag arolwg Scope—yn dod o fewn cwmpas y Mesur arfaethedig. Fodd bynnag, yr hyn yr wyf wedi’i wneud ac y daliaf i’w wneud yw cynnal deialog â’r swyddogion canlyniadau sy’n gyfrifol am etholiadau’r Cynulliad a llywodraeth leol. Yr wyf yn gwneud mwy o waith ar hynny sydd ar wahân i’r Mesur arfaethedig.

Cyfeiriasoch hefyd at adran 4 o Ran 1, sy’n cyfeirio at bresenoldeb o bell mewn cyfarfodydd. Mae gallu pobl i gymryd rhan mewn cyfarfod cyngor sydd y tu hwnt i’r hyn a ystyrid yn arferol yn bwysig o ran cael rhywfaint o hyblygrwydd a gallu diwallu anghenion cynghorwyr o gefndiroedd mwy amrywiol. Weithiau bydd y gallu i ddod i gyfarfodydd yn fater sy’n ymwneud ag amseroedd cyfarfodydd cyngor yn unig.

Ynghylch cynghorau tref a chymuned, yr oeddwn innau’n aelod o gyngor tref lleol yng ngogledd Cymru. Yr wyf yn cydnabod y gwaith da y gall cynghorau tref a chymuned ei wneud yn lleol a’r goblygiadau i ddemocratiaeth leol a sut y mae honno’n gweithio. Bydd y ddyletswydd lles a fydd ar gynghorau tref yn cynnig cyfle i gael perthnasoedd gweithio agosach a threfniadau partneriaeth â phob math o gyrff y tu allan i fframwaith y cynghorau. Gallwn weld cyfleoedd i gydweithio â’r heddlu, gwasanaethau tân neu asiantaethau eraill lle nad oes dyletswydd ar gynghorau tref a

chymuned ar hyn o bryd.

Your final point was on the collaboration agenda and how we can work better together. To go back to a comment that I made to Nick earlier, the way in which we do business in the future has to be drastically different to the way in which we have done business in the past. I have high expectations of local authorities, town and community councils and all parts of the public sector that fall within my portfolio, such as the fire service and the police authorities, relating to how they do business. I expect them to work in partnership, and I hope that the proposed Measure will provide the opportunity on the council side to enable them to do that more easily.

Veronica German: The Welsh Liberal Democrats broadly welcome much of the content of the proposed Measure, but we are also aware that there is much scope for regulation and guidance. We hope that this will not be overly prescriptive and centralising and that it will take account of the fact that one size does not always fit all. I understand the wish to benchmark by surveying the candidates to be elected. However, I think that you will agree that that in itself does not necessarily make any changes to the diversity of the people coming forward to stand for election to councils. Does the Minister regret not drawing down the powers to change the voting arrangements for local government, which may have had an impact on this issue?

Alun Davies: We do not regret it at all.

Veronica German: You do not regret it at all. We will see what the Minister says.

On this matter—and this is not necessarily a legislative point—have you thought about implementing a campaign such as the one carried out in England that started in London? The Be a Councillor campaign was very successful in encouraging people from different backgrounds to become councillors. It started two years before the elections. Perhaps now is a good time to be looking for people ready for the 2012 elections. If we

Yr oedd y pwynt olaf a wnaethoch yn ymwneud â'r agenda ar gydweithio a sut y gallwn gydweithio'n well. Gan fynd yn ôl at sylw a wneuthum wrth Nick yn gynharach, rhaid i'n dull o weithredu yn y dyfodol fod yn hollol wahanol i'n dull o weithredu yn y gorffennol. Yr wyf yn disgwyl llawer gan awdurdodau lleol, cynghorau tref a chymuned a phob rhan o'r sector cyhoeddus sydd o fewn fy mhortffolio, fel y gwasanaeth tân a'r awdurdodau heddlu, o ran eu dull o weithredu. Disgwyliaf iddynt weithio mewn partneriaeth, a gobeithiaf y bydd y Mesur arfaethedig yn cynnig cyfle ar ochr y cynghorau i hwyluso eu gallu i wneud hynny.

Veronica German: Mae Democratiaid Rhyddfrydol Cymru'n croesawu llawer sydd yn y Mesur arfaethedig yn gyffredinol, ond yr ydym hefyd yn ymwybodol bod llawer o le i reoleiddio a chanllawiau. Yr ydym yn gobeithio na fydd hyn yn rhy benodol a thueddol i ganoli ac y bydd yn ystyriol o'r ffaith nad yw popeth yn addas i bawb. Yr wyf yn deall y dymuniad i feincodi drwy gynnal arolwg o'r ymgeiswyr sydd i'w hethol. Fodd bynnag, credaf y byddwch yn derbyn na fydd hynny ar ei ben ei hun yn sicrhau unrhyw newidiadau yn amrywiaeth y bobl sy'n sefyll mewn etholiadau cyngor. A yw'r Gweinidog yn edifar am beidio â cheisio ennill y pwerau i newid y trefniadau pleidleisio ar gyfer llywodraeth leol, a allasai effeithio ar y mater hwn?

Alun Davies: Nid ydym yn edifar am hynny o gwbl.

Veronica German: Nid ydych yn edifar am hynny o gwbl. Cawn weld beth a ddywed y Gweinidog.

Ynghylch y mater hwn—ac nid yw hyn yn bwynt deddfwriaethol o reidrwydd—a ydych wedi ystyried cychwyn ymgyrch fel yr un a gynhaliwyd yn Lloegr a ddechreuodd yn Llundain? Yr oedd yr ymgyrch Be a Councillor yn llwyddiannus iawn o ran cymell pobl o wahanol gefndiroedd i ddod yn gynghorwyr. Dechreuodd ddwy flynedd cyn yr etholiadau. Efallai fod hon yn adeg dda i chwilio am bobl mewn pryd ar gyfer

leave it too late, it will not happen.

I am also pleased to see the provision with regard to the timing of meetings. You have already referred to the fact that video-conferencing might help. The sensible timing of council meetings would also make a huge difference to the number of people coming forward. People in full-time work do not want to attend meetings at 11 a.m. and 2 p.m.. They can manage a meeting at 8 a.m. or 4 p.m. and still go to their everyday work. I would be grateful if you could say how you intend to move forward on the timing of meetings, which you mention in the proposed Measure.

On the annual report that is provided for in the proposed Measure, we are obviously in favour of people being in contact with their constituents. It is something that they should do regularly. However, is it necessary to legislate for that to happen? It seems to me that it is up to individual councillors to take on that role. If they do not, their constituents will vote in the ballot box at the end of their time in office to say whether they like what they have done. Are you looking for the annual report to be a web-based report? If not, there could be cost implications for local government. It is good to see democratic services being responsible to the council and not the executive. We welcome that and the desire to make scrutiny more effective.

I have a slight problem with co-opting members. I wonder whether we would want that here. Would we want to co-opt full members to our committees here with voting rights and so on? What impact would that have on democracy? How could we ensure that those co-opted members were appointed in a very transparent and open way and were not just a way of shoring up one political viewpoint? We welcome the provision on political balance for scrutiny chairs. I have been banging on about this for years in various places. I am glad to see that all those people who said, 'We're not doing it until we're made to', will now have to.

etholiadau 2012. Os gadawn hynny'n rhy hir, ni fydd yn digwydd.

Yr wyf hefyd yn falch o weld y ddarpariaeth mewn cysylltiad ag amseroedd cyfarfodydd. Yr ydych eisoed wedi cyfeirio at y ffaith y gallai fideogynadledda fod o gymorth. Byddai amseroedd synhwyrol i gyfarfodydd cyngor hefyd yn gwneud gwahaniaeth aruthrol yn nifer y bobl sy'n dod ymlaen. Nid yw pobl sydd mewn gwaith amser llawn am ddod i gyfarfodydd am 11 a.m. a 2 p.m. Gallant ddod i gyfarfod am 8 a.m. neu 4 p.m. a dal i wneud eu gwaith pob dydd. Byddwn yn ddiolchgar pe gallech ddweud sut yr ydych yn bwriadu symud ymlaen ynghylch amseroedd cyfarfodydd, a grybwyllwch yn y Mesur arfaethedig.

Ynghylch yr adroddiad blynyddol y darperir ar ei gyfer yn y Mesur arfaethedig, mae'n amlwg ein bod o blaid cysylltu rhwng pobl a'u hetholwyr. Mae'n rhywbeth y dylent ei wneud yn rheolaidd. Serch hynny, a oes rhaid deddfu i sicrhau hynny? Mae'n ymddangos i mi mai mater i gynghorwyr unigol yw ymgymryd â'r rôl honno. Os na wnânt hynny, bydd eu hetholwyr yn pleidleisio ar ddiwedd eu tymor yn eu swydd i ddangos a ydynt yn hoffi'r hyn a wnaethant. A ydych yn bwriadu i'r adroddiad blynyddol fod yn adroddiad ar y we? Os nad ydych, gallai llywodraeth leol wynebu goblygiadau o ran cost. Mae'n dda gweld gwasanaethau democrataidd yn atebol i'r cyngor ac nid i'r weithrediaeth. Yr ydym yn croesawu hynny a'r awydd i sicrhau craffu mwy effeithiol.

Mae gennyf ychydig o wrthwynebiad i gyfethol aelodau. Yr wyf yn meddwl tybed a fyddem am gael hynny yma. A fyddem am gyfethol aelodau llawn i'n pwyllgorau yma a chanddynt hawliau pleidleisio ac yn y blaen? Pa effaith a gâi hynny ar ddemocratiaeth? Sut y gallem sicrhau bod yr aelodau cyfetholedig hynny wedi'u penodi mewn modd agored a thryloyw iawn ac nad oeddent yn ddim ond modd i gynnal un safbwynt gwleidyddol? Croesawn y ddarpariaeth ar gydbwysedd gwleidyddol ar gyfer cadeiryddion pwyllgorau craffu. Yr wyf wedi bod yn rhygnu ymlaen am hyn am flynyddoedd mewn gwahanol leoedd. Yr wyf yn falch y bydd yr holl bobl hynny a ddywedodd, 'Ni wnawn hynny nes cael ein gorfodi', yn awr

yn gorfod gwneud hynny.

Training is very important for scrutiny. You mentioned training and councillors being able to review their training needs, which is most welcome. However, the timing of training is also important. It has to be accessible to people, and held at suitable times and in suitable places.

Mae hyfforddiant yn bwysig iawn ar gyfer craffu. Soniasoch am hyfforddiant ac am allu cynghorwyr i adolygu eu hanghenion hyfforddi, ac mae hynny i'w groesawu'n fawr. Fodd bynnag, mae amseroedd hyfforddiant yn bwysig hefyd. Rhaid iddo fod yn hygyrch, a chael ei gynnal ar amseroedd addas ac mewn lleoedd addas.

5.00 p.m.

I particularly welcome the section on community councils, as it is a legacy of the first coalition Government here, when the Liberal Democrats were in power. I welcome seeing much of the Aberystwyth report coming forth now after all these years.

Croesawaf yn benodol yr adran am gynghorau cymuned, gan ei bod yn ganlyniad i waith y Llywodraeth glymblaid gyntaf yn y fan hon, pan oedd y Democratiaid Rhyddfrydol mewn grym. Yr wyf yn falch o weld llawer a oedd yn adroddiad Aberystwyth yn dwyn ffrwyth yn awr wedi'r holl flynyddoedd.

One proposal is to extend the power of wellbeing to community councils and to extend their role. However, it is sometimes difficult for them to extend their role unless they have the funding to go with it, so how do you envisage their accessing funding streams to do that?

Un cynnig yw ymestyn y pŵer lles i gynnwys cynghorau cymuned ac ehangu eu rôl. Fodd bynnag, mae'n anodd weithiau iddynt ymestyn eu rôl os nad oes ganddynt gyllid digonol i wneud hynny, felly sut yr ydych yn rhagweld y byddant yn cael at ffrydiau ariannu i wneud hynny?

There are many other questions to ask, but as you say, the proposed Measure is very broad. I look forward, not only as local government spokesperson but as a member of the legislation committee, to delving into this and looking at it in more detail in future.

Mae llawer o gwestiynau eraill i'w gofyn, ond fel y dywedwch, mae'r Mesur arfaethedig yn eang iawn. Edrychaf ymlaen, nid yn unig fel llefarydd ar lywodraeth leol ond fel aelod o'r pwyllgor deddfwriaeth, at ymchwilio i hyn ac edrych arno'n fwy manwl yn y dyfodol.

Carl Sargeant: I will address a couple of the points that you raised, Veronica. You referred to Part 1 and section 1 regarding the survey, and that is about our having a benchmark to understand who is applying to become a councillor and their background, or the reasons why they fail to become a councillor, and so on. We need to understand the reasons before we can do anything about it, and you raised some of the things that we are prepared to do about it.

Carl Sargeant: Ymdriniaf â dau o'r pwyntiau a godasoch, Veronica. Cyfeiriasoch at Ran 1 ac adran 1 mewn cysylltiad â'r arolwg, ac mae hynny'n ymwneud â chael meincnod er mwyn inni ddeall pwy sy'n ymgeisio am ddod yn gynghorydd a'u cefndir, neu'r rhesymau y maent yn methu â dod yn gynghorydd, ac yn y blaen. Mae angen inni ddeall y rhesymau cyn y gallwn wneud rhywbeth yn ei gylch, a chodasoch rai o'r pethau yr ydym yn barod i'w gwneud yn ei gylch.

You referred to Parts 4 and 6. Part 4 is about remote attendance, which is really important. You mentioned participation by video link or other form, enabling people to take part in a

Cyfeiriasoch at Rannau 4 a 6. Mae Rhan 4 yn ymwneud â phresenoldeb o bell, ac mae hynny'n wirioneddol bwysig. Cyfeiriasoch at gymryd rhan drwy gyswllt fideo neu gyfrwng

council meeting remotely. That is certainly a part of the solution to the problem of getting more people to engage in the council work stream.

You also mentioned the timing of council meetings. I hope to be legislating for councils to have regard for that when arranging council meetings. You are absolutely right to suggest that having a council meeting around the time of the school run or during working hours can make it more difficult for people to attend. I believe that councils need to have regard to that, and I will be issuing guidance to councillors accordingly.

A big issue related to getting good councillors is giving them the training and the tools to do the job that we expect of them. Along with the Welsh Local Government Association, we will be working towards sharing best practice and securing good-quality training across the 22 authorities.

Ironically, you mentioned encouraging councillors to stand for election. Without wishing to be too party political, we are having a great time at the moment. Loads of people are joining the Labour Party, and they all want to be councillors in the next election, so we have done something right without even knowing it. That aside, I agree that we need to encourage councillors to stand for election in 2012, and I will look at the best practice around the UK that can be shared.

You mentioned section 5, which is about annual reports. Broadly speaking, many good councillors already produce newsletters for their constituents. We see them as being non-political, factual documents or web pages that allow members of the public to understand who their councillor is, what their councillor does, which council meetings they attend, and how they represent you. I see it simply as a web-based one-pager that will give the public more transparency about local government and councillors. I think that it will be welcomed by the public, giving them an understanding of what their councillor does—or perhaps does not do.

arall, sy'n galluogi pobl i gymryd rhan mewn cyfarfod cyngor o bell. Mae hynny'n sicr yn rhan o'r ateb i'r broblem o gynnwys mwy o bobl yn ffrwd waith y cynghorau.

Cyfeiriasoch hefyd at amseroedd cyfarfodydd cyngor. Yr wyf yn gobeithio deddfu fel y bydd cynghorau'n gorfod dal sylw ar hynny wrth drefnu cyfarfodydd cyngor. Yr ydych yn llygad eich lle wrth awgrymu bod cynnal cyfarfod cyngor tua'r adeg y bydd plant yn cael eu hebrwng yn ôl ac ymlaen i'r ysgol neu yn ystod oriau gweithio'n gallu ei gwneud yn anos i bobl fod yn bresennol. Credaf fod angen i gynghorau ddal sylw ar hynny, a byddaf yn cyhoeddi canllawiau i gynghorwyr yn unol â hynny.

Un mater o bwys sy'n ymwneud â chael cynghorwyr da yw rhoi iddynt yr hyfforddiant a'r offer y mae arnynt eu hangen i wneud y gwaith yr ydych yn ei ddisgwyl ganddynt. Byddwn ni, ynghyd â Chymdeithas Llywodraeth Leol Cymru, yn ceisio rhannu'r arferion gorau a sicrhau hyfforddiant o ansawdd da ym mhob un o'r 22 awdurdod.

Yn eironig, cyfeiriasoch at gymell cynghorwyr i sefyll etholiad. Heb ddymuno bod yn rhy bleidiol, yr ydym yn cael hwyl fawr arni ar hyn o bryd. Mae llwythi o bobl yn ymuno â'r Blaid Lafur, ac maent i gyd am ddod yn gynghorwyr yn yr etholiad nesaf, felly yr ydym wedi llwyddo hyd yn oed heb sylweddoli hynny. Heblaw am hynny, cytunaf fod angen inni gymell cynghorwyr i sefyll etholiad yn 2012, ac edrychaf ar yr arferion gorau o gwmpas y DU y gellir eu rhannu.

Cyfeiriasoch at adran 5, sy'n ymwneud ag adroddiadau blynyddol. A siarad yn gyffredinol, mae llawer o gynghorwyr da eisoes yn cynhyrchu cylchlythyrau ar gyfer eu hetholwyr. Yr ydym yn rhagweld y byddant yn ddogfennau neu dudalennau gwe ffeithiol, anwleidyddol sy'n caniatáu i aelodau o'r cyhoedd ddeall pwy yw eu cynghorydd, beth y mae eu cynghorydd yn ei wneud, pa gyfarfodydd cyngor y mae'n mynd iddynt, a sut y mae'n eich cynrychioli. Yr wyf yn rhagweld y bydd yn un dudalen we a fydd yn cynnig mwy o dryloywder i'r cyhoedd mewn cysylltiad â llywodraeth leol a chynghorwyr. Credaf y bydd y cyhoedd yn ei

groesawu, ac y bydd yn eu galluogi i ddeall beth y mae eu cynghorydd yn ei wneud—neu'n peidio â'i wneud efallai.

Finally, on the wellbeing agenda for town and the community councils, I think that that duty will enable town and community councils to pursue new opportunities. What happened in the past was not about cash, but about legislation acting as a barrier. I see a great opportunity, as Gareth mentioned earlier, to work in partnership with other agencies in a locality to promote wellbeing. Although cash may be the problem in some cases—and you will fully understand that this is not the time to talk about additional money—I think that this legislation will help local councils by enabling them to do business differently.

Joyce Watson: Minister, I want to ask a couple of questions. I welcome your emphasis on placing a duty on local authorities to provide reasonable officer, administrative and research support to non-executive members, and to establish a committee of the council to monitor that provision. As a former councillor, the one thing that I could never get was that kind of support, which you need. We all know that that is the backbone of any effective scrutiny. It is only when members have adequate knowledge and the availability of support to gain that knowledge that they can truly scrutinise the members of the executive. The scrutiny role is essential and so I welcome that. I also welcome the fact that they will have to share out the posts of chairing scrutiny committees, because it is ridiculous that we have self-scrutiny throughout the country at the moment. That does no-one any good, and it certainly does not serve the public in any way, shape or form. Scrutiny has to be believable, and it is not believable when you are scrutinising yourself.

How quickly do you intend to implement these suggestions? Tomorrow would be fine, as they really are vital.

Carl Sargeant: Thank you for raising those helpful points this afternoon, Joyce. To pick up, first, on the proportional allocation of

Yn olaf, ynghylch yr agenda lles i gynghorau tref a chymuned, credaf y bydd y ddyletswydd honno'n galluogi cynghorau tref a chymuned i geisio cyfleoedd newydd. Nid oedd yr hyn a ddigwyddai yn y gorffennol yn ymwneud ag arian, ond â rhwystrau deddfwriaethol. Rhagwelaf y bydd cyfle gwych, fel y dywedodd Gareth yn gynharach, i weithio mewn partneriaeth ag asiantaethau eraill mewn ardal i hybu lles. Er ei bod yn bosibl bod arian yn broblem mewn rhai achosion—a byddwch yn deall yn llwyr nad hon yw'r adeg i sôn am arian ychwanegol—credaf y bydd y ddeddfwriaeth hon yn helpu cynghorau lleol drwy eu galluogi i weithredu'n wahanol.

Joyce Watson: Weinidog, yr wyf am ofyn dau gwestiwn i chi. Croesawaf y pwyslais a roesoch ar osod dyletswydd ar awdurdodau lleol i ddarparu cymorth rhesymol gan swyddogion a thrwy gyfleusterau gweinyddol ac ymchwil i aelodau anweithredol, ac i sefydlu pwyllgor o'r cyngor i ddal sylw ar y ddarpariaeth honno. Fel cyn-gynghorydd, yr unig beth na allwn byth ei gael oedd cymorth o'r math hwnnw, y mae arnoch ei angen. Gwyddom oll mai hynny yw hanfod pob craffu effeithiol. Dim ond pan fydd gwybodaeth ddigonol gan aelodau a chymorth iddynt gael y wybodaeth honno y gallant graffu o ddifrif ar waith aelodau o'r weithrediaeth. Mae'r rôl craffu'n hanfodol ac felly croesawaf hynny. Yr wyf hefyd yn croesawu'r ffaith y byddant yn gorfod rhannu swyddi cadeiryddion y pwyllgorau craffu, gan ei bod yn beth hurt bod hunangraffu'n digwydd ym mhob rhan o'r wlad ar hyn o bryd. Nid yw hynny o fudd i neb ac, yn sicr, nid yw'n fuddiol i'r cyhoedd o gwbl. Rhaid i graffu fod yn gredadwy, ac nid yw'n gredadwy os ydych yn craffu ar eich gwaith eich hun.

Pa mor fuan yr ydych yn bwriadu gweithredu ar yr argymhellion hyn? Byddai yfory'n iawn, gan eu bod yn hollbwysig.

Carl Sargeant: Diolch i chi am godi'r pwyntiau buddiol hynny y prynhawn yma, Joyce. Gan droi'n gyntaf at ddyrannu

chairs, it is an example that we set here at the Assembly, and it would be welcomed if it were rolled out across local authorities. I see that my colleague, the Chair of the Public Accounts Committee, supports me in that. We want to create a structure that promotes scrutiny. Scrutiny is good, and local authorities, or the Assembly as a legislature, should not be afraid of good scrutiny. I may regret saying that next week, but scrutiny is good, and we have to ensure that we have the right structures in place to support it. I will be issuing strong guidance, or even legislating, on allocating the roles of chair fairly and proportionally among political parties. That is one issue.

As for support for non-executive members of the council, that point goes back to Veronica German's comments about support and training for local councillors. We have to be fair. A disproportionate amount of support is given to the executive, and, for the sake of good scrutiny, that should be extended to backbench members. That also features in the proposed Measure.

On the timeline, Joyce, tomorrow is probably a little too soon, but I think that I am right in saying that Stage 1 will take place in committee on Thursday morning. I am hopeful that will be the starting pistol for this.

5.10 p.m.

Mark Isherwood: Minister, there are instances past and present of county councillors who challenge officials about transparency, accountability or value for money on an evidence base being deemed to be bullying, or going beyond a mere challenge. That clearly highlights management issues and training issues—perhaps on both sides. How can we address that? I know of many instances in more than one county—and I am not singling one out—in which councillors have acted in good faith in the belief that they were exposing issues properly or addressing real evidence-based concerns, but had then suffered unpleasant consequences and were often blamed themselves. There are also incidences,

cadeiryddiaethau'n gyfrannol, mae'n esiampl a osodasom yma yn y Cynulliad, a byddai croeso i hynny pe câi ei roi ar waith yn yr holl awdurdodau lleol. Gwelaf fod fy nghyd-Aelod, Cadeirydd y Pwyllgor Cyfrifon Cyhoeddus, yn fy nghefnogi yn hynny o beth. Yr ydym am greu fframwaith sy'n hyrwyddo craffu. Mae craffu'n beth da, ac ni ddylai awdurdodau lleol, na'r Cynulliad fel deddfwrfa, fod ag ofn craffu da. Efallai y bydd yn edifar gennyf ddweud hynny yr wythnos nesaf, ond mae craffu'n beth da, a rhaid inni sicrhau bod y fframweithiau priodol wedi'u sefydlu i'w hyrwyddo. Byddaf yn cyhoeddi canllawiau cryf, neu hyd yn oed yn deddfu, ynghylch dyrannu rolau'r cadeirydd yn deg ac yn gyfrannol ymysg pleidiau gwleidyddol. Dyna un mater.

