



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

**Cofnod y Trafodion  
The Record of Proceedings**

**Dydd Mercher, 10 Mawrth 2010  
Wednesday, 10 March 2010**

**Cynnwys**  
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Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynndi yn y Siambr. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg. Cyhoeddir fersiwn ddwyieithog ymhen pum diwrnod gwaith.

In the left-hand column, the proceedings are recorded in the language in which they were spoken in the Chamber. In addition, an English translation of Welsh speeches is included.

A bilingual version will be published within five working days.

*Ailymgynullodd y Cynulliad am 2 p.m. gyda'r Llywydd (Dafydd Elis-Thomas) yn y Gadair.  
The Assembly reconvened at 2 p.m. with the Presiding Officer (Dafydd Elis-Thomas) in the  
Chair.*

**Y Llywydd:** Trefn ar gyfer cwestiynau i'r Gweinidog dros Blant, Addysg a Dysgu Gydol Oes.  
**The Presiding Officer:** Order for questions to the Minister for Children, Education and Lifelong Learning.

### **Cwestiynau i'r Gweinidog dros Blant, Addysg a Dysgu Gydol Oes Questions to the Minister for Children, Education and Lifelong Learning**

#### **Education Provision**

**Q1 The Leader of the Opposition (Nick Bourne):** Will the Minister make a statement on education provision in mid Wales?  
OAQ(3)1273(CEL)

**The Minister for Children, Education and Lifelong Learning (Leighton Andrews):** Education provision across mid Wales at all levels continues to receive significant funding and support from my department and from local authorities.

**Nick Bourne:** I am grateful to the Minister for that response. You will be aware that, last week, the issue of special educational needs funding was raised on numerous occasions across the Chamber with various Ministers. I am concerned about the proposal brought forward by the Assembly Government that seems to indicate that funding will only be at a level of 69 per cent next year, having been at 95 per cent this year, whereas previously, 100 per cent has ultimately been paid in relation to this issue. It will mean a shortfall in Powys of some £0.5 million—just over, in fact—and a shortfall across Wales of £8.5 million. I have spoken to specialist schools in my area and Ysgol Penmaes, for example, is hit in Brecon, as is Ysgol Cedewain in Newtown. This is an issue across Wales, and impacts upon the most vulnerable children and the most vulnerable part of our community. I hope that the Minister is able to give some reassurance that the Government will fund this at 100 per cent and nothing less.

**Leighton Andrews:** I am aware of the concerns that have been raised across Wales and the Chamber in respect of funding for special educational needs post 16. The reality is that we have invested significantly in post-16 SEN, and budgets have grown significantly in recent years. However, I am concerned about the current situation and have asked officials to look at what we may be able to do. We will be looking at that over the next week or two, to see whether we can do any more.

**Nerys Evans:** Yr wyf yn siŵr eich bod yn ymwybodol o gynlluniau i ad-drefnu ysgolion ym Mhowys. Un peth sydd wedi bod yn syfrdanol yn y broses yw'r diffyg ymgynghori â thrigolion y sir a'i haelodau etholedig. Yn anffodus, nid yw Powys yn eithriad yn hynny o beth. Yr wyf yn siŵr eich bod hefyd yn ymwybodol o'r broses o ad-drefnu ysgolion yn sir Gaerfyrddin. Ychydig wythnosau yn ôl, cytunodd bwrdd

#### **Darpariaeth Addysg**

**C1 Arweinydd yr Wrthblaid (Nick Bourne):** A wnaiff y Gweinidog ddatganiad am ddarpariaeth addysg yn y canolbarth?  
OAQ(3)1273(CEL)

**Y Gweinidog dros Blant, Addysg a Dysgu Gydol Oes (Leighton Andrews):** Mae darpariaeth addysg ar bob lefel ar draws y canolbarth yn parhau i gael cyllid a chymorth sylweddol gan fy adran a'r awdurdodau lleol.

**Nerys Evans:** I am sure that you are aware of plans to reorganise schools in Powys. One thing that has astonished me about the process is the lack of consultation with the residents of the county and its elected members. Unfortunately, Powys is no exception in that regard. I am sure that you are also aware of the schools reorganisation process in Carmarthenshire. A few weeks ago, the executive board of the county

gweithredol y cyngor sir ar argymhellion ad-drefnu ysgolion yn ardal Dinefwr. Pan ddaeth cofnodion gerbron y cyngor llawn ddydd Gwener, nid oedd modd i aelodau etholedig y sir drafod y mater yn fanwl na chynnig gwelliannau. Y cyfan y gallent ei wneud oedd cymeradwyo cofnodion y bwrdd gweithredol. Mae hwn yn fater o bwys enfawr i drigolion yr ardal, yn enwedig mewn perthynas â darpariaeth addysg Gymraeg. Oni ddylai pob cyngor sicrhau cyfle teg i aelodau etholedig drafod cynlluniau pellgyrhaeddol mewn perthynas ag ad-drefnu ysgolion?

council agreed on recommendations for schools reorganisation in the Dinefwr area. When the minutes were presented to the full council on Friday, elected members were not given the opportunity to discuss the matter in detail or propose amendments. All that they could do was approve the minutes of the executive board. This is a matter of great importance to the inhabitants of the area, particularly in relation to Welsh-medium education. Should all councils not provide elected members with a fair opportunity to discuss far-reaching plans in relation to the reorganisation of schools?

**Leighton Andrews:** Llywydd, I think that the Member has made a case, but as she is well aware, I am unable to comment on specific proposals that may come to me at some stage for determination.

**Paul Davies:** Last year, just 57 per cent of students in Wales gained five or more A\* to C grades at GCSE; that compares to 70 per cent in England. If that is not bad enough, the gap has more than doubled in the last two years. Will the Minister tell us what specific measures he is putting in place to close this gap?

**Leighton Andrews:** The issue for us must inevitably be one of seeking to place an emphasis in our educational work on standards rather than structures. That is a message that I have been sending out very clearly. Sometimes, this is an issue of leadership in schools. Our school effectiveness framework, which kicks in this autumn, will provide the wherewithal and the opportunities for standards to be tackled at a local level. We need to look at variations in performance between schools, and at variations in performance within the classroom. I am well aware that there is a large body of committed headteachers out there who are determined to raise school performance levels. I saw a very interesting presentation at a school in Newport just last week by a new headteacher with ambitious plans to raise standards. This is crucial, and it is something on which I will want to see action taken.

**Paul Davies:** Thank you for that answer, Minister. Many of our young people progress to further education to continue their educational pathway, and a well-trained, highly skilled population is fundamental to the wellbeing of the economy now and in the future. The level of funding to this sector directly affects the number of courses that further education establishments of all types can offer, and a broad variety of courses help to provide a well-balanced workforce for the future. Will the Minister tell us the rationale behind the Welsh Assembly Government's decision to require this sector to find 5 per cent efficiency savings, when all other government sectors are required to find only 1.6 per cent?

**Leighton Andrews:** I am surprised that the Member does not understand the difference between the 1.6 per cent and the 5 per cent. As I explained before the Finance Committee quite recently, the 1.6 per cent relates to the saving overall that we would expect across the budget, while the 5 per cent is what we would expect particular providers to find within the training that they provide. We have had extensive discussions on this with the Finance Committee within the last few weeks. I met ColegauCymru this morning and it is fair to say that it was positive about the settlement that it had received this year. We have given a settlement that, in terms of recurrent funding, is, if I remember the figures exactly, a 5.85 per cent increase. We have done well by the further education sector.

**The Leader of the Welsh Liberal Democrats (Kirsty Williams):** I wish to return to the

subject of post-16 special educational needs provision. In your answer, you pointed to the increases in funding to the sector, and there have been increases in funding, but that has been offset by an increase in inflation and in the cost of delivery of education, and by a significant additional number of pupils to be provided for. I welcome your commitment to look again at the funding arrangements for next year. That is in stark contrast to the responses by the First Minister and Minister for Business and Budget, so it is very welcome indeed. When you look again to see what additional resources can be put into this field, will you take into consideration issues around special educational needs statements? Those are legal documents, which accompany those children and enshrine their right to appropriate levels of education after the age of 16, and need to be taken into consideration when planning so that the resources are available to meet the educational needs statements.

**Leighton Andrews:** On the question of statements, as you are probably aware, as we discussed this in the Enterprise and Learning Committee recently, we have pilot projects under way on the standard of statements and assessment. In respect of funding, we have to ask whether the funding that we are currently allocating, both for post-16 provision through local authorities and through the FE sector, is delivering in the best interests of learners and of the institutions. There are questions in my mind at the moment, because we have put significant additional resources in year on year, and if you look at the figures you can see that. It is true that numbers have grown, but we also need to look at the impact of that money. Are we delivering as effectively as we could? Are we delivering provision for students who would want to stay in Wales but may have to take out of county or, indeed, out of country placements? We have to look at whether that money is properly organised and is delivering in the way that we would want it to.