O ran cymorth i aelodau anweithredol o'r cyngor, mae'r pwynt hwnnw'n berthnasol i'r sylwadau a wnaeth Veronica German am gymorth a hyfforddiant i gynghorwyr lleol. Rhaid inni fod yn deg. Rhoddir cymorth anghymesur i'r weithrediaeth, ac, er mwyn cael craffu da, dylid ymestyn hwnnw i gynnwys aelodau'r meinciau cefn. Mae hynny'n rhan o'r Mesur arfaethedig hefyd.

Ynghylch yr amserlen, Joyce, mae'n debyg bod yfory ychydig bach yn rhy gynnar, ond credaf fy mod yn iawn wrth ddweud y bydd Cam 1 yn digwydd yn y pwyllgor fore Iau. Yr wyf yn gobeithio mai hynny fydd y man cychwyn ar gyfer hyn.

Mark Isherwood: Weinidog, mae achosion yn y presennol a'r gorffennol lle y barnwyd bod cynghorwyr sir sy'n herio swyddogion ynghylch tryloywder, atebolrwydd neu werth am arian ar sail tystiolaeth yn bwlio, neu'n mynd y tu hwnt i herio'n unig. Mae hynny'n amlygu materion sy'n ymwneud â rheoli a hyfforddi—ar y ddwy ochr efallai. Sut y gallwn ddelio â hynny? Gwn am lawer o achosion mewn mwy nag un sir—ac nid wyf yn cyfeirio at un yn benodol—lle y mae cynghorwyr wedi gweithredu'n ddiffuant gan gredu eu bod yn datgelu materion yn briodol neu'n talu sylw i bryderon gwirioneddol ar sail tystiolaeth, ond wedyn wedi profi canlyniadau annymunol ac wedi cael eu beio eu hunain yn aml. Mae achosion hefyd,

perhaps because of cultural problems, in which the officials concerned have not appreciated fully that they are accountable to the public through their elected representatives and that there is a scrutiny role, which means that, at times, people will be challenged, but that there is a difference between challenging and bullying.

Carl Sargeant: Thank you, Mark, for raising some important points. Far too much of my time is spent considering complaints of inappropriate behaviour in certain areas of public life, and it would be better spent doing something else. Therefore, we must have systems in place to manage that appropriately.

I am certainly aware of issues relating to councillor training, scrutiny and challenge, and this proposed Measure presents an opportunity to give members the skills that they need to carry out good scrutiny. Good scrutiny is a skill, and we must enable members to act appropriately in committees to avoid being challenged with bullying allegations in the first place. Steps are in place, as you are fully aware. The legal officers and ombudsmen deal with this appropriately, although sometimes not within the timescale that some would wish. There is always room for improvement, and this may be an opportunity to look deeper into the operation of this. However, the proposed Measure does not specifically deal with the issues that you raised this afternoon.

efallai oherwydd problemau diwylliannol, lle nad yw'r swyddogion dan sylw wedi deall yn llwyr eu bod yn atebol i'r cyhoedd drwy eu cynrychiolwyr etholedig a bod rôl craffu, sy'n golygu y caiff pobl eu herio, ar adegau, ond bod gwahaniaeth rhwng herio a bwlio.

Carl Sargeant: Diolch i chi, Mark, am godi rhai pwyntiau pwysig. Mae gormod o lawer o'm hamser yn cael ei dreulio ar ystyried cwynion am ymddygiad amhriodol mewn rhai cylchoedd mewn bywyd cyhoeddus, a byddai'n well ei dreulio ar rywbeth arall. Felly, rhaid inni roi systemau ar waith i reoli hynny'n briodol.

Yr wyf yn sicr yn ymwybodol o faterion sy'n ymwneud â hyfforddi, craffu a herio gan gynghorwyr, ac mae'r Mesur arfaethedig hwn yn gyfle i roi i aelodau'r sgiliau y mae arnynt eu hangen i graffu'n dda. Mae craffu da'n sgil, a rhaid inni alluogi aelodau i weithredu'n briodol mewn pwyllgorau fel na chânt eu herio â honiadau am fwlio yn y lle cyntaf. Mae camau wedi'u cymryd, fel y gwyddoch. Mae'r swyddogion cyfreithiol a'r ombwdsmyrn yn delio â hyn yn briodol, er na fyddant weithiau'n gwneud hynny o fewn y cyfnod y byddai rhai'n ei ddymuno. Mae lle i wella bob amser, a gallai hyn fod yn gyfle i edrych yn fanylach ar y ffordd y mae hyn yn gweithio. Fodd bynnag, nid yw'r Mesur arfaethedig yn delio'n benodol â'r materion a godasoch y prynhawn yma.

Cynnig i Gymeradwyo Egwyddorion Cyffredinol y Mesur Arfaethedig Iechyd Meddwl (Cymru)
Motion to Approve the General Principles of the Proposed Mental Health (Wales) Measure

The Minister for Health and Social Services (Edwina Hart): I move that

the National Assembly for Wales, in accordance with Standing Order No. 23.24

agrees to the general principles of the Proposed Mental Health (Wales) Measure. (NDM4525)

I begin this debate by thanking Legislation Committee No. 3 for its report and the way in

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Edwina Hart): Cynigiau fod

Cynulliad Cenedlaethol Cymru, yn unol â Rheol Sefydlog Rhif 23.24

yn cytuno i egwyddorion cyffredinol Mesur Arfaethedig Iechyd Meddwl (Cymru). (NDM4525)

Dechreuaf y ddadl hon drwy ddiolch i Bwyllgor Deddfwriaeth Rhif 3 am ei

which its consideration of the principles of the Proposed Mental Health (Wales) Measure was conducted. Its rigorous and thorough approach has resulted in a report and a series of recommendations that will strengthen and enhance the proposed Measure in a number of ways. I am also extremely grateful to all those organisations and individuals who took the time to submit evidence, both written and in person to the committee. The evidence and valuable contributions made by stakeholders have assisted the Assembly in its work. I pass on my personal thanks to those who expressed their support for this proposed Measure and to those who contributed their expertise, ideas and even their criticisms. All this helps us to get things right, and we appreciate their input. I also thank the Constitutional Affairs Committee and the Finance Committee for their contributions. The manner in which they undertook their scrutiny, and the conclusions that they reached, are of great help to the Government in ensuring that we have the best possible legislation in this important area.

I have carefully considered the recommendations of the legislation committee, the Finance Committee and the Constitutional Affairs Committee, and, when I make my contribution later in the debate, I will deal with the various points that were made. I have been particularly interested in the recommendations on expanding the proposed Measure to include those under the age of 18. I am sure that all of us who have been involved in this process will welcome the evidence that was given to the Assembly on that. Therefore, I look forward to the debate, and I will make my contribution at the end.

David Lloyd: A minnau'n Gadeirydd Pwyllgor Deddfwriaeth Rhif 3, mae'n bleser gennyf gyfrannu at y ddadl Cyfnod 1 ar Fesur Arfaethedig Iechyd Meddwl (Cymru). Cyn imi amlinellu'r gwaith a wnaed gan ein pwyllgor a chrynhoi rhai o'n casgliadau a'n hargymhellion, hoffwn ddiolch i aelodau'r pwyllgor am eu gwaith caled a'u dull gweithredu cydsyniol.

Cyflwynwyd yr adroddiad ar 2 Gorffennaf

adroddiad ac am y modd y cynhaliwyd ei ystyriaeth o egwyddorion y Mesur Arfaethedig Iechyd Meddwl (Cymru). O ganlyniad i'w ddull manwl a thrylwyr o weithredu cafwyd adroddiad a chyfres o argymhellion a fydd yn cryfhau ac yn gwella'r Mesur arfaethedig mewn nifer o ffyrdd. Yr wyf hefyd yn ddiolchgar dros ben i'r holl gyrff ac unigolion hynny a roddodd o'u hamser i gyflwyno tystiolaeth, yn ysgrifenedig ac yn bersonol, i'r pwyllgor. Mae'r dystiolaeth a'r cyfraniadau gwerthfawr gan randdeiliaid wedi helpu'r Cynulliad yn ei waith. Estynnaf ddiolch personol i'r rheini a fynegodd eu cefnogaeth i'r Mesur arfaethedig hwn ac i'r rheini a gyfrannodd eu harbenigedd, eu syniadau a hyd yn oed eu beirmiadaethau. Mae'r cwbl yn ein helpu i gael pethau'n iawn, ac yr ydym yn ddiolchgar am eu cyfraniad. Diolchaf hefyd i'r Pwyllgor Materion Cyfansoddiadol a'r Pwyllgor Cyllid am eu cyfraniadau. Mae'r modd yr ymgymerasant â'u gwaith craffu, a'r casgliadau y daethant iddynt, yn gymorth mawr i'r Llywodraeth o ran sicrhau y cawn y ddeddfwriaeth orau posibl yn y maes pwysig hwn.

Yr wyf wedi ystyried yn ofalus argymhellion y pwyllgor deddfwriaeth, y Pwyllgor Cyllid a'r Pwyllgor Materion Cyfansoddiadol, a phan gyfrannaf i'r ddadl yn ddiweddarach, deliaf â'r gwahanol bwyntiau a wnaethpwyd. Yr wyf wedi ymddori'n neilltuol yn yr argymhellion ar ehangu'r Mesur arfaethedig i gynnwys y rheini sydd dan 18 oed. Yr wyf yn siŵr y bydd pawb ohonom sydd wedi cymryd rhan yn y broses hon yn croesawu'r dystiolaeth a roddwyd i'r Cynulliad ar hynny. Felly, edrychaf ymlaen at y ddadl, a chyfrannaf iddi ar y diwedd.

David Lloyd: As Chair of Legislation Committee No. 3, it is my pleasure to contribute to this Stage 1 debate on the Proposed Mental Health (Wales) Measure. Before I outline the work carried out by our committee and summarise some of our conclusions and recommendations, I want to thank committee members for their hard work and consensual way of working.

The report was laid on 2 July after having

wedi inni dderbyn nifer o atebion ysgrifenedig i'r ymgynghoriad a chlywed tystiolaeth ar lafar gan ystod eang o sefydliadau. Hoffwn ddiolch, ar ran y pwyllgor, i'r sawl a gyfrannodd at y broses hon drwy leisio barn am y materion o dan sylw. Mae'r ymateb a gawsom yn pwysleisio pwysigrwydd y Mesur arfaethedig i'r sawl sydd â phroblemau iechyd meddwl. Yn olaf, hoffwn ddiolch i'r Gweinidog a'i swyddogion am roi tystiolaeth inni ar ddau achlysur.

Croesawyd y Mesur arfaethedig a'i nod o sicrhau ymyrraeth gynharach yng nghydestun unigolion sydd â phroblemau iechyd meddwl gan y mwyafrif llethol o dystion. Cytunodd y mwyafrif o dystion ag egwyddorion cyffredinol y Mesur arfaethedig, ac yr oeddent o'r farn bod angen deddfwriaeth i fynd i'r afael â'r bylchau sy'n bodoli ar hyn o bryd o ran polisi a darparu gwasanaethau.

Cred y pwyllgor y bydd y Mesur arfaethedig yn darparu fframwaith cyfreithiol clir ar gyfer sicrhau bod darparwyr gofal sylfaenol ac eilaidd yn cynnig gwasanaethau iechyd meddwl cyfannol, a hynny gan gefnogi'r model gwella. Yn sgîl hynny, cytunodd y pwyllgor ag egwyddorion cyffredinol y Mesur arfaethedig.

Bydd Rhan 1 y Mesur arfaethedig yn gosod dyletswydd ar ddarparwyr gwasanaethau i weithio mewn partneriaeth er mwyn darparu gwasanaethau iechyd meddwl sylfaenol yn lleol, ledled Cymru. Bydd hynny'n gwella'r gwasanaethau sydd ar gael i gleifion sy'n derbyn gofal sylfaenol.

Cred y pwyllgor y byddai sicrhau bod gwasanaethau ar gael i gleifion yn gynharach yn cynyddu'r posibilrwydd na fyddai eu hiechyd meddwl yn dirywio i'r graddau lle byddai angen gofal eilaidd arnynt. Croesawodd y pwyllgor yr amcanion hyn, a chytunodd y byddai sicrhau ymyrraeth gynharach yn fodd i helpu cleifion i osgoi dirywiad pellach yn eu lles meddyliol.

O ran y cleifion hynny ag arnynt angen y cymorth a roddir gan wasanaethau iechyd meddwl eilaidd, bydd y dasg o ddatblygu

received several written responses to the consultation and heard oral evidence from a wide range of organisation. On behalf of the committee, I want to thank those who contributed to this process by voicing their opinions on the issues under consideration. The response that we got underlined the importance of the proposed Measure to those who have mental health problems. Finally, I want to thank the Minister and her officials for giving us evidence on two separate occasions.

The proposed Measure and its goal of securing earlier intervention in the context of individuals with mental health problems were welcomed by the vast majority of witnesses. Most witnesses agreed with the general principles of the proposed Measure, and they believed that legislation was necessary to address the gaps that exist currently in terms of policy and service delivery.

The committee believed that the proposed Measure will provide a clear legal framework for ensuring that primary and secondary care providers offer holistic mental health services, by supporting the improvement model. As a result, the committee agreed with the general principles of the proposed Measure.

Part 1 of the proposed Measure will place a duty on service providers to work in partnership to provide primary mental health services locally, across Wales. That will enhance the services available to patients who receive primary care.

The committee believed that ensuring the earlier availability of services for patients would make it more likely that their mental health did not deteriorate to the extent that they would need secondary care. The committee welcomed these objectives, and agreed that securing earlier intervention would be a means of helping patients avoid further deterioration in their mental wellbeing.

On those patients who need the support provided by secondary mental health services, the task of developing a care and

cynllun gofal a thriniaeth ynghyd â phenodi cyd-gysylltydd gofal yn statudol ofynnol o dan y Mesur arfaethedig. Dywedodd rhai o'r tystion y byddai angen i'r cynlluniau gofal fod yn gyfannol, gan ystyried pob agwedd ar fywydau cleifion a allai effeithio ar eu hiechyd meddwl. Mae'r pwyllgor yn cytuno â'r farn hon ac yn argymhell y dylai'r rheoliadau ar gynllunio gofal nodi'r angen i ystyried gwybodaeth gyd-destunol wrth lunio cynlluniau gofal a thriniaeth ar gyfer cleifion iechyd meddwl sy'n derbyn gofal eilaidd.

Mae'r Mesur arfaethedig hefyd yn cynnwys darpariaeth fel bod unigolion sydd eisoes wedi cael mynediad i wasanaethau iechyd meddwl eilaidd ond sydd wedi cael eu rhyddhau yn cael llwybr clir yn ôl i'r gwasanaethau hynny os oes angen. Croesawodd y pwyllgor y dull hwn o weithredu, ac fe'i cefnogwyd gan fwyaf y tystion hefyd. Fodd bynnag, dywedodd rhai o'r tystion y byddai'n rhaid rheoli'r system yn ofalus er mwyn osgoi ei gorlwytho, ac er mwyn sicrhau ei bod o fudd i'r cleifion hynny sydd â'r anghenion mwyaf difrifol. Dywedodd y Gweinidog y byddai'n ystyried gwelliant a fyddai'n diffinio'r paramedrau a'r meini prawf cymhwysedd ar gyfer hunangyfeirio, ac ategwyd hynny gan y pwyllgor.

Bydd Rhan 4 y Mesur arfaethedig yn sicrhau bod eiriolaeth iechyd meddwl annibynnol statudol ar gael i grŵp ehangach o gleifion nag ar hyn o bryd, drwy fewnosod adrannau newydd yn Neddf Iechyd Meddwl 1983. Yn sgîl y Mesur arfaethedig, bydd cleifion anffurfiol, yn ogystal â chleifion a gedwir dan orfodaeth o dan y Ddeddf, yn gymwys i dderbyn eiriolaeth statudol. Yr ydym yn cytuno â'r nod hwn, ond credwn fod angen mwy o eglurdeb ynghylch sut y diffinnir cleifion anffurfiol.

Ystyriwyd hefyd y dystiolaeth sy'n argymhell sicrhau bod eiriolaeth statudol ar gael i bob claf sydd â mynediad at wasanaethau iechyd meddwl sylfaenol ac eilaidd, gan gynnwys y rheini sydd mewn lleoliadau cymunedol. Er nad oes amheuaeth y byddai hyn o fudd mawr i nifer o gleifion, teimlwn nad yw'n amser priodol i ymestyn darpariaeth eiriolaeth statudol y tu hwnt i'r ddarpariaeth a gynigir yn y Mesur arfaethedig.

treatment plan and appointing a care co-ordinator will be a statutory requirement under the proposed Measure. Some witnesses said that the care plans would need to be holistic, taking into account all aspects of the lives of patients that could affect their mental health. The committee agrees with this view and recommends that the regulations on care planning should identify the need to consider contextual information when formulating care and treatment plans for mental health patients receiving secondary care.

The proposed Measure also includes provision for individuals who have already accessed secondary mental health services but who have been released to have a clear path back to those services, if necessary. The committee welcomed this approach, and it was also supported by most of the witnesses. However, some witnesses said that the system would have to be managed carefully to avoid overloading, and to ensure that it is useful for those patients whose needs are most severe. The Minister said that she would consider an amendment defining the parameters and eligibility criteria for self-referral, and that has been supported by the committee.

Part 4 of the proposed Measure will ensure that statutory independent mental health advocacy is available to a wider group of patients than at present, by inserting new sections in the Mental Health Act 1983. In light of the proposed Measure, informal patients, as well as patients detained under the Act, are entitled to statutory advocacy. We agree with this goal, but we believe that more clarity is required on the definition of informal patients.

We also considered evidence that recommended that statutory advocacy was available to all patients with access to primary and secondary mental health services, including those in community settings. Although there is no doubt that this would be of great benefit to many patients, we feel that it is not an appropriate time to extend statutory advocacy beyond the provision offered in the proposed Measure.

Er ein bod, fel pwyllgor, yn cytuno ag egwyddorion cyffredinol y Mesur arfaethedig, nid ydym o'r farn bod y Mesur arfaethedig yn ddigon pellgyrhaeddol. Yr ydym, felly, yn argymhell y dylid ehangu ei gwmpas. Mae'r cymhwysedd a drosglwyddwyd i'r Cynulliad yn ein galluogi i ddeddfu yn y maes gwasanaethau iechyd meddwl ar gyfer cleifion o bob oedran, boed yn blant neu'n oedolion. Fodd bynnag, mae rhan helaeth o'r Mesur arfaethedig, fel y'i drafftwyd, yn ymwneud ag oedolion yn unig.

O ran ei gwneud yn ofynnol i fyrddau iechyd lleol ac awdurdodau lleol ddarparu gwasanaethau iechyd meddwl ar gyfer oedolion sy'n derbyn gofal sylfaenol neu ofal eilaidd, nod y Gweinidog yw sicrhau gwasanaeth cydradd ledled Cymru. Cred y pwyllgor y dylid ehangu'r hawl hon i blant a'r glasoed, ac yr ydym yn argymhell y dylid ehangu cwmpas y Mesur arfaethedig i'r perwyl hwn. Dywedodd rhai o'r tystion fod problemau iechyd meddwl yn dod i'r amlwg gyda'r glasoed a bod darparu triniaeth gynnar yn fodd o sicrhau bod yr unigolion hynny'n osgoi problemau mwy difrifol fel oedolion. Fodd bynnag, o dan y trefniadau presennol yn aml, nid oes gan yr unigolion sy'n ceisio pontio rhwng gwasanaethau meddwl ar gyfer plant a gwasanaethau ar gyfer oedolion fynediad at unrhyw gymorth yn ystod y cyfnod anodd hwn.

5.20 p.m.

Byddai gorfodi darparwyr i ddiwallu anghenion pobl ifanc yn helpu'r ymdrechion i fynd i'r afael â'r mater hwn. Cred y pwyllgor y dylid ehangu cwmpas y Mesur arfaethedig hwn ac y byddai cyflwyno Mesur arfaethedig ar wahân yn y dyfodol yn cymhlethu'r problemau sy'n bodoli eisoes. Yr ydym yn argymhell, felly, bod y Gweinidog yn ymestyn cwmpas y Mesur arfaethedig hwn drwy gyflwyno gwelliannau yn ystod Cyfnod 2.

Wrth inni ystyried y Mesur arfaethedig, pwysleisiodd nifer o dystion bod angen amserlen o fewn y Mesur arfaethedig er mwyn sicrhau bod y gwasanaethau sydd ar gael ar gyfer unigolion gyda phroblemau iechyd meddwl yn cael eu darparu mewn modd amserol. Galwodd rhai am amserlenni

While we, as a committee, agree with the general principles of the proposed Measure, we do not consider that the proposed Measure is adequately far-reaching. We therefore recommend the expansion of its scope. The competence transferred to the Assembly enables us to legislate in the field of mental health services for patients of all ages, whether children or adults. However, a large part of the proposed Measure, as drafted, relates to adults only.

On the requirement for local health boards and local authorities to provide mental health services for adults receiving primary or secondary care, the Minister's goal is to ensure equitable services across Wales. The committee believes that this right should extend to children and adolescents, and we recommend that the scope of the proposed Measure be expanded to this effect. Some witnesses said that mental health problems emerge in adolescence and early treatment provides a means of ensuring that those individuals avoid more serious problems as adults. However, under current arrangements, individuals seeking transition between mental health services for children and adults often have no access to assistance during this difficult time.

Making it mandatory for providers to meet the needs of young people would help to address this issue. The committee believes that the scope of this proposed Measure should be expanded and that introducing a proposed Measure separately in the future would complicate existing problems. We recommend, therefore, that the Minister expand the scope of the proposed Measure by tabling amendments at Stage 2.

As we considered the proposed Measure, a number of witnesses emphasised the need for a timetable within it to ensure that the services available for individuals with mental health problems are provided in a timely manner. Some called for specific timetables that service providers would have to adhere

penodol y byddai darparwyr gwasanaethau'n gorfod glynu atynt wrth asesu a thrin cleifion.

Fodd bynnag, clywsom dystiolaeth hefyd gan weithwyr iechyd proffesiynol a darparwyr gwasanaethau yn nodi bod amserlenni a therfynau amser yn aml yn gallu effeithio'n negyddol ar y gofal a roddir i gleifion. O gofio hynny, daethom i'r casgliad na ddylid cynnwys amserlenni ar wyneb y Mesur arfaethedig. Dywedodd y Gweinidog wrthym mai nod y Mesur arfaethedig oedd sicrhau bod gwasanaethau iechyd meddwl yn cael eu darparu ar yr adeg gywir yn seiliedig ar anghenion clinigol. Cytunodd y pwyllgor gyda'r Gweinidog yn y cyswllt hwn a chredwn yn gryf y dylid blaenoriaethu gwasanaethau ar sail anghenion clinigol cleifion yn hytrach nag ar sail targedau.

I gloi, os yw'r Cynulliad yn cymeradwyo egwyddorion cyffredinol y Mesur arfaethedig iechyd meddwl heddiw, anogaf y Gweinidog i dderbyn y casgliadau a'r argymhellion sydd yn ein hadroddiad ac i gyflwyno gwelliannau priodol yn ystod Cyfnod 2.

Angela Burns: The Finance Committee has examined the financial aspects of this proposed Measure. I start by saying that we were grateful to Edwina Hart, as the Minister responsible for the proposed Measure, and her officials, for providing evidence to the committee and for answering Members' questions.

The Finance Committee also found it refreshing to be able to consider a proposed Measure where the Minister, and her officials, had carefully examined the financial implications of what they were seeking to achieve. The committee recognises that this is not always a simple task and that the information needed is not always easy to find. However, a worthwhile policy deserves to have the funding necessary to ensure its success.

The explanatory memorandum accompanying this proposed Measure includes a costed regulatory impact assessment. That gives estimated costs for implementation of the proposed Measure over the intended period of three years. It estimates that, overall, the proposed Measure

to in assessing and treating patients.

However, we also heard evidence from health professionals and service providers that timetables and deadlines can often negatively affect the care given to patients. Bearing that in mind, we concluded that timetables should not be included on the face of the proposed Measure. The Minister told us that the aim of the proposed Measure was to ensure that mental health services are provided at the right time, based on clinical needs. The committee agreed with the Minister in this regard, and we believe strongly that services should be prioritised based on the clinical needs of patients rather than on targets.

Finally, if the Assembly approves the general principles of the proposed mental health Measure today, I urge the Minister to accept the conclusions and recommendations in our report and to table appropriate amendments at Stage 2.

Angela Burns: Mae'r Pwyllgor Cyllid wedi edrych ar agweddau ariannol y Mesur arfaethedig hwn. Dechreuaf drwy ddweud ein bod yn ddiolchgar i Edwina Hart, fel y Gweinidog sy'n gyfrifol am y Mesur arfaethedig, am roi tystiolaeth i'r pwyllgor ac am ateb cwestiynau Aelodau.

Yr oedd hefyd yn braf i'r Pwyllgor Cyllid allu ystyried Mesur arfaethedig lle'r oedd y Gweinidog, a'i swyddogion, wedi edrych yn ofalus ar oblygiadau ariannol yr hyn yr oeddent yn ceisio'i gyflawni. Mae'r pwyllgor yn derbyn nad yw hyn yn dasg syml bob amser ac nad yw'r wybodaeth y mae ei hangen yn hawdd ei chael bob amser. Fodd bynnag, mae polisi buddiol yn haeddu cael y cyllid y mae ei angen i sicrhau ei lwyddiant.

Mae'r memorandwm esboniadol sydd gyda'r Mesur arfaethedig hwn yn cynnwys asesiad effaith rheoleiddiol wedi'i gostio. Mae hwnnw'n rhoi amcangyfrif o'r costau ar gyfer gweithredu'r Mesur arfaethedig dros y cyfnod a fwriedir o dair blynedd. Mae'n amcangyfrif y bydd y Mesur arfaethedig, yn

will involve recurring costs of around £5 million per year when steady state is achieved.

To get there will require funding of around £2 million in the first year and £1.85 million in the second year to bring about the necessary changes. The Minister for Health and Social Services told the Finance Committee that she thought that there would be a spike in demand when the new services first came in, but that they would then level out. She also told the Finance Committee that she had conducted extensive consultations on the assumptions made and that the NHS and the voluntary sector were in agreement with them.

As a committee, we were concerned that funding for this proposed Measure might come at the expense of other services, but the Minister has confirmed to us that the funds that she would make available for it were not being diverted from other mental health programmes. The committee noted nonetheless that the money must come from somewhere and that it must therefore be coming from within the Government's existing mental health budget.

In considering the funding for this proposed Measure, the Finance Committee was conscious that the chronic diseases sector has a reputation for underdiagnosis and that when diagnosis had been made, for undermanagement and for people falling out of the system. There is, therefore, potentially a high level of unmet need and, if the provisions of the proposed Measure work well, it might well unlock a large part of this. The committee welcomed the fact that the proposed Measure recognised that, but noted that it is inevitably not possible to assess the level of unmet needs for primary and mental health support services. We were therefore concerned that this large latent demand could, in turn, lead to a significant unexpected funding requirement. The committee also noted that the proposed Measure would lead to better co-ordination of primary and secondary mental health services, which will bring benefits to the individuals receiving those services. From a financial perspective, it should also lead to a

gyffredinol, yn golygu costau cylchol o tua £5 miliwn y flwyddyn ar ôl cyrraedd sefyllfa sefydlog.

Er mwyn cyrraedd y sefyllfa honno bydd angen cyllid o tua £2 filiwn yn y flwyddyn gyntaf ac £1.85 miliwn yn yr ail flwyddyn er mwyn sicrhau'r newidiadau angenrheidiol. Dywedodd y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol wrth y Pwyllgor Cyllid ei bod yn credu y byddai cynnydd sydyn yn y galw pan gychwynnau'r gwasanaethau newydd, ond y byddai'n gwastatáu wedyn. Dywedodd hefyd wrth y Pwyllgor Cyllid ei bod wedi ymgynghori'n eang ar y rhagdybiaethau a wnaethpwyd a bod y GIG a'r sector gwirfoddol yn eu derbyn.

Fel pwyllgor, pryderem y gallai'r Mesur arfaethedig hwn gael ei gyllido ar draul gwasanaethau eraill, ond mae'r Gweinidog wedi ein sicrhau nad oedd y cyllid y byddai'n ei ddarparu ar ei gyfer yn cael ei droi oddi wrth raglenni iechyd meddwl eraill. Nododd y pwyllgor, er hynny, fod rhaid i'r arian ddod o rywle ac felly fod rhaid iddo ddod o gyllideb bresennol y Llywodraeth ar gyfer iechyd meddwl.

Wrth ystyried y cyllid ar gyfer y Mesur arfaethedig hwn, yr oedd y Pwyllgor Cyllid yn ymwybodol bod hanes o danddiagnosis yn y sector clefydau cronig ac o danreoli a gadael i bobl adael y system ar ôl gwneud diagnosis. Mae'n bosibl, felly, fod lefel uchel o angen sydd heb ei ddiwallu ac, os bydd darpariaethau'r Mesur arfaethedig yn gweithio'n dda, y byddai'n ddigon posibl iddo amlygu rhan helaeth ohono. Croesawodd y pwyllgor y ffaith bod y Mesur arfaethedig yn cydnabod hynny, ond nododd ei bod yn anochel nad oes modd asesu lefel yr anghenion sydd heb eu diwallu am wasanaethau cymorth iechyd meddwl a gofal sylfaenol. Yr oeddem yn pryderu felly y byddai galw mawr cudd o'r fath yn gallu arwain yn ei dro at angen sylweddol annisgwyl am gyllid. Nododd y pwyllgor hefyd y byddai'r Mesur arfaethedig yn arwain at well cydgysylltu rhwng gwasanaethau iechyd meddwl sylfaenol ac eilaidd, a fydd o fantais i'r unigolion sy'n cael y gwasanaethau hynny. O safbwynt

more efficient and effective use of resources, and we welcome this.

The committee noted that concerns had been raised by advocacy providers that extending independent mental health advocacy to out-of-hours and emergency cases would have a huge impact on the capacity of their organisations. The Minister told us that the Government intended to provide £1.5 million to help providers deliver support to patients in hospitals, whether those patients were detained or not, and that this would bring the total annual support for advocacy to £2.1 million. The committee was aware that a legislation committee had considered the issue of extending the proposed Measure to include children and young people. However, the provision of services to children and young people is not currently included within the costings that we reviewed. The Minister for Health and Social Services told us that she has already asked her officials to look at the financial implications of extending the proposed Measure in this way, and we look forward to receiving a comment on their findings in due course.

Finally, the Finance Committee welcomes the Minister's commitment to monitoring progress in the development of these services, and her plans to undertake a formal review in three years' time. The committee recommends that the findings of this review should be assessed by the appropriate National Assembly committee, or committees, when known. The committee acknowledges the work that has been done in assessing the likely costs of this proposed Measure, although it is inclined towards the view that funding will prove to be rather more complex, and the need greater, than has been suggested in the explanatory memorandum. Nonetheless, we, as a committee, welcome the careful work on the costings for the proposed Measure. We believe that this will enable the Assembly to take decisions on it with a clear understanding of the uncertainties. The Finance Committee sees no objection, from a financial perspective, to the proposed Measure moving forward.

ariannol, dylai arwain hefyd at ddefnydd mwy effeithiol ac effeithlon o adnoddau, ac yr ydym yn croesawu hyn.

Nododd y pwyllgor fod pryderon wedi'u mynegi gan ddarparwyr eiriolaeth y byddai ymestyn eiriolaeth iechyd meddwl annibynnol i gynnwys achosion brys a rhai y tu allan i'r oriau arferol yn cael effaith aruthrol ar gapasiti eu cyrff. Dywedodd y Gweinidog wrthym fod y Llywodraeth yn bwriadu darparu £1.5 miliwn i helpu darparwyr i gyflenwi cymorth i gleifion mewn ysbytai, pa un a oedd y cleifion hynny dan gadwad ai peidio, ac y byddai hyn yn codi cyfanswm y cymorth blynyddol i wasanaethau eiriolaeth i £2.1 miliwn. Yr oedd y pwyllgor yn ymwybodol bod pwyllgor deddfwriaeth wedi ystyried y mater o ymestyn y Mesur arfaethedig i gynnwys plant a phobl ifanc. Fodd bynnag, nid yw darparu gwasanaethau i blant a phobl ifanc wedi'i gynnwys ar hyn o bryd yn y costïadau a adolygasom. Dywedodd y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol wrthym ei bod eisoes wedi gofyn i'w swyddogion edrych ar y goblygiadau ariannol o ymestyn y Mesur arfaethedig fel hyn, ac edrychwn ymlaen at gael sylwadau am eu canfyddiadau gyda hyn.

Yn olaf, mae'r Pwyllgor Cyllid yn croesawu ymrwymiad y Gweinidog i fonitro cynnydd wrth ddatblygu'r gwasanaethau hyn, a'i bwriad i gynnal adolygiad ffurfiol ymhenn tair blynedd. Mae'r pwyllgor yn argymhell y dylai canfyddiadau'r adolygiad hwn gael eu hasesu gan bwyllgor neu bwyllgorau priodol y Cynulliad Cenedlaethol, pan fyddant yn hysbys. Mae'r pwyllgor yn cydnabod y gwaith sydd wedi'i wneud o ran asesu costau tebygol y Mesur arfaethedig hwn, er ei fod yn tueddu i gredu y bydd yr ariannu'n fwy cymhleth braidd, a'r angen yn fwy, nag a awgrymwyd yn y memorandwm esboniadol. Er hynny, yr ydym ni, fel pwyllgor, yn croesawu'r gwaith manwl ar y costïadau ar gyfer y Mesur arfaethedig. Credwn y bydd hyn yn galluogi'r Cynulliad i wneud penderfyniadau yn ei gylch gan ddeall yn glir beth yw'r elfennau ansicr. Nid yw'r Pwyllgor Cyllid yn gweld bod unrhyw wrthwynebiad, o safbwynt ariannol, i symud ymlaen â'r Mesur arfaethedig.

Alun Davies: Members will be aware that the Chair of the Constitutional Affairs Committee, Janet Ryder, is unable to be here today, so the committee has asked me to speak on its behalf. I will say, at the outset, that the committee is generally content that the balance between the powers on the face of the proposed Measure and those to be exercised through regulations is broadly correct. We see no reason why the National Assembly should not agree to the general principles of the proposed Measure. However, we have made a number of specific recommendations.

The first of these refers to section 17, on care and treatment plans. This section sets out the functions of care co-ordinators, which include agreeing a care and treatment plan for each patient. The form and content of these plans, as well as a number of other matters, will be set out in regulations to be made by Ministers. Mental health service providers will then be required to provide services for the patient

‘so far as it is reasonably practical to do so’,

and it is this phrase that caught the committee’s attention. It is a cause of some concern, because the use of this phrase introduces a qualification to the issue, and we are concerned that it may create an incentive for plans to be drawn up in such a way that they put too much emphasis on the availability of resources rather than on the needs of patients. Until we see the regulations, it is not possible to come to a final judgment on this. For this reason, we recommend that the first regulation that is made under section 17(8) should be made by the affirmative procedure, so that the Assembly as a whole has an opportunity to consider whether the right balance between needs and resources had been struck.

The second recommendation refers to section 17 consultation arrangements. The regulations made under this legislation will be of interest to service providers and patients, and to the organisations that represent their interests. Therefore, we

Alun Davies: Bydd Aelodau’n gwybod nad yw Cadeirydd y Pwyllgor Materion Cyfansoddiadol, Janet Ryder, yn gallu bod yma heddiw, felly mae’r pwyllgor wedi gofyn i mi siarad ar ei ran. Dywedaf ar y cychwyn fod y pwyllgor yn fodlon at ei gilydd fod y cydbwysedd rhwng y pwerau sydd yn y Mesur arfaethedig a’r rheini sydd i’w harfer drwy reoliadau’n gywir gan mwyaf. Ni welwn unrhyw reswm pam na ddylai’r Cynulliad Cenedlaethol gytuno ar egwyddorion cyffredinol y Mesur arfaethedig. Er hynny, yr ydym wedi gwneud nifer o argymhellion penodol.

Mae’r cyntaf o’r rhain yn cyfeirio at adran 17, ar gynlluniau gofal a thriniaeth. Mae’r adran hon yn disgrifio swyddogaethau cydgysylltwyr gofal, sy’n cynnwys cytuno ar gynllun gofal a thriniaeth i bob claf. Pennir ffurf a chynnwys y cynlluniau hyn, yn ogystal â nifer o faterion eraill, mewn rheoliadau a wneir gan Weinidogion. Wedyn bydd yn ofynnol i ddarparwyr gwasanaethau iechyd meddwl ddarparu gwasanaethau i’r claf

i’r graddau y mae hynny’n rhesymol ymarferol,

a’r ymadrodd hwn a ddaliodd sylw’r pwyllgor. Mae’n peri cryn bryder, gan fod defnyddio’r ymadrodd hwn yn gosod amod ar y mater, ac yr ydym yn pryderu y gallai greu cymhelliad i lunio cynlluniau yn y fath fodd fel eu bod yn rhoi gormod o bwyslais ar argaeledd adnoddau yn hytrach nag ar anghenion cleifion. Nes inni weld y rheoliadau, nid oes modd barnu’n derfynol am hyn. Oherwydd hyn, yr ydym yn argymhell y dylai’r rheoliad cyntaf a wneir dan adran 17(8) gael ei wneud drwy’r weithdrefn gadarnhaol, fel y caiff y Cynulliad cyfan gyfle i ystyried a oedd cydbwysedd priodol wedi’i sicrhau rhwng anghenion ac adnoddau.

Mae’r ail argymhelliad yn cyfeirio at drefniadau ymgynghori dan adran 17. Bydd y rheoliadau a wneir dan y ddeddfwriaeth hon o ddiddordeb i ddarparwyr gwasanaethau a chleifion, ac i’r cyrff sy’n cynrychioli eu buddiannau. Felly, yr ydym yn argymhell y

recommend that there should be adequate consultation with all relevant parties on the regulations that set out the content of care and treatment plans.

5.30 p.m.

Our third recommendation refers to section 22, on assessments of former users of mental health services, and refers to the relevant discharge period. Part 3 of the proposed Measure gives effect to the principle that service users, discharged from secondary mental health services, should have access back to those services when they believe that their mental health may be deteriorating. Perhaps understandably, this entitlement cannot be completely open-ended. Former service users will only be able to exercise their entitlement for a certain period following their discharge. How long this period will be is to be decided by Ministers through regulations to be made under section 22. Our concern is that, in limiting the amount of time available, these regulations could be very easily used as a means of artificially managing demand for secondary care services, thereby limiting the effectiveness of a key objective of the proposed Measure. I should emphasise that it is not the view of the committee that the current Minister has any intention of acting in such a way. However, we are aware that this legislation may be used by different Ministers in a different Government at a future time. For that reason, we have recommended that regulations under section 22(1)(b) should be made via the affirmative procedure. Therefore, Ministers will, on each occasion, have to explain to this Chamber and be scrutinised by Members on why they have chosen a particular time limit, if they wish to make changes to it.

Our final recommendation refers to Part 4 of the proposed Measure—the part that describes policy on mental health advocacy. Part 4 provides for a scheme of independent advocacy for individuals subject to compulsion under the Mental Health Act 1983. It does so by providing a range of delegated powers for Ministers to shape the scheme according to their policy objectives. All of these powers are to be exercised under

dylid cael ymgynghori digonol â'r holl bartïon cysylltiedig ar y rheoliadau sy'n pennu cynnwys cynlluniau gofal a thriniaeth.

Mae ein trydydd argymhelliad yn cyfeirio at adran 22, ar asesiadau o gyn-ddefnyddwyr gwasanaethau iechyd meddwl, ac yn cyfeirio at y cyfnod rhyddhau perthnasol. Mae Rhan 3 o'r Mesur arfaethedig yn gweithredu'r egwyddor y dylai defnyddwyr gwasanaethau, a ryddhawyd o wasanaethau iechyd meddwl eilaidd, gael mynediad yn ôl i'r gwasanaethau hynny os credant y gallai eu hiechyd meddwl fod yn dirywio. Fel y gellir deall o bosibl, ni all yr hawl hon fod yn hollol benagored. Ni fydd cyn-ddefnyddwyr gwasanaethau ond yn gallu arfer eu hawl am gyfnod penodol ar ôl eu rhyddhau. Penderfynir hyd y cyfnod hwn gan Weinidogion drwy reoliadau a wneir dan adran 22. Y pryder sydd gennym ni yw y gallai fod yn ddigon hawdd defnyddio'r rheoliadau hyn, wrth gyfyngu'r cyfnod sydd ar gael, fel modd i reoli'r galw am wasanaethau gofal eilaidd yn artiffisial, gan gyfyngu drwy hynny ar effeithiolrwydd un o brif amcanion y Mesur arfaethedig. Dylwn bwysleisio nad yw'r pwyllgor o'r farn bod unrhyw fwriad gan y Gweinidog presennol i weithredu yn y fath fodd. Er hynny, yr ydym yn ymwybodol y gallai'r ddeddfwriaeth hon gael ei defnyddio gan Weinidogion gwahanol mewn Llywodraeth wahanol yn y dyfodol. Oherwydd hynny, yr ydym wedi argymhell y dylai rheoliadau dan adran 22(1)(b) gael eu gwneud drwy'r weithdrefn gadarnhaol. Felly, bydd yn rhaid i Weinidogion egluro i'r Siambr hon, ar bob achlysur, a chael eu holi gan Aelodau ynghylch pam y maent wedi dewis terfyn amser penodol, os ydynt yn dymuno ei newid.

Mae ein hargymhelliad olaf yn cyfeirio at Ran 4 o'r Mesur arfaethedig—y rhan sy'n disgrifio polisi ar eiriolaeth iechyd meddwl. Mae Rhan 4 yn darparu ar gyfer cynllun eiriolaeth annibynnol i unigolion sydd dan orfodaeth dan Ddeddf Iechyd Meddwl 1983. Gwnaiff hynny drwy ddarparu amryw o bwerau wedi'u dirprwyo i Weinidogion i ffurfio'r cynllun yn unol â'u hamcanion polisi. Arferir yr holl bwerau hyn dan y

the negative resolution procedure. In fairness, many of these powers are already available to Ministers under the 1983 Act. Nevertheless, new and important powers remain, such as the ability to decide what constitutes an independent advocate, and whether family members or friends will be able to undertake that role. Section 143 of the Mental Health Act 1983 requires that all regulation-making powers for Welsh Ministers must be made under the negative procedure. However, the committee saw no reason as to why the 1983 Act itself should not be amended to allow regulations to be made by affirmative procedure. Given the importance of the first set of regulations in shaping the future direction of advocacy arrangements, we have recommended that the Mental Health Act 1983 be amended so that the first regulations under sections 130(e) to 130(h) are made using the affirmative resolution procedure.

I said at the outset of my remarks this afternoon that the committee was content with the balance of powers on the face of the proposed Measure and those to be exercised by regulation. The committee is content with the legislation as introduced by the Minister this afternoon. With the recommendations that we have made in this report, we suggest to the Assembly that this legislation be adopted.

Andrew R.T. Davies: I welcome the opportunity to speak in this debate and on the report that the legislation committee has brought before Plenary. I endorse many of the comments that have been made to date, as well as the Minister's commitment to the field of mental health, and the sponsoring Member who got the powers here in the first place, so that we were able to take this action.

I turn now to the report and some of the evidence in it. The Royal College of Psychiatrists talked about stigma and said that the proposed Measure could create a stigma in that members of fellow professions might think, 'They need a special law to be treated'. I found that evidence to be quite powerful; it was repeated several times. I hope that people look at this as a positive

weithdrefn penderfyniad negyddol. A bod yn deg, mae llawer o'r pwerau hyn ar gael eisoes i Weinidogion dan Ddeddf 1983. Er hynny, mae pwerau newydd a phwysig yn aros, fel y gallu i benderfynu beth yw eiriolwr annibynnol, ac a fydd aelodau o'r teulu neu ffrindiau'n gallu cyflawni'r rôl honno. Mae adran 143 o Ddeddf Iechyd Meddwl 1983 yn mynnu bod yn rhaid i'r holl bwerau i wneud rheoliadau gan Weinidogion Cymru gael eu gwneud dan y weithdrefn negyddol. Fodd bynnag, ni welai'r pwyllgor fod unrhyw reswm pam na ddylai Deddf 1983 hithau gael ei diwygio i ganiatáu gwneud rheoliadau drwy weithdrefn gadarnhaol. O ystyried pwysigrwydd y set gyntaf o reoliadau o ran pennu cyfeiriad trefniadau eirioli yn y dyfodol, yr ydym wedi argymhell y dylai Deddf Iechyd Meddwl 1983 gael ei diwygio fel bod y rheoliadau cyntaf dan adrannau 130(e) i 130(h) yn cael eu gwneud drwy ddefnyddio'r weithdrefn penderfyniad cadarnhaol.

Dywedais ar ddechrau fy sylwadau y prynhawn yma fod y pwyllgor yn fodlon ar gydbwysedd y pwerau sydd yn y Mesur arfaethedig a'r rheini a arferir drwy reoleiddio. Mae'r pwyllgor yn fodlon ar y ddeddfwriaeth fel y'i cyflwynwyd gan y Gweinidog y prynhawn yma. Ynghyd â'r argymhellion yr ydym wedi'u gwneud yn yr adroddiad hwn, awgrymwn i'r Cynulliad y dylid mabwysiadu'r ddeddfwriaeth hon.

Andrew R.T. Davies: Croesawaf y cyfle i siarad yn y ddadl hon ac ynghylch yr adroddiad y mae'r pwyllgor deddfwriaeth wedi'i roi gerbron y Cyfarfod Llawn. Cymeradwyaf lawer o'r sylwadau sydd wedi'u gwneud hyd yma, yn ogystal ag ymrwymiad y Gweinidog i faes iechyd meddwl, a'r Aelod sy'n noddi a gafodd y pwerau i'r fan hon yn y lle cyntaf, fel yr oeddem yn gallu cymryd y camau hyn.

Trof yn awr at yr adroddiad a rhywfaint o'r dystiolaeth sydd ynddo. Soniodd Coleg Brenhinol y Seiciatryddion am stigma a dweud y gallai'r Mesur arfaethedig greu stigma i'r graddau y gallai aelodau o gydbroffesiynau feddwl, 'Mae arnynt angen deddf arbennig i gael eu trin'. Cefais fod y dystiolaeth honno'n eithaf cryf; fe'i hailadroddwyd nifer o weithiau. Gobeithiaf y

step—one that is about embracing a pathway whereby people can seek treatment and remedies for their problems, and seek assistance when those problems close in around them and their families. That was a very interesting piece of evidence that was taken by the committee and used by it to open the report. I, too, share the concerns about age, and I know that the Minister has touched on this in her evidence to the committee. I am concerned about that, as the transition is not seamless. There is a possibility that young children or juveniles could fall between the legislation and the other support packages that are in place. I hope that the Minister will bring forward amendments to address the concerns in the committee's report and my own concerns on this important point, because, time and again, we see this issue arise.

Also, I read about the timescales, and I have been lobbied on the timescales for referrals and the time it takes for treatment plans to be put in place. I also note, however, what the committee said about clinical need and clinical assessment, and I find myself in a quandary, because I can fully understand the problem when constituents tell me that there is no clear benchmark that they can understand whereby, once 30 or 40 days have passed, x, y or z will happen. However, I do not want to tie the hands of the professional or the clinician who makes the assessment. When we go into Stage 2, we need to look comprehensively at the whole issue and take on board the concerns that have been raised by witnesses, who have brought compelling evidence before the committee.

I have also raised concerns about the prison service, and in particular the aspects that the committee report identified with regard to women prisoners and their ability to benefit from the proposed Measure. Also, there is the issue with the probation service and those people who are on probation and fall under the remit of the National Offender Management Service, because the report identifies a possible anomaly in that regard. There is also the particular issue of prisoners coming to Wales from England who are not registered with a GP here. That is another

bydd pobl yn ystyried bod hyn yn gam cadarnhaol—un sy'n ymwneud â dilyn llwybr fel y gall pobl geisio triniaeth a meddyginiaethau at eu problemau, a cheisio cymorth pan fydd y problemau hynny'n cau amdanynt hwy a'u teuluoedd. Yr oedd honno'n eitem ddiddorol iawn o dystiolaeth a gymerodd y pwyllgor a'i defnyddio ar ddechrau'r adroddiad. Yr wyf finnau'n rhannu pryderon ynghylch oed, a gwn fod y Gweinidog wedi cyfeirio at hyn yn ei thystiolaeth i'r pwyllgor. Yr wyf yn pryderu am hynny, gan nad yw'r trosglwyddo'n ddi-fwlch. Mae posibilrwydd y gallai plant ifanc neu bobl ifanc ddisgyn rhwng y ddeddfwriaeth a'r pecynnau cymorth eraill sydd ar gael. Gobeithiaf y bydd y Gweinidog yn cyflwyno gwelliannau i ymateb i'r pryderon yn adroddiad y pwyllgor ac i'm pryderon fy hun ar y pwynt pwysig hwn, oherwydd gwelwn y mater hwn yn codi dro ar ôl tro.