**Kirsty Williams:** Minister, you will be aware of the two special schools that provide services for my constituents, Ysgol Penmaes, and Ysgol Cedewain in Newtown. Those schools have scored very highly in inspections in recent years, and the inspectors pointed to the good value for money of placements at those schools. Powys has developed its services in those schools precisely to stop Powys children from having to be educated out of county or out of country. We have developed those services to keep our children within their community, and that work is undermined if you are unable to find the additional resources that you now say that you will look to provide.

**Leighton Andrews:** We can always learn from good practice, and that will be part of the discussion that we need to have. It is clear that there are probably issues on the supply side in terms of the educational provision that is around, both in Wales and outside it, and we need to look at how the costs of that are rising. I do not think that this is something that can be fixed quickly. It is something that we have to have a proper look at. As I say, on the general issue, I am looking to see what we can do in terms of additional funding.

#### **Childhood Literacy**

**Q2 Christine Chapman:** Will the Minister provide an update on improving childhood literacy in Wales? OAQ(3)1248(CEL)

#### **Llythrennedd Plant**

**C2 Christine Chapman:** A wnaiff y Gweinidog roi'r wybodaeth ddiweddaraf am wella llythrennedd plant yng Nghymru? OAQ(3)1248(CEL)

2.10 p.m.

**Leighton Andrews:** Raising literacy levels in Wales is one of my key objectives. As we emerge from recession, it is more important than ever that we ensure good standards in basic skills. I have made clear my intention to focus on children's literacy.

**Christine Chapman:** Last week, I was pleased to host a launch event here for the StartRight!

young enterprise company from Pontypridd High School in my constituency. The company has produced a series of books to promote healthy eating among children, but which also encourage literacy. As that example shows, we need to use creativity and flexibility to capture the attention of our children and young people when promoting childhood literacy. Can the Minister assure me that the Welsh Assembly Government will continue to be as creative as it has been in support of the Read a Million Words in Wales campaign? In addition, all levels of Government can and should work together on the promotion of literacy to produce the best results. I welcome Rhondda Cynon Taf council's announcement of £60,000 to create a first-class library facility for young people in Aberdare, and the recent Science Fiction/Science Fact sessions organised by RCT libraries. Can the Minister assure me that he will continue to work with other stakeholders to give every child the best possible start in life so that they can go on to reach their potential?

**Leighton Andrews:** Yes, indeed, and I lend my support to StartRight! and the other initiatives that you mentioned. There are many good examples of initiatives being developed by some very passionate and committed individuals, such as Rob Jones in the Rhondda, who is working on the Only Boys Allowed reading scheme, although many other organisations are also involved. Only two weeks ago, I was at Cardiff City Stadium supporting the Learning Through Sport initiative. We really have to capture the imagination of young people to engage them in ways that are accessible to them and interesting. That is what underpins some of the schemes that you are talking about.

**Jonathan Morgan:** Minister, in 2008, the Portuguese Government launched a programme that consisted of a partnership between the state, Intel, Portuguese mobile communications providers and Microsoft, to give a subsidised laptop to every primary school child between grades 1 and 4. The key difference between your scheme and that scheme, as well as what has happened in countries such as Uruguay, is that your scheme is a universal freebie, or at least it purports to be. Other countries have targeted the use of their resources at those communities in which literacy has been a main problem or that are particularly poor. Those computer projects have tried to raise standards not only in literacy, but also in a variety of subjects such as numeracy and basic Portuguese, English and computer skills. If you are to pursue the free laptop policy in Wales, will you do it in a more targeted way, or are you still committed to giving a free laptop to all?

**Leighton Andrews:** Our commitment in 'One Wales' is to pilot the use of laptops, and I will be saying more about that over the next couple of weeks. We are looking for the pilot scheme to take place in areas of disadvantage. I welcome what you said about other schemes, and I am very pleased that, tomorrow, I will be returning to my first school to assist in an initiative that has the involvement of Apple Computer Inc. Several partnerships are going on in Wales. I have seen excellent schemes, such as that in Torfaen, in which Microsoft is involved, and many different ones, which are to be encouraged.

**Helen Mary Jones:** Minister, I know that you will agree with me that introducing formal learning at too early a stage is counterproductive to early childhood literacy. The approach taken through the foundation phase—of encouraging communication skills and confidence before moving to formal literacy training—is likely to deliver the most effective approach to promoting young people's literacy in the long term. Will you take the opportunity this afternoon to confirm this Government's ongoing commitment to the foundation phase? Knowing that we are going into difficult financial times, I am sure that you would agree that that is one area of education that we must protect at all costs, because it is the one most likely to give the poorest children a step up, giving them access to opportunities that are available to better-off children through the home and through paid childcare places.

**Leighton Andrews:** I thank you very much for your resounding endorsement of the foundation phase. As we approach financial discussions in the Assembly over the next few

months, I urge you to keep that resounding support well to the forefront. We are committed to that programme, which is receiving recognition across Wales. People in the primary sector are very enthusiastic about it wherever you go, and there is no question that it is receiving accolades from across the border.

### School Closures

**Q3 Jonathan Morgan:** Will the Minister outline the Welsh Assembly Government's policies for school closures? OAQ(3)1263(CEL)

### Cau Ysgolion

**C3 Jonathan Morgan:** A wnaiff y Gweinidog amlinellu polisiâu Llywodraeth Cynulliad Cymru ar gyfer cau ysgolion? OAQ(3)1263(CEL)

**Leighton Andrews:** I refer the Member to the written statement that I issued in January.

**Jonathan Morgan:** Thank you, Minister, for that response. I want to raise a specific issue in relation to the way in which the schools reorganisation programme is being taken forward as it affects Whitchurch in my constituency. Although I know that the Minister will be unable to comment on specific proposals being consulted upon, it is the nature of the consultation that concerns me today. The Minister will be aware that between October and December last year, Cardiff Council consulted on three options. In February of this year, Cardiff Council issued a fourth option for consultation, with a consultation period of some three and a half weeks. I understand from reading the Assembly Government's guidance on school closures, which was issued in time for the start of the new calendar year, that any proposal that went to statutory notice would have to be consulted on for a period of two months. While Cardiff Council has not moved to the point of statutory notice as yet, issuing a fourth option in February for a consultation period of only three and a half weeks is a dreadful way to consult the people of Whitchurch, because it does not give sufficient time for headteachers, governors, and parents within the wider community to respond to the considerable detail of the new proposal. In addition, no information was provided by the council to back up the reason for considering a fourth option. Can the Minister outline what the guidance says about the way in which consultation should take place before a statutory notice is issued?

**Leighton Andrews:** Llywydd, I am again, I am afraid, not going to comment on the specifics of the case. The Member has set out his views on the process that is being followed. We have a debate scheduled for later today in which we can perhaps talk about some of the general issues involved, therefore I would rather not be drawn in a context where a Member has made comments on specific proposals.

**The Presiding Officer:** Minister, I believe that you are perfectly entitled to say what you have just said, and I maintain that that is the orderly thing for us to be doing here. Local government is a properly constituted democratic authority that has delegated powers within its area. Of course, there are issues where Ministers are involved in guidance and setting procedures. However, Ministers should not comment on decisions taken by local authorities within those contexts, because those are the decisions of the authorities. That is the fine line that we have to deal with in these matters.

**Chris Franks:** Minister, when will you be able to make a decision regarding the reorganisation of Cardiff schools? I appreciate that we will not discuss the actual decision, but pupils, parents and teachers will remain in limbo until a decision is made, and there is a great deal of frustration across the city. Weekly, the Government tells local authorities that they must become more efficient and must address surplus places and a whole range of issues, yet Government delays are causing huge problems.

**Leighton Andrews:** Llywydd, I will make decisions when the papers are put in front of me. Sometimes, of course, I may have further questions to ask.

**The Presiding Officer:** Again, I have to agree with the Minister.

**Jenny Randerson:** Let us see if I can get something from you, Minister. Last week, the First Minister said in response to my question about education that what is mainly wrong with education is the fact that local authorities are not getting on with the process of reorganisation. I have asked you some written questions about the delay in ministerial decision making, and among the helpful comments that you made in your answers was the reference to the fact that you have a target date of 26 weeks for a decision, while the average time taken has been 32 weeks. Can you give me some general information on why there have been delays beyond the target date?

2.20 p.m.

**Leighton Andrews:** Yes, that is fairly straightforward. In some cases the proposals can be complex and they will involve the redistribution of numbers between several schools if a particular organisation proposal was pursued, while, in others, there may be a high volume of objections. It is fair to say that there are occasions when local authorities submit information to us that is incomplete, which leaves us with two choices: we either go back to them and ask for more information, which extends the process again, or we reject the proposals, in which case they would have to start the entire process again. So, there are a number of reasons that come together, and I think that that gives you a fair summary.