Hefyd, darllenais ynghylch yr amserlenni, ac mae rhai wedi fy lobio ynghylch yr amserlenni ar gyfer atgyfeirio a'r amser a gymer i roi cynlluniau triniaeth ar waith. Fodd bynnag, yr wyf hefyd yn nodi'r hyn a ddywedodd y pwyllgor am angen clinigol ac asesu clinigol, ac yr wyf mewn penbleth, oherwydd gallaf lawn ddeall y broblem pan ddywed etholwyr wrthyf nad oes meincnod clir y gallant ei ddeall fel y bydd hyn a hyn yn digwydd wedi i 30 neu 40 niwrnod fynd heibio. Er hynny, nid wyf am glymu dwylo'r gweithiwr proffesiynol neu'r clinigydd sy'n gwneud yr asesiad. Pan awn ymlaen at Gam 2, bydd angen inni edrych yn fanwl ar yr holl fater ac ystyried y pryderon sydd wedi'u mynegi gan dystion, sydd wedi cyflwyno tystiolaeth gryf i'r pwyllgor.

Yr wyf hefyd wedi mynegi pryderon ynghylch y gwasanaeth carchardai, ac yn benodol yr agweddau a nodwyd yn adroddiad y pwyllgor sy'n ymwneud â menywod sy'n garcharorion a'u gallu i elwa o'r Mesur arfaethedig. Hefyd, dyna'r mater sy'n ymwneud â'r gwasanaeth prawf a'r bobl hynny sydd ar brawf ac yn dod dan Wasanaeth Cenedlaethol Rheoli Troseddwyd, gan fod yr adroddiad yn nodi anghysondeb posibl yn hynny o beth. Hefyd dyna fater penodol y carcharorion sy'n dod i Gymru o Loegr nad ydynt wedi cofrestru gyda meddyg

concern raised in the report, and I hope that the Minister will take it on board. If not, perhaps we should look at that when we table our amendments at Stage 2.

I also wish to touch on the point about the place of safety and the evidence that the police service offered with regard to the dilemma that custody officers might face. There was an issue as to whether the competence lies here. The evidence to the committee led it to believe that the National Assembly does have that competence. The police were quite clear in their evidence that while they took a different view, they would implement the support voluntarily. I would be grateful if the Minister, in her response, could give a clear indication as to where she believes competence lies, because I have been lobbied on this particular issue, and we need to ensure that we are clear about where we stand, given the evidence in this report.

Above all, we need to ensure that this proposed Measure is not being introduced for its own sake, but to give a right to patients and to bring about improvement in mental health services. I very much hope that people will embrace what is being put forward here, to see that uplift in the service, so that we improve mental health services. As I have said, I endorse the sentiments that have been expressed in this Chamber, and I look forward to tabling the relevant amendments that could fine-tune the issues identified by the committee.

Joyce Watson: I am pleased to have the opportunity to speak during this debate, as the proposed mental health Measure is a key piece of legislation that has the potential to improve services for people who have mental health difficulties. I am happy to endorse its general principles, as it seeks to address the complicated issue of mental health service provision in a structured and productive manner. As a member of the committee that produced the report, and having listened to all the evidence given, it is obvious that there are issues to be addressed in relation to the

teulu yma. Dyna bryder arall a fynegwyd yn yr adroddiad, a gobeithiaf y bydd y Gweinidog yn ei ystyried. Os na wnaiff, efallai y dylem ystyried hynny pan gyflwynwn ein gwelliannau yng Ngham 2.

Yr wyf hefyd yn dymuno cyfeirio at y pwynt sy'n ymwneud â'r lle diogel a'r dystiolaeth a gynigiodd y gwasanaeth heddlu mewn cysylltiad â'r cyfyng-gyngor y gallai swyddogion y ddalfa ei wynebu. Yr oedd dadl ynghylch ai yn y fan hon y mae'r cymhwysedd. Yr oedd y dystiolaeth i'r pwyllgor yn ei arwain i gredu bod y cymhwysedd hwnnw gan y Cynulliad Cenedlaethol. Yr oedd yr heddlu'n dweud yn eithaf clir yn eu tystiolaeth y byddent yn rhoi'r trefniadau cymorth ar waith yn wirfoddol er bod eu safbwynt yn wahanol. Byddwn yn ddiolchgar pe gallai'r Gweinidog nodi'n glir yn ei hymateb ymhle y mae'n credu y mae'r cymhwysedd, gan fod rhai wedi fy lobio ar y mater hwn, ac mae angen inni sicrhau ein bod yn glir ynghylch lle yr ydym yn sefyll, o gofio'r dystiolaeth sydd yn yr adroddiad hwn.

Yn fwy na dim, mae angen inni sicrhau nad yw'r Mesur arfaethedig hwn yn cael ei gyflwyno er ei fwyn ei hun, ond er mwyn rhoi hawl i gleifion ac i wella gwasanaethau iechyd meddwl. Yr wyf yn mawr obeithio y bydd pobl yn croesawu'r hyn sy'n cael ei gyflwyno yma, er mwyn gweld cynnydd o'r fath yn y gwasanaeth, fel y byddwn yn gwella gwasanaethau iechyd meddwl. Fel yr wyf wedi dweud, cymeradwyaf y safbwyntiau sydd wedi'u mynegi yn y Siambr hon, ac edrychaf ymlaen at gyflwyno gwelliannau perthnasol a allai fireinio'r materion a nodwyd gan y pwyllgor.

Joyce Watson: Yr wyf yn falch o gael y cyfle i siarad yn ystod y ddadl hon, gan fod y Mesur arfaethedig ynghylch iechyd meddwl yn eitem allweddol o ddeddfwriaeth a allai wella gwasanaethau i bobl sydd ag anawsterau iechyd meddwl. Yr wyf yn falch o gymeradwyo ei egwyddorion cyffredinol, gan ei fod yn ymdrech i fynd i'r afael â mater cymhleth y darparu ar wasanaethau iechyd meddwl mewn modd trefnus a buddiol. Fel aelod o'r pwyllgor a gynhyrchodd yr adroddiad, ac wedi gwrandao ar yr holl dystiolaeth a roddwyd, mae'n amlwg bod

mental health care provided, and I welcome the Government's resolve to do just that.

I will focus my contribution on three main areas, the first of which concerns the difficulties faced by young people who suffer from mental health conditions. I would also like to highlight the part of the report that states that timescales should not be set, as they might distract from key priorities. The third area is the organisation of the provision of services for prisoners who are suffering from mental health issues, which is a particular problem, as the report recognises, which we need to address as soon as we can.

5.40 p.m.

I wish to voice my support for the recommendations that advocate that the scope of the proposed Measure should be broadened to include children and young people. That would allow the Government to introduce key provisions not only for young people, but also for those in the difficult position between childhood and adulthood, when the transition between services becomes difficult to navigate. It is important that there is clear guidance on which services are available to which age group. The lack of such guidance would add to an already challenging situation. Moreover, expanding the scope of the proposed Measure, as noted in the report, would help young people in the secure estate, who, rather than being the intrepid youth sometimes portrayed, often suffer from mental health difficulties.

The second issue that I wish to raise is on timescales. The report highlights that setting timescales and targets that service providers must hit might be misguided. I agree that we cannot afford for the efforts of health professionals to be distracted from providing the most appropriate care for people suffering from mental health difficulties. It is necessary to allow for treatment to take a long time, as is often the case with mental health. Time should be allowed to give the patient the best chance possible of reaching a full recovery, rather than the patient being rushed through

materion sy'n galw am sylw mewn cysylltiad â'r gofal iechyd meddwl a ddarperir, a chroesawaf benderfyniad y Llywodraeth i wneud yr union beth hwnnw.

Canolbwyntiaf yn fy nghyfraniad ar dri phrif faes, y cyntaf ohonynt yn ymwneud â'r anawsterau a wynebwr gan bobl ifanc sydd â chyflyrau iechyd meddwl. Hoffwn dynnu sylw hefyd at y rhan o'r adroddiad sy'n datgan na ddylid pennu amserlenni, gan y gallent dynnu sylw oddi wrth flaenoriaethau allweddol. Y trydydd maes yw'r trefnu ar y ddarpariaeth o wasanaethau i garcharorion sydd â phroblemau iechyd meddwl, gan fod hynny'n broblem neilltuol, fel y mae'r adroddiad yn cydnabod, y mae angen inni ddelio â hi cyn gynted ag y gallwn.

Dymunaf ddatgan fy nghefnogaeth i'r argymhellion o blaid ehangu cwmpas y Mesur arfaethedig i gynnwys plant a phobl ifanc. Byddai hynny'n caniatáu i'r Llywodraeth gyflwyno darpariaethau allweddol nid yn unig ar gyfer pobl ifanc, ond hefyd ar gyfer y rheini sydd yn y cyfnod anodd rhwng bod yn blentyn a bod yn oedolyn, pan fydd yn anodd delio â'r pontio rhwng gwasanaethau. Mae'n bwysig bod canllawiau clir ynghylch pa wasanaethau sydd ar gael i ba grŵp oedran. Byddai diffyg canllawiau o'r fath yn gwneud y sefyllfa'n anos byth. Yn ogystal â hynny, byddai ehangu cwmpas y Mesur arfaethedig, fel y nodwyd yn yr adroddiad, yn helpu pobl ifanc sydd yn yr ystad ddiogel a hwythau'n aml yn rhai sy'n profi anawsterau iechyd meddwl, ac nid yn bobl ifanc ddi-ofn fel y'u portreadir weithiau.

Mae'r ail fater y dymunaf ei godi'n ymwneud ag amserlenni. Mae'r adroddiad yn nodi y gallai fod yn annoeth pennu amserlenni a thargedau y mae'n rhaid i ddarparwyr gwasanaethau gydymffurfio â hwy. Cytunaf na allwn fforddio gweld ymdrechion gweithwyr iechyd proffesiynol yn cael eu troi oddi wrth ofalu yn y modd mwyaf priodol am bobl sydd ag anawsterau iechyd meddwl. Rhaid derbyn y gall triniaeth gymryd llawer o amser, fel a ddigwydd yn aml ym maes iechyd meddwl. Dylid caniatáu amser i roi'r cyfle gorau posibl i'r claf ymadfer yn llawn,

the system.

Finally, on mental health provision for prisoners, while it is right for people who have committed a crime to serve a prison sentence as a suitable punishment, we must not lose sight of the fact that each prisoner has basic human rights. Those include access to healthcare, and it is important to recognise that being incarcerated can have a severely adverse effect on mental health. The report states that there is a lack of clarity in relation to the provision of services for prisoners. Such lack of clarity is unhelpful to service providers and to the way that they can plan their services. It is a matter that must be addressed as there can be no ambiguity in this area. This is particularly the case as many prisoners arrive with mental health issues and their needs have to be met to prevent reoffending, which, as a consequence, brings savings to the public purse.

In conclusion, I thank the committee, its staff and witnesses for their contribution to the report, and I welcome the progression of the proposed Measure to the next stage of scrutiny.

David Melding: As Chair of the committee on the relevant LCO, which met some time ago now, I am delighted that the proposed Measure has been brought forward and that we are discussing it in principle. The broad range of evidence that we received in that committee indicated that we needed a reform of mental health law. We were unhappy with some of the initiatives that were taking place or being planned in Westminster, and we believed that at the heart of humane mental health law was the right to therapy and treatment. That infuses the plans that the Minister for health is taking forward, although how they are implemented and the detail are very important considerations.

To start with the principle of strengthening the primary care sector is very important. My colleague, Andrew R.T. Davies, made the point that there is still a lot of stigma around mental health issues. We must normalise the fact that mental health is about health and

yn hytrach na brysio'r claf drwy'r system.

Yn olaf, ynghylch darpariaeth iechyd meddwl i garcharorion, er ei bod yn briodol i bobl sydd wedi troseddu gwblhau dedfryd o garchar fel cosb addas, rhaid inni beidio â cholli golwg ar y ffaith bod hawliau dynol sylfaenol gan bob carcharor. Ymhlith y rheini y mae'r hawl i gael gofal iechyd, ac mae'n bwysig cydnabod bod carcharu rhywun yn gallu amharu'n ddybryd ar iechyd meddwl. Mae'r adroddiad yn datgan bod diffyg eglurder mewn cysylltiad â darparu gwasanaethau i garcharorion. Mae diffyg eglurder o'r fath yn rhwystr i ddarparu gwasanaethau ac i'r modd y gallant gynllunio eu gwasanaethau. Mae'n fater y mae'n rhaid delio ag ef gan na ellir caniatáu amwysedd yn y maes hwn. Mae hyn yn neilltuol o wir gan fod problemau iechyd meddwl gan lawer o garcharorion ar ddechrau eu dedfryd a rhaid diwallu eu hanghenion er mwyn atal aildroseddu, ac mae hynny, o ganlyniad, yn arbed arian cyhoeddus.

I gloi, diolchaf i'r pwyllgor, ei staff a'i dystion am eu cyfraniad i'r adroddiad, a chroesawaf y ffaith y bydd y Mesur arfaethedig yn symud ymlaen i'r cam nesaf ar gyfer craffu.

David Melding: Fel Cadeirydd y pwyllgor ar y Gorchymyn cymhwysedd deddfwriaethol perthnasol, a gyfarfu gryn amser yn ôl bellach, yr wyf wrth fy modd bod y Mesur arfaethedig wedi'i gyflwyno a'n bod yn trafod ei egwyddorion. Dangosai'r ystod eang o dystiolaeth a gawsom yn y pwyllgor hwnnw fod angen inni ddiwygio cyfraith iechyd meddwl. Yr oeddem yn anfodlon ar rai o'r mentrau a oedd ar waith neu yn yr arfaeth yn San Steffan, a chredem mai'r hyn a oedd wrth wraidd cyfraith iechyd meddwl wâr oedd yr hawl i gael therapi a thriniaeth. Mae hynny'n hydreiddio'r cynlluniau y mae'r Gweinidog dros iechyd yn eu hyrwyddo, er bod y dull o'u gweithredu a'r manylion yn ystyriaethau pwysig iawn.

Yn gyntaf, mae'r egwyddor o gryfhau'r sector gofal sylfaenol yn bwysig iawn. Fy nghyd-Aelod, Andrew R.T. Davies, a wnaeth y pwynt bod llawer o stigma o hyd ynghylch problemau iechyd meddwl. Rhaid inni normaleiddio'r ffaith bod iechyd meddwl yn

wellbeing; it is perfectly normal under certain circumstances for people to develop illnesses—I am afraid that that is part and parcel of the human condition. Some of those illnesses will be mental illnesses, and they will vary considerably in their intensity. When symptoms present that are of a more minor nature, they can often, with adequate treatment, be prevented from becoming more serious. The place to do this is in the primary care sector, so that people are aware that if they are suffering from depression or some form of anxiety, that their symptoms are an indication of mental distress. Patients can become much more ill before they have the first idea that what they are experiencing is out of the usual range that any human life has to cope with. Nearly everyone is in contact with the primary care sector in some way or another, even if it is not directly related to your health, but you will see that information. As people access treatment, it will become normalised, which is very important.

I was pleased to hear the Minister hint that she will look at the issue of age proofing, so that this proposed Measure can address mental illness across the spectrum of age, including children and young people. There is evidence that children and young people, particularly if they fall out of the education sector, which itself is often exacerbated by mental illness, have great difficulty in accessing appropriate treatment. They need to be captured by the proposed Measure; that is very important.

To turn to the point on timescales for treatment, I interpreted, through the lobbying and the evidence that I heard three or four years ago as Chair of the Proposed Provision of Mental Health Services LCO Committee, that we need some form of framework about when someone will access a mental health service. We should have some broad indicator of when therapy or some form of secondary treatment will be received from when a GP diagnoses something or thinks that there is a need for further investigation. We should not have timescales that are so long that they amount to the rationing of treatment. If that happens, we need to increase the amount of treatment that we have available. There has to be some sort of

ymwneud ag iechyd a lles; mae'n gwbl normal dan rai amgylchiadau i bobl gael afiechydon—mae arnaf ofn bod hynny'n rhan annatod o'r cyflwr dynol. Bydd rhai o'r afiechydon hynny'n afiechydon meddwl, a byddant yn amrywio'n sylweddol o ran eu dwysedd. Pan geir symptomau llai difrifol, gellir eu hatal yn aml, o roi triniaeth ddigonol, rhag dwysáu. Y lle i wneud hyn yw'r sector gofal sylfaenol, fel bod pobl yn ymwybodol, os ydynt yn dioddef gan iselder neu ryw fath o orbryder, fod eu symptomau'n arwydd o ofid meddwl. Gall cleifion fynd yn salach o lawer cyn iddynt sylweddoli bod yr hyn y maent yn ei brofi y tu allan i amrediad arferol yr hyn y mae pobl yn gorfod ymdopi ag ef. Mae bron pawb mewn cysylltiad â'r sector gofal sylfaenol mewn rhyw fodd neu'i gilydd, hyd yn oed os nad yw'n ymwneud yn uniongyrchol â'ch iechyd, ond gwelwch y wybodaeth honno. Wrth i bobl gael mynediad at driniaeth, bydd yn cael ei normaleiddio, ac mae hynny'n bwysig iawn.

Yr oeddwn yn falch o glywed y Gweinidog yn awgrymu y bydd yn ystyried y mater o brawfesur o safbwynt oedran, fel bod y Mesur arfaethedig hwn yn gallu ymdrin â salwch meddwl ar draws yr ystod oedran, gan gynnwys plant a phobl ifanc. Mae tystiolaeth bod plant a phobl ifanc, yn enwedig os ydynt yn disgyn drwy rwyd y sector addysg, a hynny'n aml wedi'i ddwysáu gan salwch meddwl, yn ei chael yn anodd iawn cael mynediad at driniaeth briodol. Mae angen eu dal yng nghwmpas y Mesur arfaethedig; mae hynny'n bwysig iawn.

Gan droi at y pwynt am amserlenni ar gyfer triniaeth, deuthum i ddeall, drwy'r lobiö a'r dystiolaeth a glywais dair neu bedair blynedd yn ôl fel Cadeirydd y Pwyllgor ar y Gorchymyn Cymhwysedd Deddfwriaethol Arfaethedig ynghylch Darparu Gwasanaethau Iechyd Meddwl, fod arnom angen rhyw fath o fframwaith ar gyfer yr adegau y bydd rhywun yn cael mynediad at wasanaeth iechyd meddwl. Dylem gael rhyw fath o ddangosydd cyffredinol ar gyfer yr adeg y ceir therapi neu ryw fath o driniaeth eilaidd pan fydd meddyg teulu'n gwneud diagnosis neu'n barnu bod angen ymchwilio ymhellach. Ni ddylem gael amserlenni sydd mor hir fel eu bod yn gyfystyr â dogni triniaeth. Os digwydd hynny, bydd angen inni sicrhau bod

administration in relation to referring people and some form of timescale, but it should not be of inordinate length. That is at the heart of what is being called for by those who want this particular issue to be addressed.

We need a whole-person approach to care planning. All too often, people in mental distress are not involved or are not at the heart of care planning, and they feel more and more isolated as a result. People with more serious mental health illnesses do not always have the awareness to participate fully in the care planning approach, but as soon as they start to recover and improve, they need to be involved. That is an important point to remember. The vast majority of people who will need care plans will be able to contribute to them in a lucid way, which will be brought out in an appropriate environment. That needs to be fully addressed in the proposed Measure.

Finally, the issue of prisoners and young offenders is very important and a lot of people with mental illnesses end up in prison. A humane society should at least address those mental health issues when they are in prison, even if we do not go into the fundamental issue of how much mental illness and offending are intertwined.

Brian Gibbons: This is a useful piece of legislation. Its purpose is clear and the timescale for implementation is within a horizon that means that we can make realistic assessments of its implications, not only of its financial implications but the implications for implementation. In giving evidence to the Finance Committee, the Minister was forthcoming on a number of areas about the evidence underpinning the proposed Measure.

Strengthening advocacy is one of the welcome aspects of the proposed Measure. People with severe mental health problems are, by the nature of those problems, not always in the best position to be their own best advocate. Building advocacy into the system not only provides protection for the

mwy o driniaethau ar gael. Rhaid cael rhyw fath o weinyddu mewn cysylltiad ag atgyfeirio a rhyw fath o amserlen, ond ni ddylai fod yn rhy hir. Mae hynny wrth wraidd yr hyn y gelwir amdano gan y rheini sydd am weld sylw'n cael ei roi i'r mater hwn.

Mae arnom angen dull o gynllunio gofal sy'n cynnwys y person cyfan. Yn rhy aml o lawer, nid yw pobl sydd mewn gofid meddwl yn cael eu cynnwys neu nid ydynt ar ganol cynllunio gofal, a theimlant yn fwyfwy unig o ganlyniad i hynny. Nid yw pobl sydd â chlefydau iechyd meddwl mwy difrifol yn ddigon ymwybodol bob amser i gymryd rhan yn llawn yn y dull o gynllunio gofal, ond cyn gynted ag y dechreuant ymadfer a gwella, mae angen eu cynnwys. Mae hwnnw'n bwynt pwysig i'w gofio. Bydd y mwyafrif helaeth o bobl y bydd arnynt angen cynlluniau gofal yn gallu cyfrannu'n bwyllog iddynt, ac amlygir hynny mewn amgylchedd priodol. Mae angen ymdrin yn llawn â hynny yn y Mesur arfaethedig.

Yn olaf, mae mater carcharorion a throseddwy'r ifanc yn bwysig iawn ac mae llawer o bobl sydd â salwch meddwl yn mynd i'r carchar yn y diwedd. Dylai cymdeithas wâr roi sylw i'r anhwylderau iechyd meddwl hynny, o leiaf, pan ydynt yn y carchar, hyd yn oed os nad awn at wraidd y mater o ba raddau y mae salwch meddwl a throseddu'n ymblethu.

Brian Gibbons: Mae hon yn ddeddfwriaeth fuddiol. Mae ei phwrpas yn glir ac mae'r amserlen ar gyfer ei gweithredu'n ddigon byr inni allu gwneud asesiadau credadwy o'i goblygiadau, nid yn unig ei goblygiadau ariannol ond y goblygiadau ar gyfer gweithredu. Wrth roi tystiolaeth i'r Pwyllgor Cyllid, soniodd y Gweinidog am nifer o feysydd mewn cysylltiad â'r dystiolaeth yr oedd y Mesur arfaethedig wedi'i seilio arni.

Yr hwb i wasanaethau eirioli yw un o'r agweddau ar y Mesur arfaethedig sydd i'w chroesawu. Nid yw pobl sydd â phroblemau iechyd meddwl difrifol yn y lle gorau bob amser, oherwydd natur y problemau hynny, i eirioli drostynt eu hunain. Drwy gynnwys gwasanaethau eirioli yn y system, nid yn unig

patient, but it provides empowerment and reassurance that the human rights of the person who is suffering from their illness are protected. I am sure that it will also have a therapeutic benefit. The other great strength of the advocacy proposals in the proposed Measure is that they are part of the wider voice not choice agenda that the Assembly Government is developing where public services in Wales are moulded by service users and are responsive to their needs rather than being reduced to the sort of market lottery that seems to be developing elsewhere in the United Kingdom, as we heard in the proposals announced yesterday.

y caiff y claf ei amddiffyn, ond ceir grymuso a sicrwydd bod hawliau dynol y person sy'n dioddef oherwydd ei salwch wedi'u diogelu. Yr wyf yn siŵr y ceir budd therapiwtig o hynny hefyd. Cryfder mawr arall y cynigion ynghylch eiriolaeth yn y Mesur arfaethedig yw eu bod yn rhan o'r agenda ehangach ar gyfranogi yn hytrach na dewis y mae Llywodraeth y Cynulliad yn ei datblygu lle y mae gwasanaethau cyhoeddus yng Nghymru'n cael eu llunio gan ddefnyddwyr gwasanaethau ac yn ymateb i'w hanghenion yn hytrach na chael eu darostwng fel eu bod yn rhan o'r math o loteri farchnad sy'n datblygu, yn ôl pob golwg, mewn mannau eraill yn y Deyrnas Unedig, fel y clywsom yn y cynigion a gyhoeddwyd ddoe.

5.50 p.m.