**Jenny Randerson:** Thank you for that, Minister; it was very helpful. I echo the comments of Chris Franks, because there is a great deal of tension across Wales in communities where there are proposals for school reorganisation. It is bad for staff morale, and for parents and children in the area, to have to wait a long time. Of course, the proposals that come out of the statutory consultation period come after a long, informal consultation period, when certain possibilities have been widely discussed and informally consulted on by local authorities. That uncertainty goes on for years in many cases. Can you explain, therefore, why one set of proposals has been waiting on your desk for 49 weeks, and another that you recently decided on took 47 weeks? Were they proposals where, as you suggest, you had to go back to local authorities and ask for further information, which is why the decision took so much longer? Do you not think that it would be a good idea to revise your target date as you are unable to meet it and because members of the public think they will get an answer much more quickly than they evidently are?

**Leighton Andrews:** The 26-week target date starts with a notice of the publication of the proposals by the local authority, followed by a two-month consultation period. The authority then has a month to get the proposals to us and we would try to get a decision within three months of receiving those papers. I have been quite open about the fact that we are not meeting the deadlines. I would agree with Members that there is a series of problems that we need to look at more broadly. Indeed, I convened a new policy board in my department after taking over as Minister, and the first detailed discussion that we had on an item of policy related to school closures, as we could see some of the problems that were before us.

Again, I am not going to comment on individual proposals. However, I will say that, in one of the cases that you cited, we had to go back to the local authority to get additional information, as I mentioned in my previous answer. I do not think that the current situation is acceptable. We are looking at what we can do internally and we will no doubt discuss that further later this afternoon. I assure you that no proposal sits on my desk for a number of weeks. I try to clear proposals as they come to me. Of course, as I said earlier, I may feel that I have to ask officials for further information on occasion before I am prepared to sign off or reject a proposal, so it is not straightforward.



**Autism Training for Teachers****Hyfforddiant i Athrawon ar Awtistiaeth**

**Q4 Janet Ryder:** Will the Minister make a statement on in-service autism training for teachers? OAQ(3)1268(CEL)

**C4 Janet Ryder:** A wnaiff y Gweinidog ddatganiad am hyfforddiant mewn swydd i athrawon ym maes awtistiaeth? OAQ(3)1268(CEL)

**Leighton Andrews:** Our bilingual e-learning course on special educational needs, launched in 2008, contains a module on autism. Materials for newly qualified teachers are under development on a wide range of additional learning needs, including autism, and further courses will follow as part of the wider review of continuing professional development.

**Leighton Andrews:** Mae i'n cwrs e-ddysgu dwyieithog ar anghenion addysgol arbennig, a lanswyd yn 2008, fodiwl ar awtistiaeth. Mae deunyddiau ar gyfer athrawon sydd newydd gymhwyso yn cael eu paratoi ar hyn o bryd ar ystod eang o anghenion dysgu ychwanegol, gan gynnwys awtistiaeth, a bydd cyrsiau pellach yn dilyn fel rhan o'r adolygiad ehangach o ddatblygiad proffesiynol parhaus.

**Janet Ryder:** Thank you for that answer, Minister. On Friday I had the pleasure of speaking at the launch of Gwynedd's strategic plan on the autism spectrum. One of the other guest speakers at that conference was Dr Glenys Jones, who is a research professor in the Autism Centre for Education and Research in the University of Birmingham. I fully appreciate that we need to have the structures and support material for our staff that are relevant to Welsh schools, but the autism centre at the University of Birmingham is producing some innovative work for teacher training, including units that can be used in the classroom by teachers and cascaded down to every class teacher. Will you look at some of that work, Minister, and, if you feel it is applicable to Wales, consider how we can introduce some of that work into our curriculum once it is fully translated?

**Leighton Andrews:** If it is relevant to our curriculum, we will be happy to look at it. There is a range of courses available already via statutory or third sector organisations across Wales to enable teachers to develop expertise in autism. For example, Autism Cymru has trained between 400 and 500 schools to date, with more on the agenda next term.

**Alun Cairns:** I want to ask the Minister about special educational needs in general, and specifically about autism. Do you recognise that, in this funding squeeze on local authorities, for good and bad reasons—I do not want to make a particular point about that—funding for special educational needs can be squeezed also? Some local authorities have taken action to mainstream all of their special educational needs pupils, irrespective of need. Do you recognise that that is a dangerous step to take for those children and that their needs must be at the forefront, irrespective of whether they need to be in a maintained, independent, special or mainstream school, whichever is appropriate? What action can you take on a strategic level, across all local authorities in Wales, to ensure that when spending is tight, funding for children with special educational needs is not squeezed as it could be, if some press reports are to be believed?

**Leighton Andrews:** I agree that the starting point has to be the needs of the individual learner, as you describe it. One of the things that we can do—this goes back to an answer I gave earlier—is look at the way in which the funding is currently distributed. We need to consider whether authorities are following best practice that is available and whether the proposals that they have adopted are genuinely relevant to the individual needs of specific learners. I am not satisfied at the moment, particularly about post-16 provision, as I mentioned earlier, that we have the funding regime that is appropriate across both maintained schools and FE, or for other funding that we need to make available for placements that are out of county or beyond. There is quite a lot there for us to look at in that respect. Your

question was directed more at pre-16 provision, and I accept the points that you make.

### Sex Education in Schools

**Q5 Eleanor Burnham:** Will the Minister make a statement on the Welsh Government's plans to increase the provision of sex education in schools?  
OAQ(3)1291(CEL)

**Leighton Andrews:** Maintained schools are required to have a policy with regard to the provision of sex education. There are no plans to alter the current position with provision being a matter for each school working within statutory requirements and taking note of guidance issued by the Welsh Assembly Government.

### Addysg Rhyw Mewn Ysgolion

**C5 Eleanor Burnham:** A wnaiff y Gweinidog ddatganiad am gynlluniau Llywodraeth Cymru i gynyddu darpariaeth addysg rhyw mewn ysgolion?  
OAQ(3)1291(CEL)

**Leighton Andrews:** Mae'n ofynnol bod gan ysgolion a gynhelir bolisi sy'n ymwneud â darparu addysg rhyw. Nid oes unrhyw fwriad i newid y sefyllfa bresennol, hynny yw bod pob ysgol yn darparu addysg rhyw o fewn y gofynion statudol gan ystyried canllawiau a gyhoeddwyd gan Lywodraeth Cynulliad Cymru.

**Eleanor Burnham:** Thank you, Minister, for that reply. However, in view of the sad fact that most youngsters need some sort of help due to the fact that the teenage pregnancy rate in Britain is much higher than it is elsewhere in Europe, do you not believe that we need to learn from other cultures that seem to do this better? We know from significant evidence that sexually transmitted diseases can impact heavily on young people's life chances, both male and female. Some of us have seen this situation at first hand. For example, when I was working with schools and excluded young people across north-east Wales, before I came here, many of those young people were pregnant at an alarmingly young age, and many in certain schools had had several abortions, and so on. Instead of taking a somewhat complacent view on this difficult situation, I believe that you need to take this seriously. We need to look at relationships and qualitative issues, and not just give out free condoms. It is a complex issue that desperately needs your attention.

**Leighton Andrews:** I do not think that anyone is complacent about it. Sex education is a statutory requirement in the school curriculum in Wales, and all schools must have a separate written statement of their policy with regard to the provision of sex education. As part of the basic curriculum, secondary schools are required to include sex education for all registered pupils, and primary schools must have a sex education policy, although currently, in the case of primary schools, whether they provide sex education is at the discretion of the school. I do not think that we have been at all complacent about that.

2.30 p.m.

**Lorraine Barrett:** Can you assure me that pupils in some faith schools will not be disadvantaged by receiving sex and relationship education that is not as accurate and balanced as that received in non-faith schools?

**Leighton Andrews:** We want to see balanced education on personal relationship matters provided in all schools in Wales, and that is the policy of the Government. However, some of the issues that have grown up around this subject over the past fortnight have been largely in relation to discussions on proposals that are relevant to England rather than to Wales.

**Andrew R.T. Davies:** As someone who agrees fully that sex education is an important part of the curriculum given how it can help people, especially when we hear of some of the terrible events that befall people, I am fully supportive of the current sex education curriculum taught in our schools. However, I also have sympathy with, and understanding for, many of the

concerns that people raise over the position in which they find themselves as a result of the curriculum, especially if they are members of certain ethnic or religious groups. Do you endorse the idea that there should be a tolerance and understanding of people's reservations about some parts of the curriculum, and that schools should try to accommodate these concerns so that children and parents can go along with the curriculum without feeling that they have an undue burden placed on them?

**Leighton Andrews:** The delivery of the curriculum is delegated to schools in partnership with the local authority. Schools will continue to decide where the emphasis should be placed, and parents have the right to withdraw their children from those lessons.

**David Lloyd:** Minister, further to your comprehensive replies thusfar, would you agree that sex education needs to be directed in particular at boys and young men, emphasising that it is cool to respect a woman's choice not to have sex?

**Leighton Andrews:** Yes, indeed. You make a very important point, Dai. I am encouraged to see that specific programmes on matters of sexual health are being developed—in informal learning settings as well as in schools—and that those are being followed by boys as well as girls. I have seen a number of these courses being run in Penrhys and in other parts of my constituency.

#### The Frank Buttle Trust

#### Ymddiriedolaeth Frank Buttle

**Q6 David Melding:** Will the Minister make a statement on how many higher education institutions in Wales have passed the Frank Buttle Trust quality mark for care leavers? OAQ(3)1254(CEL)

**C6 David Melding:** A wnaiff y Gweinidog ddatganiad ynghylch sawl sefydliad addysg uwch yng Nghymru sydd wedi cyflawni marc ansawdd Ymddiriedolaeth Frank Buttle ar gyfer pobl sy'n gadael gofal? OAQ(3)1254(CEL)

**Leighton Andrews:** All Welsh higher education institutions have been awarded the trust's quality mark, which is an excellent achievement. We are committed to improving the educational experience and aspirations of children in care and those leaving care, including opening up opportunities for progression to higher education in partnership with the Higher Education Funding Council for Wales and the Frank Buttle Trust.

**David Melding:** I am sure you will join me in congratulating the Welsh higher education sector on achieving that milestone way in advance of its achievement in England or the rest of the United Kingdom. It is unalloyed good news. However, it is only a part of the challenge, as you hinted in your reply. We must now ensure that we identify this area as a key one to measure the success of policies relating to care leavers, because giving care leavers an excellent education is probably the biggest thing that we can do to ensure that they have happy and productive lives. That must start at the earliest stages, in primary schools, and must continue throughout the education process. At the moment, fewer than 4 per cent of care leavers go on to higher education, unfortunately.

**Leighton Andrews:** The points that you have raised are important. We have the raising attainment and individual standards in education in Wales grant for looked-after children, which is focused on additional study support, on training for education practitioners, and on the publication of relevant materials. There is already some evidence that RAISE is having a beneficial effect. For instance, it has certainly had an effect on the number of looked-after children achieving GCSEs. I also commend the work that has been undertaken by the Reaching Wider partnerships across Wales in providing support and guidance for care leavers considering higher education. A number of very good initiatives are under way.

**Addysg yn Sir Gaerfyrddin**

**C7 Rhodri Glyn Thomas:** A wnaiff y Gweinidog ddatganiad am addysg yn sir Gaerfyrddin? OAQ(3)1267(CEL)

**Leighton Andrews:** Mae awdurdod lleol sir Gaerfyrddin wrthi'n datblygu amgylcheddau dysgu i'r unfed ganrif ar hugain sy'n ennyn diddordeb ac yn ysbrydoli dysgwyr, athrawon a'r gymuned ehangach.

**Rhodri Glyn Thomas:** Weinidog, hoffwn eich cyfeirio at addysg uwchradd, a'r adrefnu sydd ar y gweill ar gyfer cwm Gwendraeth a dyffryn Tywi. A wyddoch am unrhyw asesiad a wnaed o'r dymuniad i gael addysg cyfrwng Cymraeg yn nyffryn Tywi, ac a wnewch chi drafod â'r awdurdod addysg yr angen i sicrhau y caiff trigolion dyffryn Tywi y cyfle i gael addysg gyflawn Gymraeg yn y sector uwchradd?

**Leighton Andrews:** I will not be drawn into commenting on proposals that are being developed by local authorities and may, at some stage, come to me for determination. I remind the Member that I published a written statement on the transformation agenda and the Welsh language earlier this year.

**Cymorth**

**Q8 Brian Gibbons:** Will the Minister make a statement on the future of Cymorth? OAQ(3)1259(CEL)

**The Deputy Minister for Children (Huw Lewis):** Cymorth is a key part of our support to children, young people and families, and the programme will continue to fund projects to tackle disadvantage.

**Brian Gibbons:** You will be aware of the recent evaluation of Cymorth, which demonstrated that much excellent and innovative practice is taking place across Wales to improve the life chances of our most vulnerable children. However, the report did not provide a universal endorsement of the programme. What will you do in response to the evaluation to make sure that Cymorth resources are targeted fully and most effectively at the needs of our most vulnerable children?

**Huw Lewis:** You are quite right to say that the interim evaluation of Cymorth is, overall, an encouraging document to read. However, I will be joining my officials to look at ways to make the programme—and programmes like it—stronger, more strategic, more accountable and more focused, particularly on children in the worst levels of deprivation.

**Mark Isherwood:** Wales has the highest rate of children living in severe poverty, with the number standing at 96,000, against a backdrop of rising levels of overall child poverty, with the figure in Wales standing at 192,000. As you indicated, Cymorth is the Welsh Government's fund targeting support for children and young people in disadvantaged

**Education in Carmarthenshire**

**Q7 Rhodri Glyn Thomas:** Will the Minister make a statement on education in Carmarthenshire? OAQ(3)1267(CEL)

**Leighton Andrews:** Carmarthenshire local authority is working to develop twenty-first century learning environments that engage and inspire learners, teachers and the wider community.

**Rhodri Glyn Thomas:** Minister, I want to refer you to secondary education, and to the reorganisation that is on the cards for the Gwendraeth and Towy valleys. Do you know of any assessment carried out of the demand for Welsh-medium education in the Towy valley, and will you discuss with the education authority the need to ensure that the residents of the Towy valley are given the opportunity to have a full Welsh-medium education in the secondary sector?

**Cymorth**

**C8 Brian Gibbons:** A wnaiff y Gweinidog ddatganiad am ddyfodol Cymorth? OAQ(3)1259(CEL)

families. How do you respond, therefore, to evidence from the Joseph Rowntree Foundation that identifies real concerns about our ability to address child poverty if we rely on Cymorth and Flying Start programmes? Research indicates that more children are living in poverty outside the areas designated as disadvantaged than inside them.

**Huw Lewis:** Mark, you really need to take a wider view and catch up on developments. The Welsh Assembly Government's child poverty policies, as well as the programmes that we have operating in communities to eradicate child poverty and ameliorate its effects go much further and wider than Cymorth and Flying Start. On 10 February, we received Royal Approval for the Children and Families (Wales) Measure 2010, which, in effect, draws the entire Welsh public sector into the battle to eradicate child poverty. That new Welsh law will have far-reaching effects for every local authority, for the NHS, for all those public bodies out there that receive funding from the Welsh Assembly Government and, indeed, for WAG itself. We are going to go through what is, in effect, a revolution in attitudes and programmes aimed at this group of children.

**Bethan Jenkins:** I have received representations from Action for Children stating that when projects are set up for review, the review process is quite long. The organisation also hears about new projects and new financing at the beginning of the following year, which it says creates a lot of uncertainty regarding when it will receive the next tranche of funding. It wonders whether it could have any interaction with you, as Deputy Minister, which might relieve some of these uncertainties and provide clarity for staff and service users regarding which projects are to go ahead following the review process.

**Huw Lewis:** Of course, Bethan. I am always very happy to meet with any groups that are out there delivering in partnership with us, looking for ways to improve the life chances of this group of children. I take on board what you are saying and, as I said previously, I am interested in making all our programmes much more strategic as we enter the second decade of our commitment to eradicate child poverty by 2020.

2.40 p.m.

**Y Llywydd:** Diolch yn fawr i'r Gweinidog a'r Dirprwy Weinidog.

**The Presiding Officer:** I thank the Minister and the Deputy Minister.

### **Datganiad a Chyhoeddiad Busnes Business Statement and Announcement**

**The Minister for Business and Budget (Jane Hutt):** Business for the next three weeks is as set out on the business statement and announcement, which can be found in the agenda papers that are available to Members electronically.

**Y Gweinidog dros Fusnes a'r Gyllideb (Jane Hutt):** Mae busnes y tair wythnos nesaf fel y'i amlinellir yn y datganiad a chyhoeddiad busnes a welir ymysg y papurau agenda sydd ar gael i Aelodau yn electronig.

**Nick Bourne:** I thank the Minister for business for that statement, and I ask her for two statements on the following two issues, or perhaps a debate on the first one. The first request relates to caravans and mobile homes, and, as it does not have a particularly party political dimension, a Government debate or statement might be appropriate. I have written to the Minister for planning about Aberystwyth Holiday Village specifically, but it is more about a generality. Working with councillor Aled Davies, who is a Plaid Cymru councillor in Ceredigion, I have come across difficulties in relation to planning permission being granted for a number of permanent homes but then of homes in excess of that number being sold. That often creates problems with insurance not being valid, possibly for the whole site, but

certainly for the individuals living in those homes. It is an issue of mis-selling, and some of these caravan parks are still mis-selling in breach of planning regulations. There is an issue of potential homelessness. These are serious issues that tend to affect the older and most vulnerable in our community, because they are the people who are attracted to go to live near relations and so on. In relation to Aberystwyth Holiday Village, which I have been looking at with Aled Davies, I wonder whether we could have a general statement about some of those issues.