I strongly welcome Part 5 of the proposed Measure, which deals with co-operative and joint working between local health boards and local authorities. It provides a clear legal basis for the sharing of staff resources and facilities. Indeed, section 38(3) provides for pooled budgets in this area of work. I also welcome section 42, which provides for wider provision and partnership working across a regional area, working beyond the basic local authority boundaries, which is the default position in the legislation. Section 43 is also very welcome because it allows for those lead bodies in regional consortia to come from outside the geographical operational area. That provides a clear statutory mechanism for disseminating best practice throughout Wales. Many of these innovations need to be acknowledged as highly innovative and as a great strength not only in this legislation but as a template for the development of public services in Wales.

Yr wyf yn mawr groesawu Rhan 5 o'r Mesur arfaethedig, sy'n ymdrin â chydweithredu a chydweithio rhwng byrddau iechyd lleol ac awdurdodau lleol. Mae'n gosod sail gyfreithiol glir ar gyfer rhannu adnoddau staff a chyfleusterau. Yn wir, mae adran 38(3) yn darparu ar gyfer cyllidebau ar y cyd yn y maes gwaith hwn. Yr wyf hefyd yn croesawu adran 42, sy'n darparu ar gyfer darpariaeth ehangach a gweithio mewn partneriaeth ar draws rhanbarth, drwy weithio y tu hwnt i ffiniau awdurdodau lleol, sy'n safbwynt sylfaenol yn y ddeddfwriaeth. Mae adran 43 i'w chroesawu'n fawr hefyd gan ei bod yn caniatáu i'r cyrff arweiniol hynny mewn consortia rhanbarthol fod yn rhai o'r tu allan i'r ardal weithredol. Mae hynny'n cynnig dull statudol clir i ledaenu'r arferion gorau ledled Cymru. Mae angen cydnabod bod llawer o'r datblygiadau newydd hyn yn dra arloesol ac yn gryfder mawr nid yn unig yn y ddeddfwriaeth hon ond fel patrwm ar gyfer datblygu gwasanaethau cyhoeddus yng Nghymru.

I do not suppose that the Minister will be too surprised by my area of concern, which is the estimate of the number of people who are likely to fall within the ambit of this proposed Measure. There is a rule of halves that applies to the management of virtually all chronic illness. The rule of halves is that half the people with chronic illness are identified; of those identified, half are treated; of those treated half are treated to the best standards.

Nid wyf yn credu y bydd y Gweinidog yn synnu'n fawr o glywed pa faes sy'n peri pryder i mi, sef yr amcangyfrif o nifer y bobl sy'n debygol o ddod o fewn cwmplas y Mesur arfaethedig hwn. Mae rheol haneri sy'n gymwys i'r rheoli ar bron pob salwch cronig. Y rheol haneri yw y bydd hanner y bobl sydd â salwch cronig yn cael eu hadnabod; o'r rheini a gaiff eu hadnabod, caiff eu hanner eu trin; o'r rheini a gaiff eu trin, caiff eu hanner

This applies to mental health, just like any other chronic illness. Indeed, since I have had an opportunity to look at the proposed Measure, I have looked at some of the national evidence for Wales and at some of the international evidence. As a chronic illness, mental health is no more immune to the rule of halves than any other chronic illness. When we realise, as the Wales Audit Office reported, that primary care services, which this proposed Measure is intended to address, are underdeveloped in Wales, it should not surprise us that the rule of halves operates with some significance in relation to this proposed Measure.

If we are to believe the Welsh health survey that, at any one time, 7 per cent of the population—140,000 adults—are suffering from mental illness and 1 per cent of those—20,000 adults—are suffering from serious mental illness, there is a risk that the number of people who might need to be included in the scope of the proposed Measure may be underestimated, leading to a sad outcome, given its great potential. I was reassured by the Minister's assurance to the committee that the proposed Measure will be kept under constant review and that there will be a full three-yearly review once it has been implemented. This reassures me that, should the numbers prove to be greater than initially estimated, there will be a way to identify and redress that.

Jonathan Morgan: I wish to start by thanking the Chair and the members of Legislation Committee No. 3 for the careful and detailed consideration they gave to the proposed Measure and for the opportunity afforded me to give written and oral evidence to the committee. I think that the report is exceptionally detailed and makes some extremely valuable recommendations. I refer in particular to the recommendation that the proposed Measure should extend to children and young people. As the Member in charge of the legislative competence Order, I can say that there was a clear drive when we were seeking the transfer of powers from Westminster to Wales to ensure that we legislated in a way that was age-blind. We all know the problems we have seen with child

eu trin yn ôl y safonau gorau. Mae hyn yn gymwys i iechyd meddwl, yn yr un modd â phob salwch cronig arall. Yn wir, ers imi gael cyfle i edrych ar y Mesur arfaethedig, yr wyf wedi edrych ar rywfaint o'r dystiolaeth genedlaethol ar gyfer Cymru ac ar rywfaint o'r dystiolaeth ryngwladol. Fel salwch cronig, mae iechyd meddwl yr un mor gaeth i reol yr haneri â phob salwch cronig arall. Pan sylweddolwn, fel y cofnododd Swyddfa Archwilio Cymru, fod gwasanaethau gofal sylfaenol, sef yr hyn y mae'n fwriad i'r Mesur arfaethedig hwn ymdrin ag ef, wedi'u tanddatblygu yng Nghymru, ni ddylai beri syndod i ni fod rheol yr haneri'n eithaf arwyddocaol mewn perthynas â'r Mesur arfaethedig hwn.

Os derbyniwn yr hyn a ddywed arolwg iechyd Cymru, sef bod 7 y cant o'r boblogaeth—140,000 o oedolion—yn dioddef gan salwch meddwl ac 1 y cant o'r rheini—20,000 o oedolion—yn dioddef gan salwch meddwl difrifol ar unrhyw adeg, mae perygl y gallai'r amcangyfrif o nifer y bobl y gallai fod angen eu cynnwys yng nghwmpas y Mesur arfaethedig fod yn rhy isel, fel y ceid canlyniad trist, o ystyried y potensial mawr sydd ynddo. Yr oedd y sicrwydd a roddodd y Gweinidog i'r pwyllgor y bydd y Mesur arfaethedig yn cael ei ddal dan sylw'n gyson ac y bydd adolygiad llawn bob tair blynedd ar ôl ei weithredu'n gysur i mi. Mae hyn yn rhoi sicrwydd i mi, os gwelir bod y niferoedd yn fwy na'r amcangyfrif gwreiddiol, y bydd modd canfod hynny a gwneud iawn amdano.

Jonathan Morgan: Dymunaf ddechrau drwy ddiolch i Gadeirydd ac aelodau Pwyllgor Deddfwriaeth Rhif 3 am eu hystyriaeth fanwl a gofalus i'r Mesur arfaethedig ac am y cyfle a roddwyd imi gyflwyno tystiolaeth ysgrifenedig a llafar i'r pwyllgor. Credaf fod yr adroddiad yn eithriadol o fanwl a'i fod yn gwneud rhai argymhellion gwerthfawr dros ben. Cyfeiriaf yn benodol at yr argymhelliad y dylai plant a phobl ifanc ddod o fewn cwmpas y Mesur arfaethedig. Fel yr Aelod a oedd yn gyfrifol am y Gorchymyn cymhwysedd deddfwriaethol, gallaf ddweud bod ymgais glir pan oeddem yn gofyn am drosglwyddo pwerau o San Steffan i Gymru i sicrhau ein bod yn deddfu mewn modd a oedd yn ddall i oedran. Yr ydym i gyd yn gwybod am y problemau yr ydym wedi'u

and adolescent mental health services. I do not need to rehearse those now, but it would be a travesty if we were to see some vast improvement in the provision of services for adults with mental ill health without doing something for children and young people. In light of the huge wealth of evidence that we have seen in the past 15 to 20 years and the huge rise in the number of adolescents in particular with mental ill health, we need to ensure that we are doing what we can at an earlier stage to provide a better service to that category of patient.

I heard what the committee Chair said about timescales. He will recall the evidence I gave to the committee and the evidence of Hafal. As a Tory, my natural inclination is to say that targets are bad and that timescales can get in the way of clinical judgment. If we are happy to see targets in the annual operating framework to fix the body, I do not see why we cannot also have targets to fix the mind. Hafal was very clear in its evidence to the committee that there could be a maximum 30-day timescale for the point at which a GP makes a referral for an assessment and the making of that assessment; and also a possible 60-day maximum period between qualifying as a patient in Part 2 of the proposed Measure and the completion of a care plan. Giving people some certainty as to how quickly they can expect the system to work is something that we should strive for. In an ideal world we would not have to set targets for treatment and planning because all of this would happen efficiently. The difficulty is that we know that it never does happen efficiently. It does not happen with physical health, and we know that some of the delays in mental health can be a lot worse. I therefore ask the Minister to take a good look at this. I know that the view of the committee is that specific timescales should not be imposed, but I do think that the Government should look at this to see how a framework would work efficiently in the absence of timescales being placed either in the proposed Measure or in regulation.

In terms of advocacy, I was rather exercised by this particular point, because when the

gweld mewn cysylltiad â gwasanaethau iechyd meddwl plant a'r glasoed. Nid oes angen imi ailadrodd y rheini'n awr, ond byddai'n wrthun pe byddem yn gweld gwelliant mawr yn y ddarpariaeth o wasanaethau i oedolion sydd ag afiechyd meddwl heb wneud rhywbeth dros blant a phobl ifanc. Yn wyneb y dystiolaeth helaeth yr ydym wedi'i gweld yn y 15 i 20 mlynedd diwethaf a'r cynnydd anferth yn nifer y glasoed sydd ag afiechyd meddwl yn benodol, mae angen inni sicrhau ein bod yn gwneud yr hyn a allwn yn gynharach i ddarparu gwasanaeth gwell i'r categori cleifion hwnnw.

Clywais yr hyn a ddywedodd Cadeirydd y pwyllgor am amserlenni. Bydd yn cofio am y dystiolaeth a roddais i'r pwyllgor ac am y dystiolaeth gan Hafal. Fel Tori, y duedd naturiol i mi yw dweud bod targedau'n ddrwg a bod amserlenni'n gallu bod yn rhwystr i farn glinigol. Os ydym yn fodlon gweld targedau yn y fframwaith gweithredu blynyddol i wella'r corff, ni welaf pam na allwn hefyd gael targedau i wella'r meddwl. Yr oedd Hafal yn glir iawn yn ei dystiolaeth i'r pwyllgor y gellid cael amserlen o 30 niwrnod ar y mwyaf ar gyfer y pwynt lle y bydd meddyg teulu'n atgyfeirio ar gyfer asesiad a chynnal yr asesiad hwnnw; a hefyd gyfnod hwyaf posibl o 60 niwrnod rhwng dod yn gymwys fel claf yn Rhan 2 o'r Mesur arfaethedig a chwblhau cynllun gofal. Mae'r nod o roi rhywfaint o sicrwydd i bobl ynghylch pa mor gyflym y gallant ddisgwyl i'r system weithio'n rhywbeth y dylem anelu ato. Mewn byd delfrydol ni fyddai'n rhaid inni osod targedau ar gyfer trin a chynllunio gan y byddai hyn i gyd yn digwydd yn effeithlon. Y drafferth yw y gwyddom na wnaiff byth ddigwydd yn effeithlon. Nid yw'n digwydd ym maes iechyd corfforol, a gwyddom y gall yr oedi fod yn waeth o lawer weithiau ym maes iechyd meddwl. Felly gofynnaf i'r Gweinidog edrych yn fanwl ar hyn. Gwn mai barn y pwyllgor yw na ddylid gosod amserlenni penodol, ond credaf y dylai'r Llywodraeth edrych ar hyn i weld sut y byddai fframwaith yn gweithio'n effeithlon yn niffyg amserlenni a gâi eu gosod un ai yn y Mesur arfaethedig neu mewn rheoliadau.

O ran eiriolaeth, yr oedd y pwynt hwn yn golygu cryn waith meddwl i mi, oherwydd

legislative competence Order was drafted, I think that, again, there was a feeling that independent advocacy could be there at various stages. The Government's proposed Measure is geared very much towards secondary care; it is geared towards those people who are in hospital but not compulsorily detained in hospital. It does not address the level of service that would be on offer to those people who are accessing primary care, those people who have been in hospital but then discharged but not under a community treatment order, and those people accessing services at a community level. I think that we need to look at that. I know that that could be rather costly, but I think that there could be a range of examples of where advocacy may be required for those people who are not under compulsory treatment and are not under the help of a hospital.

In relation to section 6 of the proposed Measure, for example, I am rather concerned to try to discover how a patient could challenge the action following a primary care mental health assessment under section 10 if they have no-one there to stand up for them. I think that there is a range of areas of accessing services within the proposed Measure, as currently drafted, where access to independent mental health advocacy could be extremely valuable to patients. I do not think that we can just confine this to those who are in hospital or have been discharged from hospital. It needs to extend to those who may be accessing services at primary care and community care level.

It is also about the way in which we define an advocate. We need a system that inspires confidence among those people who need the advocate. I agree with the Minister: it cannot be the clinician, as that would be wrong. However, there may be examples where the advocate can be a very well-informed family member. I do not think that we should exclude that. We need to look at that in the round and make decisions about who would make the best advocates.

This legislation is extremely important and I congratulate the Minister and the committee

pan ddrafftiwyd y Gorchymyn cymhwysedd deddfwriaethol, yr wyf yn credu, unwaith eto, fod ymdeimlad y gallai eiriolaeth annibynnol fod ar gael mewn gwahanol gyfnodau. Mae Mesur arfaethedig y Llywodraeth wedi'i gymhwyso i raddau helaeth iawn at ofal eilaidd; mae wedi'i gymhwyso at y bobl hynny sydd yn yr ysbyty ond heb eu cadw yn yr ysbyty drwy orfodaeth. Nid yw'n ymdrin â lefel y gwasanaeth a fyddai ar gael i'r bobl hynny sy'n cael gofal sylfaenol, y bobl hynny sydd wedi bod yn yr ysbyty ond wedi'u rhyddhau wedyn ond nid dan orchymyn triniaeth gymunedol, a'r bobl hynny sy'n cael gwasanaethau ar lefel gymunedol. Credaf fod angen inni edrych ar hynny. Gwn y gallai hynny fod braidd yn gostus, ond yr wyf yn credu y gellid cael amryw o achosion lle y gallai fod angen eiriolaeth ar gyfer y bobl hynny nad ydynt yn cael triniaeth orfodol ac nad ydynt yn cael cymorth gan ysbyty.

Mewn cysylltiad ag adran 6 o'r Mesur arfaethedig, er enghraifft, yr wyf yn eithaf awyddus i geisio darganfod sut y gallai claf herio'r camau gweithredu ar ôl gwneud asesiad iechyd meddwl gofal sylfaenol dan adran 10 os nad oes ganddo neb i fod yn gefn iddo. Credaf fod amryw o agweddau ar gael mynediad at wasanaethau o fewn y Mesur arfaethedig, fel y mae wedi'i ddrafftio ar hyn o bryd, lle y gallai mynediad at eiriolaeth iechyd meddwl annibynnol fod yn werthfawr iawn i gleifion. Ni chredaf y gallwn gyfyngu hyn i'r rheini sydd yn yr ysbyty neu wedi'u rhyddhau o'r ysbyty. Mae angen iddo gynnwys y rheini a allai gael mynediad at wasanaethau ar lefel gofal sylfaenol a gofal cymunedol.

Mae hefyd yn ymwneud â'r modd yr ydym yn diffinio eiriolwr. Mae arnom angen system sy'n ennyn hyder yn y bobl hynny y mae arnynt angen eiriolwr. Yr wyf yn cytuno â'r Gweinidog: ni all y clinigydd wneud hyn, gan y byddai hynny'n anghywir. Er hynny, efallai y bydd achosion lle y gall yr eiriolwr fod yn aelod o'r teulu sydd â gwybodaeth ddigonol. Nid wyf yn credu y dylem ddiystyru hynny. Mae angen inni edrych ar bob agwedd ar hynny a phenderfynu pwy fyddai'r eiriolwyr gorau.

Mae'r ddeddfwriaeth hon yn bwysig iawn a llongyfarchaf y Gweinidog a'r pwyllgor ar eu

for all of the work. This legislation marks a very important stage along a very long road to reform. Ultimately, we want to see, in this country, not just a world-class service for those people who suffer from mental ill health, we want to see a society that is comfortable in tackling stigma and in explaining to people that, on occasion, the mind might fail and that there is nothing wrong with that—in the same way that the body might fail. We need to explain these things to the next generation, to explain that mental ill health is not unusual, and to tackle this stigma in a very productive and open way. I hope that this proposed Measure today is the start of that very long process.

Helen Mary Jones: Much of what I had intended to say has already been raised by others. This debate and the way in which this whole matter has been taken forward demonstrate the Assembly at its best, with a legislative competence Order coming from a Member, being supported by the Government and then the Government taking proposed Measures forward in what has been a very inclusive manner, and there has been a real debate in this Chamber about the issues. I know that some of our colleagues and the press sometimes find these debates of ours a little tedious, but in my opinion, this is what devolution is for. It is not about drama; it is about making a difference to the people of Wales. I firmly believe that our main duty is to make a difference for the most vulnerable.

6.00 p.m.

I wish to add my voice, very briefly, to those voices that have already been raised with regard to the inclusion of children and young people in this proposed Measure. It is important for us to remember the background. Children's mental health services have been a stated priority for Assembly Governments for the last 10 years. Resources have been put in, but we all know that delivery has been poor, and it has been a matter of shame and distress to us all that our children's commissioner has had repeatedly to draw attention over the years to these failures in services. We must acknowledge that there has been some good progress over

holl waith. Mae'r ddeddfwriaeth hon yn gam pwysig iawn ymlaen ar hyd y ffordd hir iawn at ddiwygio. Yn y pen draw, yr ydym am weld, yn y wlad hon, nid yn unig wasanaeth o'r radd flaenaf i'r bobl hynny sy'n dioddef gan afiechyd meddwl, yr ydym am weld cymdeithas sy'n gyfforddus wrth ddelio â stigma ac wrth egluro i bobl y gallai'r meddwl fethu weithiau ac nad oes dim o'i le ar hynny—yn yr un modd ag y gallai'r corff fethu. Mae angen inni egluro'r pethau hyn i'r genhedlaeth nesaf, egluro nad yw afiechyd meddwl yn anarferol, a delio â'r stigma hwn mewn modd agored a chynhyrchiol iawn. Gobeithiaf fod y Mesur arfaethedig hwn heddiw'n gychwyn ar y broses hirfaith honno.

Helen Mary Jones: Mae llawer o'r hyn yr oeddwn wedi bwriadu ei ddweud wedi'i godi eisoes gan eraill. Mae'r ddadl hon a'r modd y mae'r holl fater hwn wedi'i hyrwyddo'n dangos y Cynulliad ar ei orau, a Gorchymyn cymhwysedd deddfwriaethol wedi'i gyflwyno gan Aelod, wedi'i gefnogi gan y Llywodraeth a'r Llywodraeth wedyn yn hyrwyddo Mesurau arfaethedig mewn modd a fu'n gynhwysol iawn, a chafwyd dadl go iawn yn y Siambr hon am y materion. Gwn fod rhai o'n cyd-Aelodau a'r wasg yn cael bod ein dadleuon braidd yn ddiflas weithiau, ond yn fy marn i, dyma bwrpas datganoli. Nid yw'n golygu drama; mae'n golygu gwneud gwahaniaeth er mwyn pobl Cymru. Credaf yn bendant mai ein prif ddyletswydd yw gwneud gwahaniaeth er mwyn y rhai sy'n fwyaf agored i niwed.

Dymunaf ategu'n fyr iawn eiriau'r rhai sydd eisoes wedi datgan eu barn ynghylch cynnwys plant a phobl ifanc yn y Mesur arfaethedig hwn. Mae'n bwysig inni gofio'r cyd-destun. Mae gwasanaethau iechyd meddwl plant wedi'u datgan yn flaenoriaeth gan Lywodraethau'r Cynulliad dros y 10 mlynedd diwethaf. Mae adnoddau wedi'u neilltuo, ond yr ydym i gyd yn gwybod i'r cyflenwi arnynt fod yn wael, ac mae wedi bod yn destun gofid a chywilydd i bob un ohonom fod ein comisiynydd plant wedi gorfod tynnu sylw droeon dros y blynyddoedd at y methiannau hyn mewn gwasanaethau. Rhaid inni gydnabod bod

the last couple of years, but it has been put to me, in my capacity as Chair of the Children and Young People Committee, that if children and young people are not included in the scope of this proposed Measure, there is a risk that that progress might be reversed. The health boards might then concentrate on patients with rights under this proposed Measure, and might take their eye off the ball—perhaps unintentionally—regarding services for children and young people. As others have said, the evidence that we received in this regard was overwhelming, and I know that the Minister is aware of that.

Others have touched on the issues of transition; it has been identified repeatedly as a real problem. If you do not have rights until the age of 18, and then you suddenly get them, I submit that that would exacerbate the existing problems around transition. The Assembly has just begun the process of considering an innovative proposed Measure on children's rights. I look forward to that being a pervasive proposed Measure that, I am sure, the whole Assembly will support. Surely it cannot be right that, while we are looking to legislate for children's rights, we miss the opportunity to provide this important right to this vulnerable group of children and young people.

I have to say that the only voices that we heard against the inclusion of young people were those pointing out that the current, traditional structures of services would make implementing these rights for children and young people difficult. As far as I am concerned, the whole point of this proposed Measure is to drive transformation in those services, and to ensure that all mental health patients have a right to access those services. I would therefore, as others have already done, urge the Minister to bring forward amendments to include children and young people in all aspects of this proposed Measure.

I realise—as, I am sure, does everyone who has made this point today—that this is not technically straightforward. However, I would say that we have dealing with this matter a Minister who does not usually allow

rhywfaint o gynnydd da wedi bod dros y ddwy flynedd diwethaf, ond awgrymwyd i mi, yn rhinwedd fy swydd fel Cadeirydd y Pwyllgor Plant a Phobl Ifanc, os na chaiff plant a phobl ifanc eu cynnwys o fewn cwmpas y Mesur arfaethedig hwn, fod perygl y gallai'r cynnydd hwnnw gael ei droi'n ôl. Gallai'r byrddau iechyd ganolbwyntio wedyn ar gleifion sydd â hawliau dan y Mesur arfaethedig hwn, a gallent golli golwg—yn anfwriadol efallai—ar wasanaethau i blant a phobl ifanc. Fel y mae eraill wedi dweud, yr oedd y dystiolaeth a gawsom mewn cysylltiad â hyn yn ysgubol, a gwn fod y Gweinidog yn ymwybodol o hynny.

Mae eraill wedi cyfeirio at faterion sy'n ymwneud â phontio; nodwyd droeon ei bod yn broblem sylweddol. Os na chewch hawliau nes ichi ddod yn 18 oed, a chithau'n eu cael yn syth wedyn, yr wyf yn awgrymu y byddai hynny'n dwysáu'r problemau a geir ar hyn o bryd mewn cysylltiad â phontio. Mae'r Cynulliad newydd ddechrau'r broses o ystyried Mesur arfaethedig arloesol ynghylch hawliau plant. Edrychaf ymlaen at ei weld yn Fesur arfaethedig eang y bydd y Cynulliad cyfan yn ei gefnogi, yr wyf yn siŵr. Mae'n sicr na all fod yn iawn ein bod, wrth geisio deddfu o blaid hawliau plant, yn colli'r cyfle i roi'r hawl bwysig hon i'r grŵp hwn o blant a phobl ifanc sy'n agored i niwed.

Rhaid imi ddweud mai'r unig leisiau yr ydym wedi'u clywed sydd yn erbyn cynnwys pobl ifanc oedd y rheini a dynnodd sylw at y ffaith y byddai fframweithiau traddodiadol, presennol y gwasanaethau'n ei gwneud yn anodd gweithredu'r hawliau hyn i blant a phobl ifanc. Yn fy marn i, unig bwrpas y Mesur arfaethedig hwn yw hyrwyddo gweddnewid yn y gwasanaethau hynny, a sicrhau bod hawl gan bob claf iechyd meddwl i gael mynediad at y gwasanaethau hynny. Felly byddwn yn annog y Gweinidog, fel y mae eraill wedi gwneud eisoes, i gyflwyno gwelliannau er mwyn cynnwys plant a phobl ifanc ym mhob agwedd ar y Mesur arfaethedig hwn.

Yr wyf yn sylweddoli—fel y mae pawb sydd wedi gwneud y pwynt hwn heddiw, yr wyf yn siŵr—nad mater technegol syml yw hwn. Er hynny, dywedwn fod gennym Weinidog sy'n delio â'r mater hwn nad yw fel arfer yn

technical difficulties to get in the way of doing the right thing. I am confident that that will not be the case—she will not allow technical difficulties to get in the way.