The second issue relates to the Hywel Dda NHS Trust but perhaps more widely. I ask that the Minister for Health and Social Services make a statement about some of the debts that trusts have. Hywel Dda NHS Trust has the largest debt in Wales, with some £12 million. People in the area that I represent are concerned that services should not be compromised by the debt that has been run up, and that a good health service should be provided in our area. I seek reassurance from the Minister and ask whether she can make a statement on the generality of some of those debts, as we go forward.

**Jane Hutt:** I sympathise with the concerns that have been expressed to you in your involvement with the caravan and mobile homes issue. I am handling similar issues in my constituency. We had a very good debate across the Chamber, with cross-party evidence of real difficulties. I will draw the matter to the attention of the Deputy Minister for Housing and Regeneration, and perhaps ask for an update on the action that she said that she would take. You also raise issues that relate to planning, and so perhaps we as an Assembly Government need to look at this in the round. I am grateful that you have brought this to my attention this afternoon.

The issues surrounding the Hywel Dda NHS Trust and its finances are matters with which the Minister for Health and Social Services is fully engaged. It is her role to ensure that the chief executives deliver on their financial planning assumptions. Her expectations have been made very clear to them.

**Chris Franks:** I welcome the news that the pilot project to support those who have served in the armed forces and have experienced mental health difficulties is to be extended. Could we have a statement from the Minister for Health and Social Services on that announcement? My parliamentary colleagues at Westminster have shown that there is still a long way to go, particularly on the integration of services for veterans provided by the Ministry of Defence and the voluntary sector. Will the Welsh Government discuss with Ministers in London the important issue of support for those who have served in the armed forces? We should also consider those in the territorial army who serve as doctors and nurses in conflict zones.

Furthermore, following the fiasco concerning the threatened closure of Bryneithin home for the elderly and mentally infirm, could we have a debate regarding the protection of our most vulnerable residents who are threatened with eviction from their much-loved home?

**The Presiding Officer:** Order. That is a matter for the Vale of Glamorgan Council, is it not? I have told you that before.

**Jane Hutt:** Thank you, Chris. On your point about the important announcement that Edwina Hart was able to make on Monday, that the pilot project for the veterans' mental health service will be extended across Wales, I know that it was widely welcomed. The project has been trialled in Cardiff and Vale University Local Health Board and Cwm Taf Local Health Board. It is an important new all-Wales service that will be fully funded by the Assembly Government with investment of £485,000 per year. I would also say, in relation to the armed forces, that all war veterans in Wales are entitled to priority NHS treatment for a health condition related to their military service.

**Eleanor Burnham:** Funding for the Wales Women's National Coalition has been removed. In view of the fact that funding has been removed from such an august body that does an enormous amount of very good work, can we have a statement on the issue please? We need to have some questions answered on the need to withdraw funding from such an important body.

**Jane Hutt:** I am sure, Eleanor, that you were here this morning when the Minister for Social Justice and Local Government was answering questions.

**Eleanor Burnham:** No, I was not.

**Jane Hutt:** I know that the Minister dealt with this issue very fully this morning when answering questions on the project.

**Andrew R.T. Davies:** I was hoping that we would be able to secure a statement today on the statutory training provided in the national health service. Last week, the inadequate cleanliness of the wards at Llandough Hospital was highlighted by Health Inspectorate Wales. One of the failings that the inspectorate found was that many of the staff had not, sadly, undertaken their statutory training in respect of hygiene and cleanliness on the wards. This is of great concern, given the consequences of not understanding the need for cleanliness and control in our health service and the consequences for patients when clostridium difficile and other conditions arise on the wards. I was hoping that the Minister would be able to come forward with a statement to Plenary on how she is now addressing the statutory training of our healthcare professionals so that we can have the best trained workforce possible in our health service.

I would like the Minister to make a written statement available to Members and to provide an oral address to Plenary on today's announcement that the chief executive of the Welsh Ambulance Services NHS Trust will be stepping down. Considering the timeframe that has been indicated, this piece of news has come from nowhere and it will cause great concern to many Members in the Chamber, given what has happened historically when chief executives have left the ambulance trust. We are all aware of the challenges that the ambulance trust faces and for it to find itself without a chief executive is a matter of great concern. I would hope that you will be able to secure a statement from the Minister for Health and Social Services so that, next week, we will be able to scrutinise her response in Plenary to discern how she will now take this issue forward. Above all, we may be able to glean an understanding as to how a situation has arisen that has resulted in the chief executive feeling that he has to leave at relatively short notice, within a two-week period.

I am sure that you would join me in asking the Assembly to note that this Friday will be the sixtieth anniversary of the tragic air accident in Sigingstone in the Vale of Glamorgan. Sadly, that village, at the time, faced the task of dealing with 75 deaths and had the dubious honour of witnessing the largest airborne accident involving civilians in the world at that time. Although progress has been made at many airfields, including St Athan and Cardiff airport, which are located in the Vale of Glamorgan, it is essential that we ensure that our emergency services are prepared. Above all, people must feel that they have the support of the Assembly Government when ensuring that these types of events are not forgotten and that, above all, we remember these situations so that we can prevent such a tragedy from occurring again.

**Jane Hutt:** Thank you for bringing two key priority areas for the Government to the Assembly this afternoon, to me as the Minister responsible for Assembly business. Of course, the highest standards of hygiene and cleanliness are at the forefront of the Minister for Health and Social Services' priorities for the Welsh NHS. When there are lessons to be learnt and if there is any diminution in terms of standards, we have to look at the reasons for that. I know that that will be taken on board by the relevant body—Cardiff and Vale University Local

Health Board in this instance—in terms of statutory training.

2.50 p.m.

The matter of the chief executive of the ambulance trust is a matter for the ambulance trust and its board. It is most important to us that the performance of the Welsh ambulance trust has improved considerably, with increased stability, over the last few months. We would not expect there to be a change in terms of its ability to meet those service performance targets and standards for Wales. We see that the performance of the Welsh ambulance trust against the eight-minute target has been sustained over the last few months, particularly—let us recognise—during the difficult few weeks after Christmas when we experienced bad weather. I am sure that everyone in the Chamber would want to congratulate those in the emergency services who were on the front-line during that time. Our role is to ensure that the Welsh ambulance trust continues to improve, with increased stability, which is what I believe that it is doing.

**Peter Black:** Minister, if anything underlines the need for a statement on the ambulance service, it is your interpretation of the performance statistics of the ambulance trust, which worsened during the last two months for which figures are available, although I understand that the figures for February may show an improvement again. I underline Andrew R.T. Davies's request for a statement on the ambulance service. Obviously the loss of the chief executive is a matter of great regret, but there are a number of issues that his successor will need to address, including the efficiency review of the ambulance trust, the fact that the ambulance trust is failing to meet its targets in a number of key areas of Wales—notably, rural Wales and south-east Wales—and the impact on its performance of issues around accident and emergency departments and the shortage of acute beds. It is apposite that the Minister should come to us with a statement on the ambulance trust in the light of the standing down of the chief executive so that she can answer questions on the way forward for that trust, and so that we can ask questions on it.

Secondly, Minister, is it possible to have a written statement on the Government's dealings with the UK Government over the draft LCO on housing? It seems to me that until the general election is called, the fate of that LCO lies very much in the hands of the Government. If it is able to get a date for debates in the House of Commons and the House of Lords, and if it were to be approved, we would be able to implement it. If it ends up in the wash-up, clearly its fate is far murkier. Minister, since you failed to answer me on that point during questions to the First Minister, it is important that we have some clarity as to exactly what the Government is doing to try to get a debate on that draft LCO as a matter of urgency.

**Jane Hutt:** I do not think that there is anything more to add on the ambulance trust. It is important that the ambulance trust, its management and the trust board responsible for it continue to deliver and improve. However, we must remember the difficulties that the service faced during the early weeks of this year due to the bad weather. It is also important to remember that, in October 2009, the Minister announced £4.96 million additional funding for the Welsh ambulance service for replacement vehicles. I was very pleased to hear that in the south-east region, for example, 16 newly trained paramedics and 18 additional technicians are now in post. Those are important factors that will help to improve and sustain the ambulance trust as it now seeks to appoint a new chief executive.

I think that your point about the progress of the draft LCO on sustainable housing is important. I will be looking to ensure that that draft LCO can be secured. That will be happening in another place, but I will be raising this issue with my colleagues in the UK Government. I go back to the point that I made this morning: would it not have been so much better if the whole Chamber, including the Welsh Conservatives, had backed that draft LCO when they had the opportunity? If everyone had backed it, that would have ensured that there



was a clear indication of the will of the National Assembly for Wales and that we wish to support people who are homeless, housing associations, in order to make sure that they are not at risk, and that we support a change in allocations policy and the single tenancy. All those things will make a difference to people's lives in Wales.

**Mark Isherwood:** The Welsh Government had the opportunity to make that a wholly consensual Order; however, I will move on.

I reinforce the call for a statement on funding for the Wales Women's National Coalition. In the Minister's earlier response, she referred to a response by her colleague Carl Sargeant, but it is my understanding that we did not reach that question on the agenda today because Carl was giving such full and efficient answers to the earlier questions. As you will be aware, the coalition was informed that it would not receive core funding, which caused it grave concern as it gives the message that the Welsh Government no longer values or requires an independent advocacy body for women's equality. It contrasted that with the equivalent bodies in England and Scotland, which do receive Government funding, and asked whether its work was not seen as necessary or sufficiently valuable for the Welsh Government to find additional funding for it urgently. I urge the Minister to reconsider that and to ask colleagues to provide a statement.

My second and final point is to call for a statement on the Minister for health's press release regarding veterans' mental health services across Wales. It is the second time in this session that the Minister has made major announcements to the press rather than to the National Assembly for Wales, and that she has then put a copy of the release on the Welsh Government's website. That causes grave constitutional concerns, but, more broadly, it raises questions, regrettably, as to the sincerity of the statement. Some senior clinicians have contacted me to say that this is 'dirty politics'. In north Wales, a leading campaigner for veterans, who is himself a veteran, told me that this makes him wonder whether Ministers are really taking this issue seriously. He said that, if provision is available, he would love to know where. Would it have accepted veterans on stringent bail conditions and adopted the responsibility for their 24-hour supervision, as well as treating their condition while awaiting trial, as third sector bodies are currently trying to do?

Has the pilot scheme been appraised? We do not know. Has the roll-out of the scheme been costed? We do not know. We do not know which clinicians will be used, what relevant expertise they have, where the scheme will be located, or how the money will be allocated. The Minister says that she is bringing together the Ministry of Defence, the Welsh Government and staff from the NHS, but what about the experts in the third, voluntary and independent sectors who are already working in this area, without whom you cannot possibly begin to deliver on this programme?

Finally, what of the residential respite and therapy needs of those with complex post traumatic stress disorder, as evidence indicates that, for those people, the sort of model that is being rolled out in Cardiff risks simply unlocking nightmares for them to live with until their next therapy session, while they live in the community with all the risks of abuse and suicide that goes with that?

**Jane Hutt:** I will pick up on your last point first. It is disappointing that you cannot welcome the fact that the veterans' mental health service has been extended across Wales. It is an extension of a pilot project. I am sure that you will have read the statement from the Minister for Health and Social Services, in which she said that this will be a new all-Wales service, and which says that veterans and carers will have a comprehensive assessment, that they will be involved in the development of a management plan for their health and care needs, and that they will be given information on other services and support to which they are entitled.

The other point that she has made is that she requires health boards and NHS trusts to designate an armed forces and veterans' champion to drive forward improvements. Surely, that is what veterans and their families want to hear and want to know are our priorities.

A number of grant schemes to advance equality are being dealt with by the Minister for Social Justice and Local Government, and a great many organisations are benefiting from that. These are times when grant conditions and applications have to be considered carefully and we are aware of the work of the Wales Women's National Coalition. As the Minister said in questions to him this morning, these issues are considered very carefully in terms of our current tight budgetary framework.

3.00 p.m.

**Nick Ramsay:** I wish to raise two issues. The first, raised earlier by Peter Black, is on ambulance response times, which remain a serious concern for my constituents in Monmouthshire and in the south-east Wales area in general. I would also be grateful for a statement from the Minister on what she plans to do to try to improve response times, particularly in rural areas, where, understandably, there have been issues about important calls not being responded to in time. I would be grateful for a debate on that.

Secondly, you will know that I have raised, with the First Minister and with you, my concerns about the digital switchover in Wales and the issues that constituents have raised with me about the effectiveness of equipment with which they have been supplied. Could we have a statement on your liaison with Westminster on this? I realise that this is not necessarily a devolved issue, but it is of concern to many of my constituents, particularly those who are aged over 80, who are targeted by the digital switchover campaign. It would be appropriate for us to have that discussion.

**Jane Hutt:** The Minister for Health and Social Services responds regularly during questions and at other times to questions on the ambulance service's performance and she is robust with the Welsh Ambulance Service NHS Trust with regard to AMs' expectations on improvement and on sustaining delivery. However, I want to recognise how difficult it was to meet demand during the severe weather conditions after Christmas. I also welcome the fact that there was a great deal of partnership working at that time—which might have included your constituency, Nick—with the Red Cross, local mountain rescue teams, St John Ambulance and community first responders. I am proud to be president of Barry First Responders, which does a tremendous job in my constituency. I am sure that you would also want to congratulate those organisations that helped during that time.

You raised an important point about digital switchover. On the role that we play, we have been working closely with Digital Outreach Ltd to ensure that it has a strong team of people to lead at community level. That is the key point. There is a switchover help scheme and it has been heavily promoted in Wales. It has looked in particular at older and disabled viewers and the assistance that we need to give them. Officials in Welsh Assembly Government departments such as the tourism, health and education departments have also assisted key stakeholders in Wales, along with Digital UK, to ensure that those people in our communities are ready to switch to digital television.

**Alun Cairns:** You will be well aware that ambulance services have been a subject of interest in the Chamber for some time. There have not only been committee investigations, but an investigation by the auditor general, as well as a high turnover of chief executives over recent years. On each of those occasions in the past, the Minister has shown the courtesy of at least making a statement to demonstrate some kind of leadership and support to the staff and to explain the reasons behind the departure of the chief executives. Do you not think that that is the courteous thing to do? It is not only about being courteous, because we can ignore

manners at a time like this; we need to know what sort of leadership the Welsh Assembly Government is offering to an all-Wales body that has been the subject of discussion in the Chamber for good and bad reasons for some considerable time. Do you agree that there should be an oral statement in the Chamber, not a written statement at 4 p.m. or 5 p.m. on a Friday afternoon before a Wales rugby match on Saturday.

**Jane Hutt:** The whole of your weekend may be taken up with preparing for the Wales-Ireland rugby match, but other people do business on Friday evening and Saturday and hold surgeries and so on. I am certain that the ambulance service will be hard at work over this weekend. We must put this to rest. This is not a matter for me to respond to in the Chamber. This is a matter of human resources and is the responsibility of the Welsh Ambulance Service NHS Trust board, which has a chair and non-executive directors. Of course, the Minister for Health and Social Services ensures that the delivery, performance and sustainability of the ambulance trust is at the forefront of her considerations.

**Paul Davies:** I would be grateful if the Minister could ask the Minister for Health and Social Services to bring forward a statement on the provision of orthodontic services. Representations are made to me regularly by parents about the lack of orthodontic services for children in west Wales. I have dealt with cases where children have been unable to access treatment for a number of years. As the Minister is aware, there can be long-term effects if children are not treated at the appropriate time. In the circumstances, I would be grateful if the Minister for Health and Social Services could bring forward a statement telling us what the Welsh Assembly Government is doing to address this issue in general and, in particular, on the lack of provision in areas such as mine.

**Jane Hutt:** I am sure that the Minister for Health and Social Services would be happy to receive any correspondence to identify any issues in respect of orthodontic services.

**Angela Burns:** I have two questions for you today. First, I make no apology for being the third person to ask you to ask the Minister for Social Justice and Local Government to make a statement on the lack of funding for the Wales Women's National Coalition. The Assembly has prided itself on its transparency and its gender equality. That is enshrined in our principles and our methodology, and yet we will be the only country in the United Kingdom without a Government-sponsored equality champion. International representation on behalf of the women of Wales will, effectively, be lost. That includes our representation on bodies such as the UK Joint Committee on Women, the European Women's Lobby and the Committee on the Status of Women. Many of the smaller bodies that rely on the WWNC for support will lose their funding and their status, and will close down. I can give you evidence to support that, so I would be grateful if you would ask the Minister for Social Justice and Local Government to bring forward a statement on this matter, as I would not like to see this retrograde step.

The second point that I would like to bring to your attention relates to the news that we have all heard about the possibility that the refinery in Pembroke will be sold. If the bid is successful, that is to be welcomed. However, I am concerned that yet another major employer in Wales is looking to streamline its operations here. We have already lost 900 jobs at Bosch, we have lost Anglesey Aluminium, Air Products, and Indesit, and that is to name but a few. Will you ask your colleague, the Minister for the Economy and Transport, to bring forward a statement on what the Government can do to encourage such companies to stay, what it can do when companies indicate that they may not be able to carry on, and how we can intervene to provide help in certain areas? For example, I know, from talking to Chevron, that transportation and the transport infrastructure is an issue that irks all of the energy companies in west Wales. I also ask that you suggest to your colleague that we might have a debate on what the National Assembly for Wales could do, on a united, cross-party basis, to head off at the pass these decisions by large companies to close down or relocate because they no longer

find the environment here favourable, as we need every single job that we can possibly save.

**Jane Hutt:** The Minister for Social Justice and Local Government is aware of the concerns. There are always issues and concerns around funding allocations and decisions. The Minister for Social Justice and Local Government is taking this into account, and I will ask him to write to all those Members who raised this issue this afternoon.

3.10 p.m.