Children and young people who suffer from mental health problems are, as others have said, among the most vulnerable in our communities. If this Assembly is for anything, it is to protect and support the most vulnerable. Those children and young people need and deserve the protection that this legislation could provide. I am sure that we will not neglect to provide them with that protection.

Peter Black: I will start by reinforcing the message from Helen Mary Jones about the need for this proposed Measure to be age-blind. The committee was unanimous on this issue, and the evidence that we received was overwhelming: you cannot maintain an artificial barrier between children's mental health services and adult mental health services when you have so many problems with transition between the ages of 16 and 18, as have been highlighted time and again in the reports of the children's commissioner. The aspects of this proposed Measure that relate to care plans and advocacy need to apply to those under the age of 18 as much as to those over the age of 18. I am grateful that the Minister has said that she will look on this favourably. I hope that by the time that this proposed Measure comes back to the committee for Stage 2, it will have been substantially changed to reflect that committee recommendation and the various undertakings that have been given.

Another important aspect of this proposed Measure, and one that I set great store by, is how it will work in the community. The strengthening of primary health care in particular and the provision that Brian Gibbons referred to is crucial if this is to work. I believe that the way forward for mental health provision—and in tackling the stigma that has been referred to—is in embracing this recovery model whereby people with mental health issues are able to work through them in the community, leading a normal working life in the same as

gadael i anawsterau technegol fod yn rhwystr rhag gwneud y peth iawn. Yr wyf yn ffyddiog nad felly y bydd—ni fydd yn gadael i anawsterau technegol fod yn rhwystr.

Fel y mae eraill wedi dweud, mae plant a phobl ifanc sy'n dioddef gan broblemau iechyd meddwl ymysg y rhai sy'n fwyaf agored i niwed yn ein cymunedau. Os oes diben i'r Cynulliad hwn, amddiffyn a chynorthwyo'r rhai sy'n fwyaf agored i niwed yw hynny. Mae ar y plant a'r bobl ifanc hynny angen yr amddiffyniad y gallai'r ddeddfwriaeth hon ei gynnig, ac maent yn haeddu hynny. Yr wyf yn siŵr na fethwn â rhoi'r amddiffyniad hwnnw iddynt.

Peter Black: Dechreuaf drwy ategu'r neges gan Helen Mary Jones am yr angen i'r Mesur arfaethedig hwn fod yn ddall i oedran. Yr oedd y pwyllgor yn unfryd ar y mater hwn, ac yr oedd y dystiolaeth a gawsom yn ysgubol: ni allwch gadw rhwystr ffug rhwng gwasanaethau iechyd meddwl plant a gwasanaethau iechyd meddwl oedolion pan fo cynifer o broblemau ynghylch pontio rhwng 16 oed a 18 oed, a ddangoswyd droeon yn adroddiadau'r comisiynydd plant. Mae angen i'r agweddau ar y Mesur arfaethedig hwn sy'n ymwneud â chynlluniau gofal ac eiriolaeth fod yn gymwys i'r rheini sydd dan 18 oed i'r un graddau ag i'r rheini sydd dros 18 oed. Yr wyf yn ddiolchgar bod y Gweinidog wedi dweud y bydd yn edrych yn ffafriol ar hyn. Yr wyf yn gobeithio y bydd y Mesur arfaethedig hwn wedi'i newid yn sylweddol, erbyn iddo ddod yn ôl i'r pwyllgor ar gyfer Cam 2, i adlewyrchu'r argymhelliad hwnnw gan y pwyllgor a'r gwahanol ymrwymadau sydd wedi'u gwneud.

Un agwedd bwysig arall ar y Mesur arfaethedig hwn, ac un y rhoddaf bwys mawr arno, yw sut y bydd yn gweithio yn y gymuned. Mae'n hollbwysig cryfhau gofal iechyd sylfaenol yn benodol a'r ddarpariaeth y cyfeiriodd Brian Gibbons ati er mwyn i hyn lwyddo. Credaf mai'r ffordd ymlaen i'r ddarpariaeth ar gyfer iechyd meddwl—ac i ddelio â'r stigma y cyfeiriwyd ato—yw derbyn y model adferol hwn fel bod pobl sydd â phroblemau iechyd meddwl yn gallu eu datrys yn y gymuned, gyda bywyd gwaith arferol fel pawb arall, ac yn gallu byw yn y

anyone else, and being able to live in the community in the same way as you or I or any other member of that community. That is why it is crucial that, when someone comes to a doctor's surgery, they are not automatically referred to a hospital, but that the doctor has the capacity, within that primary care centre, to handle the issue and to help that person.

It is crucial that we get housing right so that people can live in houses where they can access and receive appropriate support and manage their own affairs as part of that process. It is also crucial that the person who is diagnosed as having a mental health issue is able to live in the community without fear, and without having the services that they require being taken away from them. That is why the care plan contained in this is vital, and why the need for advocacy to help them to get those services is crucial as part of that.

A number of concerns were raised by the committee, and having listened to the Chair of the Finance Committee earlier, I know there was much praise for the Minister for having a far more robust financial appraisal of what this proposed Measure will cost than had accompanied other proposed Measures that have come before the Finance Committee. Having said that, there was evidence to the committee that did raise questions about whether the money allocated to this proposed Measure is sufficient to meet the demands that it will create, particularly if the proposed Measure is extended to become age-blind. There will clearly be a need to revisit the amount of money available for local government and health authorities to deliver on that issue.

Building capacity is key to delivering on this. There is no point agreeing a proposed Measure that creates a whole new range of rights for people who have been diagnosed with a particular mental health illness if you do not build the capacity to deliver on those expectations. That is why it is not just about finance, but also about working with local health boards at a community level to ensure that they put the relevant services in place.

gymuned fel y byddem ni neu unrhyw aelod arall o'r gymuned honno. Dyna pam y mae'n hollbwysig, pan ddaw rhywun i feddygfa, na chaiff ei atgyfeirio'n awtomatig i ysbyty, ond bod digon o gapasiti gan y meddyg, o fewn y ganolfan gofal sylfaenol honno, i ymdrin â'r mater a helpu'r person hwnnw.

Mae'n hollbwysig inni ddelio â materion tai'n iawn fel y gall pobl fyw mewn tai lle y gallant gael mynediad at gymorth priodol a'i dderbyn, a chadw trefn ar eu materion eu hunain fel rhan o'r broses honno. Mae hefyd yn hollbwysig bod y person y canfuwyd bod problem iechyd meddwl ganddo'n gallu byw'n ddi-ofn yn y gymuned, a heb ei amddifadu o'r gwasanaethau y mae arno'u hangen. Dyna pam y mae'r cynllun gofal sydd wedi'i gynnwys yma'n hanfodol, yn ogystal ag eiriolaeth i'w helpu i gael y gwasanaethau hynny.

Mynegwyd nifer o bryderon gan y pwyllgor, ac wedi gwranddo ar Gadeirydd y Pwyllgor Cyllid yn gynharach, gwn fod llawer o ganmol ar y Gweinidog am fod wedi cynnal arfarniad ariannol llawer mwy trwyadl o'r hyn y bydd y Mesur arfaethedig hwn yn ei gostio nag a oedd wedi'i roi gyda Mesurau arfaethedig eraill sydd wedi dod gerbron y Pwyllgor Cyllid. Wedi dweud hynny, rhoddwyd tystiolaeth i'r pwyllgor a oedd yn codi amheuan ynghylch a yw'r arian a ddyrannwyd at y Mesur arfaethedig hwn yn ddigon i ateb y galwadau y bydd yn eu creu, yn enwedig os caiff cwmpas y Mesur arfaethedig ei ehangu fel ei fod yn ddall i oedran. Mae'n amlwg y bydd angen ailystyried y swm o arian sydd ar gael i lywodraeth leol ac i awdurdodau iechyd i gyflawni hynny.

Mae meithrin gallu'n allweddol er mwyn cyflawni hyn. Nid oes diben mewn cytuno ar Fesur arfaethedig sy'n creu pob math o hawliau newydd i bobl y canfuwyd bod salwch iechyd meddwl penodol arnynt os na fyddwch yn meithrin y gallu i gyflawni'r disgwyliadau hynny. Dyma pam ei bod yn ymwneud â mwy na chyllid yn unig, ond hefyd â chydweithio â byrddau iechyd lleol ar lefel gymunedol i sicrhau eu bod yn darparu'r gwasanaethau perthnasol.

My final point is on the issue of GP registration, because I do not think that it has been mentioned. The current situation, as the proposed Measure sets out, is that those who are entitled to a care plan need to be registered with a GP. The point was made on a number of occasions in the committee that that is in danger of excluding some of the most excluded individuals in our society, particularly those who are homeless, destitute, living on the streets, and so on. It is therefore important that we correct that anomaly so that access to these services and care plans is not just through being registered with a GP, but for there to be other routes to access that. The Minister has recognised that and will take it on board; I hope that she addresses that as part of her response to this debate.

The Minister for Health and Social Services (Edwina Hart): I am pleased that this afternoon's debate has followed the positive tone of our previous discussions on the proposed Measure, that its principles continue to receive support from across the Chamber, and that the reports of the committees are largely favourable. I will now turn to the recommendations and it is my intention to set out the Government's response to each of the recommendations made by the three committees, so that they are on public record today.

I turn first to the recommendations of Legislation Committee No. 3 and the Constitutional Affairs Committee. I indicated in my opening remarks that I have been interested and receptive to the evidence submitted by witnesses in relation to the proposed Measure and also the evidence of children and young people. I therefore welcome recommendations 1, 2 and 3 of the legislation committee, which ask the Government to look at ways of extending the remit of the proposed Measure, so that Parts 1, 2 and 3 apply to those under the age of 18 as well as to adults. Having heard the weight of the evidence to support this position, and the views of the committee, I can confirm that the Government accepts these recommendations as they relate to Part 1 and

Mae'r pwynt olaf sydd gennyf yn ymwneud â'r mater o gofrestru gyda meddyg teulu, gan nad wyf yn credu bod hynny wedi'i grybwyll. Y sefyllfa bresennol, fel y mae'r Mesur arfaethedig yn nodi, yw bod angen i'r rheini sydd â hawl i gael cynllun gofal fod wedi'u cofrestru gyda meddyg teulu. Nodwyd ar nifer o achlysuron yn y pwyllgor fod perygl i hyn allgáu rhai o'r unigolion yn ein cymdeithas sydd wedi'u hallgáu i'r graddau mwyaf, yn enwedig y rheini sy'n ddiartref, yn ddiymgeledd, yn byw ar y strydoedd, ac yn y blaen. Mae'n bwysig felly inni unioni'r anghysondeb hwnnw fel y ceir mynediad at y gwasanaethau hyn a chynlluniau gofal heblaw drwy gofrestru gyda meddyg teulu, a bod ffyrdd eraill i gael mynediad at hynny. Mae'r Gweinidog wedi cydnabod hynny a bydd yn ei ystyried; yr wyf yn gobeithio y bydd yn ymdrin â hynny fel rhan o'i hymateb i'r ddadl hon.

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Edwina Hart): Yr wyf yn falch bod y ddadl y prynhawn yma wedi parhau â naws gadarnhaol ein trafodaethau blaenorol am y Mesur arfaethedig, bod cefnogaeth o hyd i'w egwyddorion ym mhob rhan o'r Siambr, a bod adroddiadau'r pwyllgorau'n ffafriol at ei gilydd. Trof yn awr at yr argymhellion ac yr wyf yn bwriadu nodi ymateb y Llywodraeth i bob un o'r argymhellion a wnaethpwyd gan y tri phwyllgor, fel y byddant wedi'u cofnodi'n gyhoeddus heddiw.

Trof yn gyntaf at argymhellion Pwyllgor Deddfwriaeth Rhif 3 a'r Pwyllgor Materion Cyfansoddiadol. Nodais yn fy sylwadau agoriadol fy mod wedi ymddiddori yn y dystiolaeth a gyflwynwyd gan dystion mewn cysylltiad â'r Mesur arfaethedig, ac wedi bod yn barod i ymateb iddi, yn ogystal â thystiolaeth plant a phobl ifanc. Felly yr wyf yn croesawu argymhellion 1, 2 a 3 gan y pwyllgor deddfwriaeth, sy'n gofyn i'r Llywodraeth ystyried ffyrdd i ehangu cwmpas y Mesur arfaethedig, fel y bydd Rhannau 1, 2 a 3 yn gymwys i'r rheini sydd dan 18 oed yn ogystal ag oedolion. Wedi clywed y dystiolaeth gryf o blaid y safbwynt hwn, a barn y pwyllgor, gallaf gadarnhau bod y Llywodraeth yn derbyn yr argymhellion hyn fel y maent yn ymwneud â Rhan 1 a 2 o'r

2 of the proposed Measure. That means that the primary care mental health services proposed under Part 1, and the appointment of care co-ordinators and the creation of care and treatment plans under Part 2 of the proposed Measure will apply to children and young people, as well as to adults. I have asked my officials to work with the drafting counsel to make the necessary changes to the proposed Measure, with a view to introducing these as Government amendments at Stage 2.

I have also given careful consideration to these recommendations as they relate to Part 3 of the proposed Measure, which deals with access to reassessment for patients previously discharged from secondary mental health services. I am not convinced that the scheme that we are proposing for those in adult services would necessarily be appropriate for those in child and adolescent mental health services. To paraphrase the evidence submitted by Barnardo's, research has shown that positive mental health in children is heavily influenced, and to an extent created, within the context of caring relationships with thoughtful and responsible adults.

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Therefore, while the opportunity for the future availability of support may be therapeutic or useful for the child, it may not be possible to deliver that in practice, which in itself could be anti-therapeutic. Delivery may not be secure, because there is no guarantee that the same practitioner will be available to take on the patient's case, and indeed there would be no guarantee that services would be required following assessment.

Secondly, unlike adult mental health services, specialist CAMHS cannot be accessed by clients directly. Therefore, to introduce a self-referral system of this kind would significantly change the operational approach of the services, which may be disproportionate to any gain for individuals. Therefore, while I accept recommendations 1, 2 and 3 as they relate to Parts 1 and 2 of

Mesur arfaethedig. Mae hynny'n golygu y bydd y gwasanaethau iechyd meddwl gofal sylfaenol sydd wedi'u cynnig dan Ran 1, a phenodi cydgysylltwyr gofal a chreu cynlluniau gofal a thriniaeth dan Ran 2 o'r Mesur arfaethedig yn gymwys i blant a phobl ifanc, yn ogystal ag oedolion. Yr wyf wedi gofyn i'm swyddogion gydweithio â'r cwnsler sy'n ei ddrafftio i wneud y newidiadau angenrheidiol yn y Mesur arfaethedig, gyda'r bwriad o gyflwyno'r rhain fel gwelliannau gan y Llywodraeth yng Ngham 2.

Yr wyf hefyd wedi ystyried yr argymhellion hyn yn ofalus yng nghyd-destun Rhan 3 o'r Mesur arfaethedig, sy'n ymwneud â mynediad at ailasesu ar gyfer cleifion a ryddhawyd cyn hynny o wasanaethau iechyd meddwl eilaidd. Nid wyf wedi fy argyhoeddi y byddai'r cynllun yr ydym yn ei gynnig ar gyfer y rheini mewn gwasanaethau oedolion yn briodol o reidrwydd i'r rheini mewn gwasanaethau iechyd meddwl plant a'r glasoed. Gan aralleirio'r dystiolaeth a gyflwynwyd gan Barnardo's, mae ymchwil wedi dangos bod iechyd meddwl cadarnhaol mewn plant yn agored iawn i ddylanwad, ac yn cael ei greu i ryw raddau, yng nghyd-destun perthnasoedd gofalgarg ag oedolion ystyriol a chyfrifol.

Felly, er y gallai'r cyfle i gael cymorth yn y dyfodol fod yn therapiwtig neu'n fuddiol i'r plentyn, efallai na fydd modd ei ddarparu'n ymarferol, a gallai hynny fod yn wrth-therapiwtig ynddo'i hun. Efallai na fydd modd ei ddarparu'n ddiogel, gan nad oes sicrwydd y bydd yr un ymarferydd ar gael i ymgymryd ag achos y plentyn ac, yn wir, ni fyddai sicrwydd y byddai angen gwasanaethau ar ôl asesu.

Yn ail, yn wahanol i wasanaethau iechyd meddwl oedolion, ni all cleientiaid gael mynediad uniongyrchol at wasanaethau iechyd meddwl plant a'r glasoed arbenigol. Felly, byddai cyflwyno system hunanatgyfeirio o'r math hwn yn newid dull gweithredu'r gwasanaethau'n sylweddol, a gallai hynny fod yn anghymesur ag unrhyw fudd i unigolion. Felly, er fy mod yn derbyn

the proposed Measure, for the reasons that I have just given, I will not be accepting the recommendations as they relate to Part 3 of the proposed Measure at this time. However, Members will be aware that I have set out in the explanatory memorandum my intentions regarding a review of the legislation three years from commencement. I believe that it is appropriate that such a review considers the possibility of expanding Part 3 of the proposed Measure to include under 18s at that time.

Moving on to recommendation 4, the Government accepts that perhaps the proposed Measure and the explanatory memorandum may not be as clear as they might have been in relation to those in prisons, and I intend to address that point at Stage 2.

Recommendation 5 asks that we include more detail on the national service model in the explanatory memorandum, and I am happy to accept this recommendation. My officials have begun some of the early development work in that regard, and I am content to incorporate those details into the revised version of the explanatory memorandum. I am also happy to accept recommendation 6, which seeks assurance that the criteria to determine eligibility for mental health services will be made explicit in the guidance that will be issued to support the proposed Measure. It is important that we set clear directives for the services as early as possible in order to avoid variation and ambiguity, and I will ensure that my officials include explicit guidance on this matter.

Recommendation 7 asks that we amend section 2(4) of the proposed Measure to ensure that services are provided for those who are not registered with a GP. Again, the Government accepts this. The proposed Measure, when it was brought forward, did contain provisions to enable local mental health partners to make separate arrangements, but I appreciate the concerns of the committee and those expressed by Peter Black today that these provisions

argymhellion 1, 2 a 3 yng nghyd-destun Rhannau 1 a 2 o'r Mesur arfaethedig, am y rhesymau yr wyf newydd eu rhoi, ni fyddaf yn derbyn yr argymhellion yng nghyd-destun Rhan 3 o'r Mesur arfaethedig ar hyn o bryd. Er hynny, bydd Aelodau'n ymwybodol fy mod wedi egluro fy mwriadau yn y memorandwm esboniadol o ran adolygu'r ddeddfwriaeth dair blynedd ar ôl ei chychwyn. Credaf ei bod yn briodol i adolygiad o'r fath ystyried y posibilrwydd o ehangu cwmpas Rhan 3 o'r Mesur arfaethedig i gynnwys rhai dan 18 oed bryd hynny.

Gan symud ymlaen at argymhelliad 4, mae'r Llywodraeth yn derbyn nad yw'r Mesur arfaethedig a'r memorandwm esboniadol mor glir ag y gallasent fod, o bosibl, mewn cysylltiad â'r rheini sydd mewn carchardai, a bwriadaf ymateb i'r pwynt hwnnw yng Ngham 2.

Mae argymhelliad 5 yn gofyn inni gynnwys mwy o fanylion am y model gwasanaeth cenedlaethol yn y memorandwm esboniadol, ac yr wyf yn fodlon derbyn yr argymhelliad hwn. Mae fy swyddogion wedi cychwyn ar rywfaint o'r gwaith datblygu cynnar yn hynny o beth, ac yr wyf yn fodlon cynnwys y manylion hynny yn fersiwn ddiwygiedig y memorandwm esboniadol. Yr wyf hefyd yn fodlon derbyn argymhelliad 6, sy'n gofyn am sicrwydd y bydd y meini prawf i bennu cymhwysedd i gael gwasanaethau iechyd meddwl yn cael eu hegluro yn y canllawiau a gyhoeddir i ategu'r Mesur arfaethedig. Mae'n bwysig inni osod cyfarwyddiadau clir ar gyfer y gwasanaethau cyn gynhared ag sy'n bosibl er mwyn osgoi gwahaniaethau ac amwysedd, a byddaf yn sicrhau bod fy swyddogion yn cynnwys canllawiau clir ar y mater hwn.

Mae argymhelliad 7 yn gofyn inni ddiwygio adran 2(4) o'r Mesur arfaethedig i sicrhau y darperir gwasanaethau i'r rheini nad ydynt wedi'u cofrestru gyda meddyg teulu. Unwaith eto, mae'r Llywodraeth yn derbyn hyn. Yr oedd y Mesur arfaethedig, pan gyflwynwyd ef, yn cynnwys darpariaethau i alluogi partneriaid iechyd meddwl lleol i wneud trefniadau ar wahân, ond yr wyf yn deall awydd y pwyllgor a hwnnw a fynegwyd gan Peter Black heddiw i weld cryfhau'r

should be strengthened to require local partners to make these arrangements. I am now considering amendments to the proposed Measure in relation to this matter to require arrangements to be made for certain categories of persons who are not registered with a GP, which I anticipate will be brought forward during Stage 2.

The Government also accepts recommendation 8. We are pleased that the committee acknowledges that the drafting of the legislation is clear, and I am happy to expand on the definition of community care services in the explanatory memorandum. It is important that it is clear to service users and their carers what we mean by that.

Recommendation 9 asks that the guidance that we are producing should set out clearly the importance of signposting patients and their carers to support services that are provided by the voluntary sector. I was very struck by the evidence of some of the mental health charities on this point, and I will take this recommendation fully on board. It may well be a matter that we need to return to at a subsequent stage, but at this time I am pleased to commit to ensuring that future guidance will address this issue.

Similarly, I am happy to accept recommendation 10, which seeks assurance that the explanatory memorandum and subsequent guidance emphasise the importance of the recovery model. Members of the Health, Wellbeing and Local Government Committee will be as aware as I am of the importance of recovery in mental health. I was pleased to confirm the links between the recovery model and the proposed Measure in my evidence to Legislation Committee No. 3, and I will direct my officials to redraft the explanatory memorandum accordingly and include this perspective in the guidance that is subsequently developed.

Moving on to Part 2 of the proposed Measure, recommendation 11 proposes that regulations be made under section 14(4) to set out how disputes between secondary

darpariaethau hyn er mwyn mynnu bod partneriaid lleol yn gwneud trefniadau o'r fath. Yr wyf yn ystyried gwelliannau i'r Mesur arfaethedig ar hyn o bryd mewn cysylltiad â'r mater hwn i fynnu y gwneir trefniadau ar gyfer categorïau penodol o bersonau nad ydynt wedi'u cofrestru gyda meddyg teulu, y rhagwelaf eu cyflwyno yn ystod Cam 2.

Mae'r Llywodraeth yn derbyn argymhelliad 8 hefyd. Yr ydym yn falch bod y pwyllgor yn cydnabod bod y drafftio ar y ddeddfwriaeth yn glir, ac yr wyf yn fodlon ymhelaethu ar y diffiniad o wasanaethau gofal cymunedol yn y memorandwm esboniadol. Mae'n bwysig iddi fod yn glir i ddefnyddwyr gwasanaethau a'u gofawyr beth yr ydym yn ei olygu wrth hynny.

Mae argymhelliad 9 yn gofyn am i'r canllawiau yr ydym yn eu llunio nodi'n glir y pwysigrwydd o gyfeirio cleifion a'u gofawyr at wasanaethau cymorth a ddarperir gan y sector gwirfoddol. Gwnaeth tystiolaeth rhai o'r elusennau iechyd meddwl am y pwynt hwn argraff fawr arnaf, a byddaf yn ystyried yr argymhelliad hwn yn fanwl. Mae'n ddigon posibl ei fod yn fater y bydd angen inni fynd yn ôl ato rywdro yn y dyfodol, ond ar hyn o bryd yr wyf yn falch o ymrwymo i sicrhau y bydd canllawiau yn y dyfodol i ddelio â'r mater hwn.

Yn yr un modd, yr wyf yn fodlon derbyn argymhelliad 10, sy'n gofyn am sicrwydd y bydd y memorandwm esboniadol a chanllawiau a geir wedyn yn tynnu sylw at bwysigrwydd y model adferol. Bydd aelodau'r Pwyllgor Iechyd, Lles a Llywodraeth Leol mor ymwybodol ag yr wyf fi o bwysigrwydd ymadfer ym maes iechyd meddwl. Yr oeddwn yn falch o gadarnhau'r cysylltiadau rhwng y model adferol a'r Mesur arfaethedig yn fy nhystiolaeth i Bwyllgor Deddfwriaeth Rhif 3, a byddaf yn cyfarwyddo fy swyddogion i ailddrafftio'r memorandwm esboniadol yn unol â hynny a chynnwys y safbwynt hwn yn y canllawiau a ddatblygir wedyn.