On your point about Chevron, as one example of the difficulties faced by businesses and multinationals, as well as our workforces, and the uncertainty in your constituency, I appreciate the point that you made, and you know that I have said this morning that the Deputy First Minister and Minister for the Economy and Transport and his officials are already closely in touch with Chevron. The company is not moving out. This is a European decision, which is not just affecting Wales, as all its refineries are up for sale. We hope that the operations here can be sustained, because, as the manager said, they are efficient, they deliver and, as far as we are concerned, it is the best place for them to be located. Clearly, the economic renewal programme that is being driven forward by the Deputy First Minister and Minister for the Economy and Transport is addressing these issues.

**Jonathan Morgan:** Minister, I have two particular requests for statements in Plenary. The first is to the Minister for Children, Education and Lifelong Learning, about the implementation of the foundation phase. Concerns have been expressed, and not just to me, but to other Members, too, about the way in which local authorities are able to implement the foundation phase, and there are concerns about the funding, particularly when it comes to a decision over whether teaching assistants at level 2 or 3 will be funded wholly by local authorities or partly by schools. Those concerns have been raised by schools in my constituency, and I think that we ought to have a statement from the Government so that we can explore whether there have been any unacceptable variations in the way in which the foundation phase is being delivered.

The second request is to support colleagues who believe strongly that the Minister for health should make a statement here about where the ambulance service in Wales now goes. We are now in a deeply embarrassing position, having lost another chief executive. It really is a disastrous position for the organisation to be in. I can only guess at what the job advertisement may look like—‘Yet another chief executive required. Job-specific criteria: to be able to manage and handle the mood swings of the health Minister. Term of office: uncertain’. We are in a most dreadful situation here, Minister. We have lost another chief executive; one whom I believe was more than capable of doing his job. I believe strongly that if the organisation is to have any future in providing the service to the people of Wales that we need, the Minister for health ought to come here as a matter of urgency so that we can discuss these issues.

**Jane Hutt:** Had you been in the Chamber when a question was asked about the foundation phase earlier, you would have heard ringing endorsement and backing from the Minister for Children, Education and Lifelong Learning for our foundation phase. It has been a priority for the One Wales Government, and we have funded it.

We also have an operational group, with all of the partners involved, including local authorities and teaching unions, in the implementation, and I am sure that that is addressing those issues.

I deeply object, Llywydd, to the statement that Jonathan Morgan made as far as the Minister for Health and Social Services is concerned, and I am sure that he would wish to withdraw it.

**The Presiding Officer:** Thank you, Minister.

## **Datganiad Deddfwriaethol am Fesur Arfaethedig y Gymraeg Legislative Statement on the Proposed Welsh Language Measure**

**Y Gweinidog dros Dreftadaeth (Alun Ffred Jones):** Mae'n rhoi cryn bleser i mi fedru hysbysu'r Aelodau i Fesur Arfaethedig y Gymraeg (Cymru) gael ei osod ar 4 Mawrth 2010. Mae dau ddegawd wedi mynd heibio ers cyflwyno deddfwriaeth yn unswydd i ganolbwyntio ar y Gymraeg, a dyma'r tro cyntaf i Lywodraeth y Cynulliad allu gwneud hynny. Ers 1993 mae sefyllfa'r iaith wedi gwella mewn sawl ffordd bwysig, ond mae'r her sy'n wynebu'r Gymraeg hefyd wedi cynyddu. Mae nifer y cymunedau lle mai'r Gymraeg yw iaith y mwyafrif wedi gostwng yn syfrdanol. A minnau'n un gafodd ei fagu mewn rhai o'r cymunedau hynny, mae'n werth cofio nad oedd yr un arwydd cyhoeddus, swyddogol yn Gymraeg nag yn ddwyieithog y pryd hynny, a fawr ddim o ffurflenni Cymraeg neu ddwyieithog i'w cael. Os ydym am ddiogelu dyfodol yr iaith, mae angen yr offer priodol arnom ar gyfer y gwaith. Mae'r Mesur arfaethedig yn darparu rhai o'r pwerau sydd eu hangen arnom os am sicrhau bod y Gymraeg yn parhau i ffynnu yn yr unfed ganrif ar hugain.

Bydd y Mesur arfaethedig ar y Gymraeg yn creu fframwaith deddfwriaethol newydd i hyrwyddo'r iaith ym mhob agwedd ar fywyd yng Nghymru. Bydd yn elwa ar y profiad a gaed dros yr 20 mlynedd diwethaf er mwyn diweddarau a chryfhau'r ddeddfwriaeth sy'n ymwneud â defnyddio'r Gymraeg wrth ddarparu gwasanaethau allweddol ar gyfer pobl Cymru.

Bydd y Mesur arfaethedig yn gwneud darpariaethau mewn pedwar maes allweddol. Yn unol ag ymrwymadau 'Cymru'n Un', bydd y Mesur arfaethedig yn cynnwys darpariaethau i gadarnhau statws swyddogol y Gymraeg. Y bwriad yw rhoi arwydd clir ynglŷn â'r statws y mae'r iaith yn ei fwynhau ac y bydd yn ei fwynhau yng Nghymru.

Bydd y Mesur arfaethedig hefyd yn sefydlu swydd comisiynydd y Gymraeg. Bydd gan y comisiynydd swyddogaethau a phwerau eang

**The Minister for Heritage (Alun Ffred Jones):** I am very pleased to be able to inform Members that the proposed Welsh Language (Wales) Measure was laid on 4 March 2010. Two decades have passed since legislation was introduced that focused solely on the Welsh language, and this is the first time that the Welsh Assembly Government has been able to do that. Since 1993, the position of the language has improved in a number of important respects, but the challenges facing the Welsh language have also become stronger. The number of communities where Welsh is the language of the majority has declined markedly. I was brought up in some of those communities, and it is worth remembering that there was not one official public sign in Welsh or Welsh and English at that time, and hardly any Welsh language or bilingual forms available. If we are to safeguard the future of the language, we need appropriate tools for the job. The proposed Measure provides us with some of the tools that we need to ensure that the Welsh language can continue to prosper into the twenty-first century.

The proposed Welsh language Measure sets out a new legislative framework for the promotion of the language in all aspects of life in Wales. It draws on the experience gained over the past two decades in order to modernise and strengthen the legislation governing the use of Welsh in the delivery of key services for the people of Wales.

The proposed Measure will make provision in four key areas. In line with our 'One Wales' commitment, the proposed Measure contains provisions intended to confirm the official status of the Welsh language. This is intended to provide a clear signal as to the status that the language enjoys and will enjoy in Wales.

The proposed Measure will establish the office of Welsh language commissioner. The commissioner will have wide ranging

i hybu a hwyluso defnyddio'r iaith ac i hybu cydraddoldeb rhwng y Gymraeg a'r Saesneg. Bydd y comisiynydd yn cael cymorth gan banel cynghori a chanddo rôl strategol, ond na fydd yn ymwneud â materion o ddydd i ddydd. Ar ôl penodi'r comisiynydd, bydd ef neu hi'n cymryd cyfrifoldeb dros y gwaith a wneir ar hyn o bryd gan Fwrdd yr Iaith Gymraeg. Bydd y Mesur arfaethedig hefyd yn rhoi'r hyblygrwydd i drosglwyddo rhai o swyddogaethau'r bwrdd i Weinidogion Cymru, pe baem yn ystyried mai dyna'r peth iawn i'w wneud.

Yn drydydd, bydd darpariaeth yn y Mesur arfaethedig a fydd yn golygu, dros gyfnod o amser, bod cynlluniau iaith yn cael eu disodli gan safonau ar gyfer y Gymraeg. Ein bwriad yw y bydd y safonau yn symleiddio'r broses o osod dyletswyddau ar gyrff, gan gyflwyno mwy o gysondeb o fewn ac ar draws sectorau. Byddant hefyd yn ychwanegu at y gwasanaethau a ddarperir yn Gymraeg ar hyn o bryd, ac yn helpu i egluro i siaradwyr Cymraeg lefel y gwasanaeth y gallant ei ddisgwyl. Bydd y safonau, i bob perwyl, yn creu hawliau i siaradwyr Cymraeg yng nghyswllt gwasanaethau a ddarperir. Bydd gan y comisiynydd hefyd bwerau gorfodi mwy grymus na'r rhai sydd gan fwrdd yr iaith ar hyn o bryd. Gellir apelio yn erbyn penderfyniadau a wneir gan y comisiynydd yn gysylltiedig â gosod neu orfodi safonau gerbron tribiwnlys newydd ar gyfer y Gymraeg. Er bydd gan y comisiynydd bwerau cryfach, bydd y Mesur arfaethedig hefyd yn galluogi iddo ef neu iddi hi ddelio â chwynion drwy gydweithrediad a chytundeb ar bob cyfle posibl.

Yn olaf, mae'r Mesur arfaethedig yn rhoi'r pŵer i'r comisiynydd ymchwilio i gwynion gan siaradwyr Cymraeg sy'n credu bod rhywun wedi ymyrryd â'u rhyddid i ddefnyddio'r Gymraeg gyda'i gilydd. Mae hefyd yn ei gwneud yn ofynnol i'r comisiynydd gyflwyno adroddiad blynyddol i Weinidogion Cymru ar effeithiolrwydd y gyfraith o ran diogelu'r rhyddid hwnnw.