Gan symud ymlaen at Ran 2 o'r Mesur arfaethedig, mae argymhelliad 11 yn awgrymu gwneud rheoliadau dan adran 14(4) i ddisgrifio sut y gallai anghydfodau rhwng

mental health service providers might be resolved by Ministers. I will take the opportunity to restate the evidence that I gave to the Constitutional Affairs Committee on this point. It is not the intention of this regulation-making power to provide a mechanism for the resolution of disputes in individual cases. Rather, the regulations to be made under this section will establish the rules as to who the relevant service provider will be in cases where more than one body provides secondary mental health services. On that basis, I can assure Members that the regulations will be drafted to ensure maximum clarity regarding where duties lie. I accept the committee's views on the importance of clarity and the need to avoid disputes over appointments, and I am happy to amend the explanatory memorandum to set this out.

The committee's recommendation 12 states that care plans that are made under this part of the proposed Measure should reflect the recovery model. As with recommendation 10, I am happy to accept this recommendation, as it reflects our current approach to mental health policy, putting recovery at the heart of policy making. I will ensure that regulations and guidance issued under this section reflect that approach.

Recommendation 13, which mirrors recommendation 1 of the Constitutional Affairs Committee's report, asks that we make the first set of regulations relating to care and treatment plans under section 17(8) of the proposed Measure via the affirmative procedure. We recognise that stakeholders and Members have a keen interest in this issue and, while there will be a full formal consultation on these regulations in any case, I am happy to provide the Assembly with a further opportunity to consider these regulations before they are enacted. I have sought confirmation from my officials that that will not jeopardise our intentions to commence this part of the proposed Measure in 2011, and we have received assurances that we will still be able to achieve that timetable. In view of both committees' recommendations and the strong weight of

darparwyr gwasanaethau iechyd meddwl eilaidd gael eu datrys gan Weinidogion. Achubaf ar y cyfle i ailddatgan y dystiolaeth a roddais i'r Pwyllgor Materion Cyfansoddiadol ar y pwynt hwn. Nid yw'n fwrriad i'r pŵer hwn i wneud rheoliadau gynnig dull o ddatrys anghydfodau mewn achosion penodol. Yn hytrach, bydd y rheoliadau a wneir dan yr adran hon yn pennu'r rheolau o ran pwy fydd y darparwr gwasanaethau perthnasol mewn achosion lle y mae mwy nag un corff yn darparu gwasanaethau iechyd meddwl eilaidd. Ar sail hynny, gallaf sicrhau Aelodau y caiff y rheoliadau eu drafftio yn y modd cliriad posibl i ddangos lle y mae'r dyletswyddau. Yr wyf yn derbyn barn y pwyllgor am y pwysigrwydd o gael eglurder a'r angen i osgoi anghydfodau ynghylch penodiadau, ac yr wyf yn fodlon diwygio'r memorandwm esboniadol i egluro hyn.

Mae argymhelliad 12 y pwyllgor yn datgan y dylai cynlluniau gofal a wneir dan y rhan hon o'r Mesur arfaethedig fod yn rhai sy'n adlewyrchu'r model adferol. Yn yr un modd ag argymhelliad 10, yr wyf yn fodlon derbyn yr argymhelliad hwn, gan ei fod yn adlewyrchu ein hymagwedd bresennol at bolisi iechyd meddwl, sy'n rhoi lle canolog i ymadfer wrth lunio polisi. Byddaf yn sicrhau bod rheoliadau a chanllawiau a gyhoeddir dan yr adran hon yn adlewyrchu'r ymagwedd honno.

Mae argymhelliad 13, sy'n adlewyrchu argymhelliad 1 yn adroddiad y Pwyllgor Materion Cyfansoddiadol, yn gofyn inni wneud y set gyntaf o reoliadau sy'n ymwneud â chynlluniau gofal a thriniaeth dan adran 17(8) o'r Mesur arfaethedig drwy'r weithdrefn gadarnhaol. Yr ydym yn cydnabod bod rhanddeiliaid ac Aelodau'n ymddiddori'n fawr yn y mater hwn ac, er y bydd ymgynghoriad ffurfiol llawn ar y rheoliadau hyn beth bynnag, yr wyf yn fodlon rhoi cyfle pellach i'r Cynulliad ystyried y rheoliadau hyn cyn eu gwneud. Yr wyf wedi gofyn am gadarnhad gan fy swyddogion na fydd hynny'n rhwystro ein bwriad i gychwyn y rhan hon o'r Mesur arfaethedig yn 2011, ac yr ydym wedi cael sicrwydd y byddwn yn dal i allu cwblhau'r amserlen honno. Ar ôl ystyried argymhellion y ddau bwyllgor a'r dystiolaeth gryf am bwysigrwydd cynlluniau

evidence on the importance of care plans, I accept this recommendation.

Before moving on to Part 3 of the proposed Measure, I also want to respond to recommendation 2 of the Constitutional Affairs Committee, which seeks confirmation that there will be adequate consultation with all the relevant parties in the course of drafting regulations concerning the content of care plans. I can assure Members that there will be. It was recognised by committee members during their scrutiny of this legislation that extensive stakeholder consultation had characterised the development of the proposed Measure. I will ensure that that support continues during the development of the regulations and the accompanying guidance as we move forward.

Turning to Part 3 of the proposed Measure and recommendation 14, the committee has sought assurance that the proposed Measure will be amended to ensure that there is absolute clarity as to who is eligible for reassessment. As I stated during my evidence to the committee, I am willing to make this amendment and I have asked my officials to take it forward. I hope to return to this matter at Stage 2.

I am also content to accept recommendation 15, which is not dissimilar in that it seeks assurance that clear guidance be developed for patients and their carers to ensure that expectations are managed and that clinical decisions taken by service providers are supported in relation to entitlement. Again, I am happy to accept that recommendation, and we will ensure that it is taken into account as guidance is developed.

Recommendation 16 asks the Government to consider making regulations under section 22 to clarify the eligibility of previous users of child and adolescent mental health services to request re-referral. I have already set out my position in respect of Part 3 and under-18s, but I also intend to put beyond doubt the eligibility of a young person to self-refer to adult services once they reach the age of 18, provided that they are still within the relevant discharge period. My officials will look at the most appropriate ways of achieving that.

gofal, yr wyf yn derbyn yr argymhelliad hwn.

Cyn mynd ymlaen at Ran 3 o'r Mesur arfaethedig, yr wyf hefyd am ymateb i argymhelliad 2 y Pwyllgor Materion Cyfansoddiadol, sy'n gofyn am gadarnhad y bydd ymgynghori digonol â'r holl bartïon cysylltiedig wrth ddrafftio rheoliadau ynghylch cynnwys cynlluniau gofal. Gallaf sicrhau Aelodau y bydd. Cydnabu aelodau o'r pwyllgor wrth graffu ar y ddeddfwriaeth hon fod ymgynghori helaeth wedi bod â rhanddeiliaid wrth ddatblygu'r Mesur arfaethedig. Byddaf yn sicrhau y bydd cymorth o'r fath ar gael o hyd wrth ddatblygu'r rheoliadau a'r canllawiau ar eu cyfer wrth inni symud ymlaen.

Gan droi at Ran 3 o'r Mesur arfaethedig ac argymhelliad 14, mae'r pwyllgor wedi gofyn am sicrwydd y caiff y Mesur arfaethedig ei ddiwygio i sicrhau ei bod yn gwbl eglur pwy sy'n gymwys i gael ei ailasesu. Fel y dywedais wrth roi tystiolaeth i'r pwyllgor, yr wyf yn barod i wneud y newid hwn ac yr wyf wedi gofyn i'm swyddogion gymryd camau yn ei gylch. Gobeithiaf ddod yn ôl at y mater hwn yng Ngham 2.

Yr wyf hefyd yn fodlon derbyn argymhelliad 15, nad yw'n annhebyg gan ei fod yn gofyn am sicrwydd y caiff canllawiau clir eu datblygu ar gyfer cleifion a'u gofalwyr er mwyn sicrhau y caiff disgwyliadau eu rheoli ac y bydd penderfyniadau clinigol gan ddarparwyr gwasanaethau wedi'u hategu mewn cysylltiad â hawl. Unwaith eto, yr wyf yn fodlon derbyn yr argymhelliad hwnnw, a byddwn yn sicrhau ystyriaeth iddo wrth ddatblygu canllawiau.

Mae argymhelliad 16 yn gofyn i'r Llywodraeth ystyried gwneud rheoliadau dan adran 22 i egluro cymhwysedd defnyddwyr blaenorol gwasanaethau iechyd meddwl plant a'r glasod i ofyn am eu hailatgyfeirio. Yr wyf eisoes wedi egluro fy safbwynt mewn cysylltiad â Rhan 3 a rhai dan 18 oed, ond yr wyf hefyd am ei gwneud yn gwbl eglur y bydd person ifanc yn gymwys i'w atgyfeirio ei hun at wasanaethau oedolion wedi iddo gyrraedd 18 oed, ar yr amod ei fod o fewn y cyfnod rhyddhau perthnasol o hyd. Bydd fy

swyddogion yn ystyried y ffyrdd mwyaf priodol o sicrhau hynny.

I am happy to accept recommendation 17, which is the same as recommendation 3 of the Constitutional Affairs Committee. That seeks assurance that regulations made under section 22, which will set out the length of time for which previous service users will remain eligible for reassessment, will be made under the affirmative procedure. That matter is fundamental to the operation of the scheme and, as such, on reflection, I agree with both committees that the affirmative procedure would be appropriate.

Yr wyf yn fodlon derbyn argymhelliad 17, sydd yr un fath ag argymhelliad 3 y Pwyllgor Materion Cyfansoddiadol. Mae hwnnw'n gofyn am sicrwydd y bydd rheoliadau a wneir dan adran 22, a fydd yn pennu'r cyfnod y bydd defnyddwyr gwasanaethau blaenorol yn dal yn gymwys i'w hailasesu, yn cael eu gwneud dan y weithdrefn gadarnhaol. Mae'r mater hwnnw'n hanfodol i weithrediad y cynllun ac, oherwydd hynny, wedi ystyried, cytunaf â'r ddau bwyllgor y byddai'r weithdrefn gadarnhaol yn briodol.

I will now address the recommendations relating to Part 4 of the proposed Measure, which deals with independent mental health advocacy schemes. Recommendation 18 asks the Government to put beyond doubt whether patients themselves can request IMHA. I can confirm that it is intended for a qualifying patient to make a request themselves. We would rely on guidance to confirm this position, but I have asked my officials to investigate the possibility of amending the proposed Measure as a more formal resolution, and I expect to return to that also at Stage 2.

Ymdriniaf yn awr â'r argymhellion sy'n ymwneud â Rhan 4 o'r Mesur arfaethedig, sy'n delio â chynlluniau eiriolaeth iechyd meddwl annibynnol. Mae argymhelliad 18 yn gofyn i'r Llywodraeth ei gwneud yn gwbl eglur a all y cleifion eu hunain ofyn am eiriolwr iechyd meddwl annibynnol. Gallaf gadarnhau ei fod yn fwriad i glaf cymwys wneud cais ei hun. Byddem yn dibynnu ar ganllawiau i gadarnhau'r safbwynt hwn, ond yr wyf wedi gofyn i'm swyddogion ymchwilio i'r posibilrwydd o ddiwygio'r Mesur arfaethedig fel y ceir penderfyniad mwy ffurfiol, ac yr wyf yn disgwyl mynd yn ôl at hynny hefyd yng Ngham 2.

On recommendation 19 on whether social workers would be able to delegate their ability to request an advocate to support workers, the position will be clarified in guidance, but I can confirm that there is no power of delegation in these circumstances and none is being sought.

Ynghylch argymhelliad 19 ynghylch a fyddai gweithwyr cymdeithasol yn gallu dirprwyo eu gallu i wneud cais am eiriolwr i weithwyr cymorth, eglurir y sefyllfa mewn canllawiau, ond gallaf gadarnhau nad oes pŵer dirprwyo yn yr amgylchiadau hyn ac na cheisir un.

Recommendation 20 asks that we clarify the definition of 'qualifying patient' in regulations and guidance. I am also happy to accept that recommendation but wish to go further than simply clarifying the definition in guidance. During the committee's evidence gathering, it became clear that the definition has been interpreted in various ways, and we recognise that that needs to be resolved. I will therefore also return to that matter at Stage 2.

Mae argymhelliad 20 yn gofyn inni egluro'r diffiniad o 'glaf cymwys' mewn rheoliadau a chanllawiau. Yr wyf hefyd yn fodlon derbyn yr argymhelliad hwnnw ond dymunaf fynd ymhellach na dim ond egluro'r diffiniad mewn canllawiau. Pan oedd y pwyllgor yn casglu tystiolaeth, daeth yn amlwg bod y diffiniad wedi'i ddehongli mewn ffyrdd gwahanol, ac yr ydym yn cydnabod bod angen datrys hynny. Felly byddaf yn mynd yn ôl at y mater hwnnw hefyd yng Ngham 2.

Legislation Committee No. 3's final recommendation is that the first regulations made under Part 4 of the proposed Measure

Argymhelliad olaf Pwyllgor Deddfwriaeth Rhif 3 yw y dylai'r rheoliadau cyntaf a wneir dan Ran 4 o'r Mesur arfaethedig gael eu

be made using the affirmative rather than the negative procedure. That mirrors the fourth recommendation of the Constitutional Affairs Committee. I think that this recommendation reflects the importance of advocacy as a safeguard for patients subject to the 1983 Mental Health Act and those in hospital on an informal basis. I concur with the committee's view on this matter and will seek to make the necessary amendments to the 1983 Act. Again, I expect to return to this matter at Stage 2.

6.20 p.m.

Finally, I turn to the Finance Committee's report. I am pleased that the committee has welcomed the proposed Measure and has recognised the work that has been done on the costings. I note its view that the funding of the proposed Measure will be complex, and that there are always some uncertainties when introducing new legislation. I understand fully the concerns raised today by the Chair of the Finance Committee, Angela Burns, and by Brian Gibbons, and this matter is the subject of ongoing discussion with my officials and others. When the formal review of the Measure is undertaken three years after full commencement, the Finance Committee has recommended that the results of the review be passed to the appropriate National Assembly committee. That is an eminently sensible suggestion, and I am happy to accept it. I will ensure that the explanatory memorandum is amended to include a commitment by Government to that end.

In addition to the recommendations made by Assembly committees, which, as I have set out, we are accepting, I am also considering what further Government amendments to the proposed Measure may be required to ensure that the legislation is the best that we can make it. I am particularly conscious of the concerns raised by witnesses about whether advocacy for persons detained under sections 135 or 136 of the Mental Health Act 1983 could realistically be delivered, particularly for those detained in a place of safety other than a hospital. While the legislation committee has not included a

gwneud drwy ddefnyddio'r weithdrefn gadarnhaol yn hytrach na'r un negyddol. Mae hynny'n adlewyrchu pedwerydd argymhelliaid y Pwyllgor Materion Cyfansoddiadol. Credaf fod yr argymhelliaid hwn yn adlewyrchu pwysigrwydd eiriolaeth fel amddiffyniad i gleifion sy'n dod o dan Ddeddf Iechyd Meddwl 1983 a'r rheini sydd mewn ysbyty ar sail anffurfiol. Yr wyf yn cyd-fynd â barn y pwyllgor am y mater hwn a byddaf yn ceisio gwneud y diwygiadau angenrheidiol yn Neddf 1983. Unwaith eto, rhagwelaf y byddaf yn mynd yn ôl at y mater hwn yng Ngham 2.

Yn olaf, trof at adroddiad y Pwyllgor Cyllid. Yr wyf yn falch bod y pwyllgor wedi croesawu'r Mesur arfaethedig ac wedi cydnabod y gwaith sydd wedi'i wneud ar y costiaid. Nodaf ei farn y bydd y dull o ariannu'r Mesur arfaethedig yn gymhleth, a bod rhai elfennau ansicr bob amser wrth gyflwyno deddfwriaeth newydd. Yr wyf yn llwyr ddeall y pryderon a fynegwyd heddiw gan Gadeirydd y Pwyllgor Cyllid, Angela Burns, a chan Brian Gibbons, ac mae'r mater hwn yn destun trafodaeth â'm swyddogion ac eraill ar hyn o bryd. Pan gynhelir yr adolygiad ffurfiol o'r Mesur dair blynedd ar ôl cychwyn pob rhan ohono, mae'r Pwyllgor Cyllid wedi argymhell trosglwyddo canlyniadau'r adolygiad i bwyllgor priodol y Cynulliad Cenedlaethol. Mae hwnnw'n awgrym synhwyrol dros ben, ac yr wyf yn fodlon ei dderbyn. Byddaf yn sicrhau y caiff y memorandwm esboniadol ei ddiwygio i gynnwys ymrwymiad gan y Llywodraeth i'r perwyl hwnnw.

Yn ogystal â'r argymhellion a wnaethpwyd gan bwyllgorau'r Cynulliad, sydd wedi'u derbyn gennym, fel yr wyf wedi egluro, yr wyf hefyd yn ystyried pa welliannau pellach gan y Llywodraeth i'r Mesur arfaethedig a allai fod yn ofynnol i sicrhau mai'r ddeddfwriaeth hon yw'r orau y gallwn ei gwneud. Yr wyf yn neilltuol o ymwybodol o'r pryderon a fynegwyd gan dystion ynghylch a fyddai'n ymarferol darparu eiriolaeth i bersonau sydd wedi'u cadw dan adrannau 135 neu 136 o Ddeddf Iechyd Meddwl 1983, yn enwedig i'r rheini sydd wedi'u cadw mewn lle diogel heblaw ysbyty.

recommendation on this matter, I note that it has outlined its concerns in the report. Therefore, I will ask my officials to consider this issue carefully, and I will have more to say on it in the next stage of the scrutiny process.

In conclusion, I wish to place on record my thanks to everyone who has taken part in this process. This started when Helen Mary Jones, Jonathan Morgan and Jenny Randerson and I met mental health charities. Jonathan was then fortunate enough to win the ballot and was able to take a Member proposed Measure forward. I have also been fortunate in having excellent support from the Chamber as the Government taking this legislation forward. Looking across the Chamber, I see David Melding, who was also there at the beginning of this process. It has been a long process, and it will be concluded with this legislation. However, let us be honest; we have a lot more to do with legislation on mental health and the development of services.

The Temporary Deputy Presiding Officer: The proposal is to agree the motion. Does any Member object? I see that there is no objection. Therefore, the motion is agreed in accordance with Standing Order No. 7.35.

*Derbyniwyd y cynnig.
Motion agreed.*

Penderfyniad Ariannol ynghylch y Mesur Arfaethedig Iechyd Meddwl (Cymru) Financial Resolution for the Proposed Mental Health (Wales) Measure

The Minister for Health and Social Services (Edwina Hart): I move that

the National Assembly for Wales, for the purposes of any provisions resulting from the Proposed Mental Health (Wales) Measure, agrees to any increase in expenditure of a kind referred to in Standing Order No. 23.80(ii)(b) and (c), arising in consequence of the Measure. (NDM4256)

The Temporary Deputy Presiding Officer: I have no-one down to speak on this item, and therefore I am sure that the Minister does

Er nad yw'r pwyllgor deddfwriaeth wedi cynnwys argymhelliad ar y mater hwn, sylwaf ei fod wedi disgrifio ei bryderon yn yr adroddiad. Felly, gofynnaf i'm swyddogion ystyried y mater hwn yn fanwl, a bydd gennyf fwy i'w ddweud yn ei gylch yng nghan nesaf y broses graffu.

I gloi, dymunaf gofnodi fy niolch i bawb sydd wedi cymryd rhan yn y broses hon. Dechreuodd hyn pan gyfarfu Helen Mary Jones, Jonathan Morgan a Jenny Randerson a minnau ag elusennau iechyd meddwl. Yr oedd Jonathan wedyn yn ddigon ffodus i ennill y bleidlais a gallu bwrw ymlaen â Mesur wedi'i gynnig gan Aelod. Yr wyf finnau wedi bod yn ffodus o gael cymorth rhagorol gan y Siambr wrth i'r Llywodraeth fwrw ymlaen â'r ddeddfwriaeth hon. Wrth edrych ar draws y Siambr, gwelaf David Melding, a oedd yno hefyd ar ddechrau'r broses hon. Mae wedi bod yn broses hir, a daw i ben wrth wneud y ddeddfwriaeth hon. Er hynny, gadewch inni fod yn onest; mae gennym lawer i'w wneud eto o ran deddfu ar iechyd meddwl a datblygu gwasanaethau.

Y Dirprwy Lywydd Dros Dro: Y cynnig yw ein bod yn cytuno'r cynnig. A oes unrhyw Aelod yn gwrthwynebu'r cynnig? Gwelaf nad oes gwrthwynebiad. Yn unol â Rheol Sefydlog 7.35, felly, caiff y cynnig ei dderbyn.

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Edwina Hart): Cynigiau fod

Cynulliad Cenedlaethol Cymru, at ddibenion unrhyw ddarpariaethau sy'n deillio o Fesur Arfaethedig Iechyd Meddwl (Cymru), yn cytuno i unrhyw gynnydd mewn gwariant o'r math y cyfeiriwyd ato yn Rheol Sefydlog Rhif 23.80(ii)(b) a (c), sy'n codi o ganlyniad i'r Mesur. (NDM4256)

Y Dirprwy Lywydd Dros Dro: Nid oes gennyf neb ar y rhestr i siarad am yr eitem hon, a hyderaf felly na fydd y Gweinidog yn

not wish to wind up. Therefore, the proposal is to agree the motion. Does any Member object? I see that there is no objection. Therefore, the motion is agreed in accordance with Standing Order No. 7.35.

dymuno cloi. Y cynnig, felly, yw ein bod yn cytuno'r cynnig. A oes unrhyw Aelod yn gwrthwynebu'r cynnig? Gwelaf nad oes gwrthwynebiad. Yn unol â Rheol Sefydlog 7.35, felly, caiff y cynnig ei dderbyn.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth y Dirprwy Lywydd i'r Gadair am 6.23 p.m.
The Deputy Presiding Officer took the Chair at 6.23 p.m.*

Y Gyllideb Atodol The Supplementary Budget

The Minister for Business and Budget (Jane Hutt): I move that

Y Gweinidog dros Fusnes a'r Gyllideb (Jane Hutt): Cynigiau fod

the Assembly, in accordance with Standing Order No. 27.21, approves the supplementary budget for the financial year 2010-11 laid in the Table Office by the Minister for Business and Budget and e-mailed to Assembly Members on Monday 21 June 2010. (NDM4502)

y Cynulliad, yn unol â Rheol Sefydlog Rhif 27.21, yn cymeradwyo'r gyllideb atodol ar gyfer y flwyddyn ariannol 2010-11 a osodwyd yn y Swyddfa Gyflwyno gan y Gweinidog dros Fusnes a'r Gyllideb ac a e-bostiwyd at Aelodau'r Cynulliad ddydd Llun 21 Mehefin 2010. (NDM4502)

This supplementary budget reflects changes that have occurred since the final budget for 2010-11 was approved by the Assembly in December. The changes set out in this supplementary budget are mainly administrative in nature, but the main change is to reflect the portfolio changes resulting from the First Minister's Cabinet appointments in December. It is important that our published spending plans reflect our structures accurately. In addition, I have used the supplementary budget to allocate to the relevant main expenditure groups previously announced funding of £232.4 million under the strategic capital investment fund and £20 million under the invest-to-save fund. There are technical changes to non-cash budgets in the supplementary budget, stemming from the UK Government's clear line of sight project. The changes affect how we budget and account for things such as the cost of capital and depreciation, but do not alter materially our spending plans or the amount of near cash that we are planning to spend. The supplementary budget also makes other minor allocations and budget movements.

Mae'r gyllideb atodol hon yn adlewyrchu newidiadau sydd wedi digwydd ers cymeradwyo'r gyllideb derfynol ar gyfer 2010-11 gan y Cynulliad ym mis Rhagfyr. Mae'r newidiadau sydd wedi'u nodi yn y gyllideb atodol hon yn rhai o natur weinyddol gan mwyaf, ond y prif newid yw adlewyrchu'r newidiadau mewn portffolios o ganlyniad i benodiadau'r Prif Weinidog i'r Cabinet ym mis Rhagfyr. Mae'n bwysig bod y cynlluniau gwariant a gyhoeddwn yn adlewyrchu ein strwythurau'n gywir. Yn ogystal â hynny, yr wyf wedi defnyddio'r gyllideb atodol i ddyrannu i'r prif grwpiau gwariant perthnasol £232.4 miliwn o gyllid a gyhoeddwyd cynt dan y gronfa buddsoddi cyfalaf strategol ac £20 miliwn dan y gronfa buddsoddi i arbed. Mae newidiadau technegol mewn cyllidebau nad ydynt yn arian parod yn y gyllideb atodol, sy'n deillio o brosiect alinio Llywodraeth y DU. Mae'r newidiadau'n effeithio ar y modd yr ydym yn cyllidebu ac yn cyfrifyddu ar gyfer pethau fel cost cyfalaf a dibrisiant, ond nid ydynt yn newid ein cynlluniau gwariant na swm yr adnoddau sydd bron â bod yn arian parod yr ydym yn bwriadu ei wario yn eu hanfod. Mae'r gyllideb atodol hefyd yn gwneud mân

ddyraniadau a throsglwyddiadau eraill mewn cyllidebau.

The total budget allocated to Assembly Government departments increases by more than £173 million to nearly £15.3 billion. Overall, the total Wales departmental expenditure limit budget decreases by nearly £207 million, from £15.7 billion at the final budget for 2010-11 to £15.5 billion. The decrease relates to non-cash items as a result of the clear line of sight project and the funding for capital projects that was brought forward from 2010-11 to 2009-10 to provide an economic stimulus via our capital programme. Adjustments to the budget for 2009-10 in respect of the latter were made in supplementary budgets at that time. An explanatory note providing a detailed description of all these changes was circulated to Members on 21 June.

The purpose of bringing forward a supplementary budget now is to seek the approval of the Assembly to developments since the approval of the final budget. It means that we avoid waiting until later in the year to include all the changes in a single supplementary budget.

The supplementary budget makes technical and administrative changes to budget structures now, which will enable full scrutiny of the changes that we make in light of the in-year reductions in the final supplementary budget, later in the year. It is important that we separate the supplementary budget issues that we are discussing today from the decisions that I announced in my statement earlier this afternoon on our approach to how we will find the Welsh share of the £6.2 billion cuts in budgets for 2010-11.

Finally, I wish to thank the Assembly's Finance Committee for its scrutiny of this first supplementary budget for 2010-11. I welcome its report and note that it does not recommend any changes to the amounts proposed in this supplementary budget.

Angela Burns: Thank you for the opportunity to speak on the supplementary budget as Chair of the Finance Committee.

Mae cyfanswm y gyllideb a ddyrannwyd i adrannau Llywodraeth y Cynulliad yn codi o fwy na £173 miliwn i bron £15.3 biliwn. Yn gyffredinol, mae cyfanswm cyllideb y terfyn gwariant adrannol i Gymru'n gostwng bron £207 miliwn, o £15.7 biliwn yn y gyllideb derfynol ar gyfer 2010-11 i £15.5 biliwn. Mae'r gostyngiad yn ymwneud ag eitemau sydd heb fod yn arian parod o ganlyniad i'r prosiect alinio a'r cyllid ar gyfer prosiectau cyfalaf a ddygwyd ymlaen o 2010-11 i 2009-10 i roi ysgogiad economaidd drwy ein rhaglen gyfalaf. Gwnaethpwyd addasiadau yn y gyllideb ar gyfer 2009-10 mewn cysylltiad â'r olaf mewn cyllidebau atodol bryd hynny. Dosbarthwyd nodyn esboniadol i Aelodau a oedd yn disgrifio'r holl newidiadau hyn yn fanwl ar 21 Mehefin.

Yr amcan wrth gyflwyno cyllideb atodol yn awr yw gofyn am gymeradwyaeth gan y Cynulliad i ddatblygiadau ers cymeradwyo'r gyllideb derfynol. Mae'n golygu na fyddwn yn gorfod aros tan yn ddiweddarach yn y flwyddyn i gynnwys yr holl newidiadau mewn un gyllideb atodol.

Mae'r gyllideb atodol yn gwneud newidiadau technegol a gweinyddol yn strwythurau'r gyllideb yn awr, fel y bydd modd craffu'n llawn ar y newidiadau a wnawn yng nghydestun y gostyngiadau yn ystod y flwyddyn yn y gyllideb atodol derfynol, yn ddiweddarach yn y flwyddyn. Mae'n bwysig inni wahanu'r materion sy'n ymwneud â'r gyllideb atodol yr ydym yn eu trafod heddiw oddi wrth y penderfyniadau a gyhoeddais yn fy natganiad yn gynharach y prynhawn yma am y modd y byddwn yn dod o hyd i gyfran Cymru o'r toriadau o £6.2 biliwn mewn cyllidebau ar gyfer 2010-11.

Yn olaf, dymunaf ddiolch i Bwyllgor Cyllid y Cynulliad am graffu ar y gyllideb atodol gyntaf hon ar gyfer 2010-11. Croesawaf ei adroddiad a nodaf nad yw'n argymhell unrhyw newidiadau yn y symiau a gynigir yn y gyllideb atodol hon.

Angela Burns: Diolch i chi am y cyfle i siarad ar y gyllideb atodol fel Cadeirydd y Pwyllgor Cyllid. Cyfarfu'r Pwyllgor Cyllid

The Finance Committee met the Minister for Business and Budget and her officials on 1 July to discuss the proposed changes, and we are grateful to her and her officials for answering our questions.

The Minister has already outlined the changes contained within the draft budget, but I will also go through them quickly. Many of them are what one might describe as 'presentational', namely changes to the way in which the figures are summarised and set out. They come mainly from two sources: alterations to ministerial portfolios following the appointment of the new First Minister, and changes resulting from the Treasury's alignment project. The Finance Committee welcomes anything that makes the presentation and understanding of the budget figures more meaningful.

The reasons for reallocating departmental budgets to match the portfolio changes are fairly obvious. The Treasury's alignment project is perhaps less well known, but it is being carried out to simplify, modernise and improve the UK's public spending and reporting systems. The alignment project is making a number of changes in the Assembly's budgeting and accounting systems and, in doing so, aims to create a simpler and more transparent system. The Minister for Business and Budget has emphasised to the Finance Committee that these alignment adjustments do not materially affect the Government's spending plans.

The supplementary budget also takes into account the allocation from capital reserves of £232.5 million for strategic capital investment framework projects and allocations from revenue reserves of £20 million for projects under the invest-to-save fund. There are also transfers into reserves as a result of consequentials from UK Government departments.

I will not exhaust Members by going through the detail of all the changes, but I will point out that some of the effects of the alignment project are quite dramatic. For example, there is a reduction in annually managed expenditure of some £403 million, which is equivalent to 57 per cent. However, this is

â'r Gweinidog dros Fusnes a'r Gyllideb a'i swyddogion ar 1 Gorffennaf i drafod y newidiadau arfaethedig, ac yr ydym yn ddiolchgar iddi hi a'i swyddogion am ateb ein cwestiynau.

Mae'r Gweinidog eisoes wedi disgrifio'r newidiadau sydd yn y gyllideb ddrafft, ond af finnu drwyddynt yn gyflym. Mae llawer ohonynt yn rhai y gellid eu galw'n 'gyflwyniadol', sef newidiadau yn y modd y mae'r ffigurau wedi'u crynhoi a'u hegluro. Maent yn codi o ddwy ffynhonnell yn bennaf: newidiadau mewn portffolios gweinidogol yn dilyn penodi'r Prif Weinidog newydd, a newidiadau o ganlyniad i brosiect alinio'r Trysorlys. Mae'r Pwyllgor Cyllid yn croesawu unrhyw beth sy'n fodd i gyflwyno a deall ffigurau'r gyllideb fel eu bod yn fwy ystyrlon.

Mae'r rhesymau dros ailddyranu cyllidebau adrannol i gyfateb i'r newidiadau mewn portffolios yn eithaf amlwg. Efallai fod prosiect alinio'r Trysorlys yn llai adnabyddus, ond fe'i cyflawnir er mwyn symleiddio, moderneiddio a gwella systemau'r DU ar gyfer gwariant cyhoeddus a chofnodi. Mae'r prosiect alinio'n gwneud nifer o newidiadau yn systemau cyllidebu a chyfrifyddu'r Cynulliad ac, wrth wneud hynny, mae'n ceisio creu system symlach a mwy tryloyw. Mae'r Gweinidog dros Fusnes a'r Gyllideb wedi pwysleisio wrth y Pwyllgor Cyllid nad yw'r addasiadau hyn er mwyn alinio'n effeithio ar gynlluniau gwariant y Llywodraeth yn eu hanfod.

Mae'r gyllideb atodol hefyd yn cymryd i ystyriaeth y dyraniad o gronfeydd cyfalaf o £232.5 miliwn ar gyfer prosiectau'r fframwaith buddsoddi cyfalaf strategol a dyraniadau o gronfeydd refeniw o £20 miliwn ar gyfer prosiectau dan y gronfa buddsoddi i arbed. Mae trosglwyddiadau i gronfeydd hefyd o ganlyniad i symiau canlyniadol o adrannau Llywodraeth y DU.

Ni flinaf Aelodau drwy fynd drwy fanylion yr holl newidiadau, ond tynnaf sylw at y ffaith bod rhai o effeithiau'r prosiect alinio'n eithaf trawiadol. Er enghraifft, mae gostyngiad mewn gwariant a reolir yn flynyddol o tua £403 miliwn, sy'n cyfateb i 57 y cant. Fodd bynnag, mae hyn yn

entirely the result of a technical adjustment in budgets that rejoice in a Treasury descriptor of non-cash, and it relates primarily to the removal of the cost of capital charges. As I have said, the Finance Committee has been assured that these budgets have not resulted in any change to the Government's spending plans or powers.

There are two points that the committee would like to make about the supplementary budget. First, we welcome the improvements that the Minister has made in its presentation and, in particular, the changes to the budget tables and the explanatory notes that accompany it. These have improved the transparency of the supplementary budget and have helped with our scrutiny of it. However, alongside all the improvements, the Finance Committee is concerned that the large number of technical changes made now and in the past could mask real reductions in expenditure plans. Members welcomed the Minister for Business and Budget's assurances that her aim was to get the adjustments out of the way before the draft budget, which will be laid in the autumn. We have asked the Minister that, when she presents future budget proposals, she does so in a format that will enable clear year-on-year comparisons to be made. In particular, we hope that she will do so in the presentation of the Government's 2011-12 draft budget in the autumn.

Subject to those comments, the Finance Committee notes the supplementary budget and does not recommend any changes to the amounts proposed in it.

Nick Ramsay: We will be supporting this supplementary budget, and we recognise, as the Minister said in her opening comments, that it proposes mainly administrative changes and it contains a number of necessary transfers from reserves and technical adjustments.

6.30 p.m.

Angela Burns touched on the point that was raised in the Finance Committee about the

ganlyniad yn llwyr i addasiad technegol mewn cyllidebau sydd heb fod yn arian parod, fel y mae'r Trysorlys yn eu disgrifio, ac mae'n ymwneud yn bennaf â dileu cost taliadau cyfalaf. Fel yr wyf wedi dweud, mae'r Pwyllgor Cyllid wedi'i sicrhau nad yw'r cyllidebau hyn wedi arwain at unrhyw newid yng nghynlluniau neu bwerau gwariant y Llywodraeth.

Mae dau bwynt yr hoffai'r pwyllgor eu gwneud ynghylch y gyllideb atodol. Yn gyntaf, yr ydym yn croesawu'r gwelliannau y mae'r Gweinidog wedi'u gwneud o ran ei chyflwyno ac, yn benodol, y newidiadau yn nhablau'r gyllideb a'r nodiadau esboniadol sydd gyda hi. Mae'r rhain wedi gwneud y gyllideb atodol yn fwy tryloyw ac wedi ein helpu i graffu arni. Er hynny, ochr yn ochr â'r holl welliannau, mae'r Pwyllgor Cyllid yn pryderu y byddai nifer mawr y newidiadau technegol sydd wedi'u gwneud yn awr ac yn y gorffennol yn gallu celu gostyngiadau sylweddol mewn cynlluniau gwariant. Croesawodd aelodau'r sicrwydd a gawsant gan y Gweinidog dros Fusnes a'r Gyllideb mai ei bwriad oedd cwblhau'r addasiadau cyn gwneud y gyllideb ddrafft, a gaiff ei gosod yn yr hydref. Yr ydym wedi gofyn i'r Gweinidog gyflwyno cynigion ar gyfer cyllidebau, pan wnaiff hynny yn y dyfodol, mewn fformat a fydd yn cynnig modd i wneud cymariaethau clir o flwyddyn i flwyddyn. Yn benodol, yr ydym yn gobeithio y bydd yn gwneud hynny wrth gyflwyno cyllideb ddrafft y Llywodraeth ar gyfer 2011-12 yn yr hydref.

Yn amodol ar y sylwadau hynny, mae'r Pwyllgor Cyllid yn nodi'r gyllideb atodol ac nid yw'n argymhell unrhyw newidiadau yn y symiau sydd wedi'u cynnig ynddi.

Nick Ramsay: Byddwn yn cefnogi'r gyllideb atodol hon, ac yr ydym yn cydnabod, fel y dywedodd y Gweinidog yn ei sylwadau agoriadol, ei bod yn cynnig newidiadau gweinyddol gan mwyaf a bod ynddi nifer o drosglwyddiadau angenrheidiol o gronfeydd ac addasiadau technegol.

Cyfeiriodd Angela Burns at y pwynt a godwyd yn y Pwyllgor Cyllid ynghylch y

invest-to-save and strategic capital investment fund allocations. The Finance Committee spoke about its concerns about when SCIF allocations end. It was not entirely clear to me whether SCIF allocations, when the fund ends, would be made up from other areas. I would be grateful for some clarification of that point.

On a statement that was made earlier about a possible impact on the supplementary budget, the Minister said to Finance Committee that she was anticipating a 3 per cent revenue reduction and a 10 per cent capital reduction in future years. Will your earlier statement about end-of-year flexibility being used to support £47 million or so of capital projects have a bearing on your previous planning and preparation of the future 10 per cent capital reduction? It may not be the case, but I would appreciate some clarification.

The Minister for Business and Budget (Jane Hutt): Thank you, Angela, for your contribution to this afternoon's debate. I am grateful for the two points that you made, the first being about the presentation of the supplementary budget. I am glad that, as a result of the Treasury alignment project in particular, which I refer to as the clear line of sight project, the budget is more transparent and understandable.

Also, there was the important point that you made about comparability and transparency, which I sought to address in my letter to you on 6 July, following my appearance at the committee. I will just repeat some of what I say in my letter for the benefit of Members. I said that I fully support the need for transparency and openness and I welcome the robust process that we have in place for scrutinising the budget. This means that we will be able to see like-for-like, year-on-year comparisons, as a result of being able to adopt a more consistent approach to the clear line of sight Treasury alignment project and other organisational changes. That bodes well for future scrutiny.

dyraniadau dan y gronfa buddsoddi i arbed a'r gronfa buddsoddi cyfalaf strategol. Soniodd y Pwyllgor Cyllid am ei bryderon ynghylch yr adeg y daw dyraniadau o'r gronfa buddsoddi cyfalaf strategol i ben. Nid oedd yn hollol glir i mi a fyddai dyraniadau o feysydd eraill i gymryd lle dyraniadau'r gronfa buddsoddi cyfalaf strategol pan ddaw'r gronfa i ben. Byddwn yn ddiolchgar o gael rhywfaint o eglurhad ar y pwynt hwnnw.

Ynghylch datganiad a wnaethpwyd yn gynharach am effaith bosibl ar y gyllideb atodol, dywedodd y Gweinidog wrth y Pwyllgor Cyllid ei bod yn rhagweld gostyngiad o 3 y cant mewn refeniw a gostyngiad o 10 y cant mewn cyfalaf yn y blynyddoedd i ddod. A fydd eich datganiad cynharach ynghylch defnyddio hyblygrwydd diwedd blwyddyn i gynnal gwerth tua £47 miliwn o brosiectau cyfalaf yn effeithio ar eich gwaith cynllunio a pharatoi blaenorol ar gyfer y gostyngiad o 10 y cant mewn cyfalaf yn y dyfodol? Efallai na fydd, ond byddwn yn ddiolchgar o gael rhywfaint o eglurhad.

Y Gweinidog dros Fusnes a'r Gyllideb (Jane Hutt): Diolch i chi, Angela, am eich cyfraniad i'r ddadl y prynhawn yma. Yr wyf yn ddiolchgar am y ddau bwynt a wnaethoch, y cyntaf ohonynt yn ymwneud â'r dull o gyflwyno'r gyllideb atodol. Yr wyf yn falch bod y gyllideb yn fwy tryloyw a dealladwy o ganlyniad, yn benodol, i brosiect alinio'r Trysorlys.

Hefyd, gwnaethoch y pwynt pwysig am dryloywder a'r gallu i gymharu, y ceisiais ymateb iddo yn fy llythyr atoch ar 6 Gorffennaf, wedi imi ddod gerbron y pwyllgor. Ni wnaaf ond ailadrodd rhywfaint o'r hyn yr wyf yn ei ddweud yn fy llythyr er budd Aelodau. Dywedais fy mod yn llwyr ategu'r angen am weithredu'n dryloyw ac yn agored a chroesawaf y broses drylwyr sydd ar waith gennym i graffu ar y gyllideb. Oherwydd hyn byddwn yn gallu gweld cymharu tebyg â'i debyg, o flwyddyn i flwyddyn, o ganlyniad i'r gallu i fabwysiadu dull mwy cyson o ymdrin â phrosiect alinio'r Trysorlys a newidiadau sefydliadol eraill. Mae hynny'n argoeli'n dda ar gyfer craffu yn y dyfodol.

Thank you, Nick, for your support. Under SCIF, we are making £470 million available, with at least as much funding being levered in from other sources. That is to be spent on capital projects by the end of 2010-11, with £350 million being announced in December 2008 and moving forward to what we announced last October for tranche 2. We are not into SCIF beyond 2010-11, as you know, so it will come through the further supplementary budget as further payments are drawn down through SCIF.

Diolch i chi, Nick, am eich cefnogaeth. Dan y gronfa buddsoddi cyfalaf strategol, yr ydym yn darparu £470 miliwn, gan ysgogi'r un maint o gyllid o leiaf o ffynonellau eraill. Caiff hynny ei wario ar brosiectau cyfalaf erbyn diwedd 2010-11, ar ôl y cyhoeddiad am £350 miliwn yn Rhagfyr 2008 a symud ymlaen at yr hyn a gyhoeddassom fis Hydref diwethaf ar gyfer cyfran 2. Nid ydym wedi cyrraedd y cyfnod ar ôl 2010-11 ar gyfer y gronfa buddsoddi cyfalaf strategol, fel y gwyddoch, felly daw drwy'r gyllideb atodol bellach wrth dynnu taliadau pellach i lawr drwy'r gronfa buddsoddi cyfalaf strategol.

On your point about the planning assumptions of -3 per cent and -10 per cent that we are working to, these figures are, of course, for 2011-12 and not 2010-11. This is the supplementary budget for 2010-11, so there will be plenty of opportunity as we get the figures through the spending review, which will be on 20 October, and the draft budget that will follow, to scrutinise not just the supplementary budget that I bring back later on this year, but also the draft budget for next year.

Ynghylch y pwynt a wnaethoch am y rhagdybiaethau cynllunio o -3 y cant a -10 y cant yr ydym yn eu dilyn, mae'r ffigurau hyn ar gyfer 2011-12, wrth gwrs, ac nid 2010-11. Hon yw'r gyllideb atodol ar gyfer 2010-11, felly bydd digon o gyfle wrth inni gael y ffigurau drwy'r adolygiad o wariant, a fydd ar 20 Hydref, a'r gyllideb ddrafft a fydd yn dilyn, i graffu nid yn unig ar y gyllideb atodol a gyflwynaf yn ddiweddarach eleni, ond hefyd ar y gyllideb ddrafft ar gyfer y flwyddyn nesaf.

The Deputy Presiding Officer: The proposal is to agree the motion. Does any Member object? There are no objections; therefore the motion is agreed in accordance with Standing Order No. 7.35.

Y Dirprwy Lywydd: Y cynnig yw bod y cynnig yn cael ei dderbyn. A oes unrhyw Aelod yn gwrthwynebu? Nid oes gwrthwynebiad; felly, derbynnir y cynnig yn unol â Rheol Sefydlog Rhif 7.35.

*Derbyniwyd y cynnig.
Motion agreed.*

The Deputy Presiding Officer: That brings today's proceedings to a close.

Y Dirprwy Lywydd: Dyna ddiwedd ein trafodion am heddiw.

*Daeth y cyfarfod i ben am 6.35 p.m.
The meeting ended at 6.35 p.m.*

Aelodau a'u Pleidiau Members and their Parties

Andrews, Leighton (Llafur – Labour)
Asghar, Mohammad (Ceidwadwyr Cymreig – Welsh Conservatives)
Barrett, Lorraine (Llafur – Labour)
Bates, Mick (Democrat Rhyddfrydol Annibynnol – Independent Liberal Democrat)
Black, Peter (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
Bourne, Nick (Ceidwadwyr Cymreig – Welsh Conservatives)
Burnham, Eleanor (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
Burns, Angela (Ceidwadwyr Cymreig – Welsh Conservatives)
Butler, Rosemary (Llafur – Labour)
Cairns, Alun (Ceidwadwyr Cymreig – Welsh Conservatives)
Chapman, Christine (Llafur – Labour)

Cuthbert, Jeff (Llafur – Labour)
 Davidson, Jane (Llafur – Labour)
 Davies, Alun (Llafur – Labour)
 Davies, Andrew (Llafur – Labour)
 Davies, Andrew R.T. (Ceidwadwyr Cymreig – Welsh Conservatives)
 Davies, Jocelyn (Plaid Cymru – The Party of Wales)
 Davies, Paul (Ceidwadwyr Cymreig – Welsh Conservatives)
 Elis-Thomas, Dafydd (Plaid Cymru – The Party of Wales)
 Evans, Nerys (Plaid Cymru – The Party of Wales)
 Franks, Chris (Plaid Cymru – The Party of Wales)
 German, Michael (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Graham, William (Ceidwadwyr Cymreig – Welsh Conservatives)
 Gregory, Janice (Llafur – Labour)
 Griffiths, John (Llafur – Labour)
 Griffiths, Lesley (Llafur – Labour)
 Gibbons, Brian (Llafur – Labour)
 Hart, Edwina (Llafur – Labour)
 Hutt, Jane (Llafur – Labour)
 Isherwood, Mark (Ceidwadwyr Cymreig – Welsh Conservatives)
 James, Irene (Llafur – Labour)
 Jenkins, Bethan (Plaid Cymru – The Party of Wales)
 Jones, Alun Ffred (Plaid Cymru – The Party of Wales)
 Jones, Ann (Llafur – Labour)
 Jones, Carwyn (Llafur – Labour)
 Jones, Elin (Plaid Cymru – The Party of Wales)
 Jones, Gareth (Plaid Cymru – The Party of Wales)
 Jones, Helen Mary (Plaid Cymru – The Party of Wales)
 Jones, Ieuan Wyn (Plaid Cymru – The Party of Wales)
 Law, Trish (Annibynnol – Independent)
 Lewis, Huw (Llafur – Labour)
 Lloyd, David (Plaid Cymru – The Party of Wales)
 Lloyd, Val (Llafur – Labour)
 Melding, David (Ceidwadwyr Cymreig – Welsh Conservatives)
 Mewies, Sandy (Llafur – Labour)
 Millar, Darren (Ceidwadwyr Cymreig – Welsh Conservatives)
 Morgan, Jonathan (Ceidwadwyr Cymreig – Welsh Conservatives)
 Morgan, Rhodri (Llafur – Labour)
 Neagle, Lynne (Llafur – Labour)
 Ramsay, Nick (Ceidwadwyr Cymreig – Welsh Conservatives)
 Randerson, Jenny (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Ryder, Janet (Plaid Cymru – The Party of Wales)
 Sargeant, Carl (Llafur – Labour)
 Sinclair, Karen (Llafur – Labour)
 Thomas, Gwenda (Llafur – Labour)
 Thomas, Rhodri Glyn (Plaid Cymru – The Party of Wales)
 Watson, Joyce (Llafur – Labour)
 Williams, Brynle (Ceidwadwyr Cymreig – Welsh Conservatives)
 Williams, Kirsty (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Wood, Leanne (Plaid Cymru – The Party of Wales)