Mae'r 20 mlynedd diwethaf wedi dangos yn glir iawn manteision cael fframwaith

functions and powers to promote and facilitate the use of the language and to promote equality between the Welsh and English languages. The commissioner will be assisted by an advisory panel that will have a strategic role, but which will not be involved in day-to-day issues. Once the commissioner has been appointed, he or she will take on responsibility for the work currently undertaken by the Welsh Language Board. The proposed Measure will also provide flexibility to allow some of the board's functions to be transferred to Welsh Ministers, should we deem it appropriate for that to happen.

Thirdly, the proposed Measure will provide that, over time, Welsh language schemes will be replaced by Welsh language standards. Our intention is that standards should streamline the process of placing duties on organisations, while introducing greater consistency within and across sectors. They will also build on the level of Welsh language services provided at the moment and help clarify for Welsh speakers the level of services that they can expect to receive. Standards will, in effect, create rights for Welsh speakers with regards to the provision of services. The commissioner will also have more powerful enforcement powers than have been available to the language board. Decisions made by the commissioner in respect of imposing or enforcing standards will be capable of being appealed to a new Welsh language tribunal. While the commissioner will have stronger powers, the proposed Measure will give him or her the ability to secure compliance with the new Welsh language standards through engagement and agreement whenever possible.

Finally, the proposed Measure gives the commissioner the power to investigate complaints from Welsh speakers who believe that their freedom to use Welsh with one another has been interfered with. It also requires the commissioner to report annually to the Welsh Ministers about the adequacy and effectiveness of the law in protecting that freedom.

The past 20 years have shown very clearly the advantages of having a legal framework

deddfwriaethol sy'n sylfaen i gefnogaeth y Llywodraeth tuag at yr iaith. Maent hefyd wedi dangos pwysigrwydd cael eiriolwr cryf dros yr iaith sy'n annibynnol ar unrhyw Lywodraeth. Yr wyf yn hyderus y bydd y comisiynydd yn gwneud hynny. Wrth nodi hynny, hoffwn dalu teyrnged i fwrdd yr iaith am y modd y mae wedi defnyddio'r pwerau hynny a oedd ar gael iddo yn ystod y cyfnod hwnnw, a dangos dyfeisgarwch wrth wneud hynny.

Gwn fod cryn ddiddordeb yn gyffredinol yn y Mesur arfaethedig, ac felly mae'n fwriad gennyf gynnal nifer o gyfarfodydd cyhoeddus drwy Gymru yn ystod y ddau neu dri mis nesaf i egluro wrth y cyhoedd ein hargymhellion, ac i sicrhau gwell dealltwriaeth o'r Mesur arfaethedig. Yr wyf yn awyddus i gyfarfod â chynifer o bobl ag y gallaf yn y cyfarfodydd hynny, ac i glywed eu sylwadau.

3.20 p.m.

Bydd polisïau'r Llywodraeth hon ar gyfer y Gymraeg yn ymestyn ymhellach o lawer na'r ddeddfwriaeth ei hun, ac mae'r gwaith o ddatblygu strategaeth newydd ar gyfer y Gymraeg yn mynd rhagddo, a bwriedir ei chyhoeddi ar gyfer ymgynghoriad yn ddiweddarach eleni. Mae'r darpariaethau a gynhwysir yn y Mesur arfaethedig yn gosod sylfeini hanfodol i'r polisïau ehangach hynny. Maent yn rhoi neges glir ynglŷn â'n hymrwymiad yn y maes hwn. Mae'r rhain yn gynigion pwyllog a synhwyrol wedi'u llunio i sicrhau bod y Gymraeg yn parhau i ffynnu. Cymeradwyaf y Mesur arfaethedig ichi ac edrychaf ymlaen at weld cyfraniadau cadarnhaol yn cael eu gwneud drwy broses graffu'r Cynulliad.

**Paul Davies:** Diolch i'r Gweinidog am y datganiad hwn heddiw. Fel y gŵyr, bu i ni, fel yr wrthblaid swyddogol, gefnogi trosglwyddo pwerau dros yr iaith Gymraeg i'r Cynulliad oherwydd ei bod yn gwneud synnwyr llwyr inni ddeddfu arni yn y sefydliad hwn. Yr wyf yn croesawu'r ffaith bod y Mesur arfaethedig wedi ei gyhoeddi, er yn ddiweddarach nag yr oeddem i gyd yn ei ddisgwyl. Fodd bynnag, nid wyf yn synnu bod y cyhoeddiad wedi ei oedi, o ystyried bod y Mesur arfaethedig yn 136 o

that underpins the Government's support for the language. They have also demonstrated the importance of having a strong advocate for the language, independent of Government. I am confident that the commissioner will do that. In saying that, I would like to pay tribute to the language board for the way in which it has used the powers available to it over those years, and for being innovative in their use.

I know that there is a great deal of general interest in the proposed Measure and it is my intention, therefore, to hold a number of public meetings around Wales over the next two to three months to explain our proposals to the public, and to ensure a better understanding of the proposed Measure. I am keen to meet as many people as possible in those meetings, and to hear their views.

This Government's policies for the Welsh language will extend far wider than legislation alone, and work is in hand to develop a new Welsh language strategy, to be published for consultation later this year. The provisions set out in the proposed Measure provide crucial foundations that will underpin those wider policies. They represent a clear signal of our commitment in this area. These are measured and sensible proposals designed to ensure that the Welsh language continues to thrive. I commend this proposed Measure to you and look forward to the constructive contribution that the Assembly's scrutiny process will make.

**Paul Davies:** I thank the Minister for this statement today. As he knows, we, as the official opposition, supported the transfer of powers over the language to the Assembly, as it is wholly sensible for this institution to legislate for the language. I welcome the fact that the proposed Measure has been published, even though it was later than expected. However, I am not surprised that there was a delay, given that the proposed Measure is 136 pages long.

dudalennau.

Fel y gŵyr yr Aelodau, dros y blynyddoedd diwethaf yr wyf wedi bod yn ymgyrchu dros sefydlu statws swyddogol i'r Gymraeg a chomisiynydd iaith. Yr wyf yn falch bod y Mesur arfaethedig hwn yn symud i'r cyfeiriad iawn. Gan droi yn gyntaf at y comisiynydd, sylwaf y bydd y comisiynydd, y panel cynghori a'r tribiwnlys yn cael eu penodi gan y Prif Weinidog a Gweinidogion. Deallaf y bydd y tribiwnlys hwn yn gwneud penderfyniadau a dyfarniadau ar resymoldeb a bydd y comisiynydd hefyd yn adrodd ar achosion a fydd yn arwain at achosion llys. O dan erthygl 6 y Confensiwn Ewropeaidd ar Hawliau Dynol, rhaid i benderfyniadau ar hawliau a chyfrifoldebau gael eu gwneud gan gyrff annibynnol. Gan fod y comisiynydd yn cael ei apwyntio'n uniongyrchol gan y Prif Weinidog, a yw'r Gweinidog yn fodlon y bydd y swydd hon yn wirioneddol annibynnol?

A all y Gweinidog hefyd gadarnhau y bydd amodau penodol yn gysylltiedig â swydd o'r fath? Mae perygl y bydd y penodiad ac, yn wir, benodiadau'r panel cynghori a'r tribiwnlys yn cael eu gweld fel rhai gwleidyddol ac yn rhy agos at wleidyddion. Nid wyf yn awgrymu am funud y bydd y Gweinidog hwn yn gwneud penodiadau gwleidyddol, ond nid yw hynny'n rhwystro Gweinidogion yn y dyfodol rhag gwneud hynny. Gellir gwneud cyhuddiadau bod gormod o bŵer gan wleidyddion yn y strwythurau newydd hyn. A all y Gweinidog esbonio pa fath o fesurau a fydd yn cael eu rhoi ar waith i osgoi rhoi gormod o bŵer i Weinidogion Cymru?

Sylwaf fod y Mesur arfaethedig yn datgan na fydd y ddeddfwriaeth yn effeithio ar siaradwyr Saesneg. A oes rheswm pam na fydd y comisiynydd newydd hwn yn gyfrifol am Saesneg yn ogystal â'r Gymraeg? Sut y bydd y comisiynydd newydd yn amddiffyn hawliau siaradwyr Saesneg yng Nghymru? Yr wyf yn siŵr y byddai'r Gweinidog yn cytuno ei bod yn hanfodol inni amddiffyn hawliau siaradwyr Cymraeg a Saesneg yng Nghymru.

Mae'r Mesur arfaethedig yn cadarnhau y bydd safonau yn cael eu cyflwyno ac y bydd

As Members know, I have been campaigning over the last few years for official status for the language and for a language commissioner. I am pleased that this proposed Measure is moving in the right direction. Turning first to the commissioner, I note that the commissioner, the advisory panel and the tribunal will be appointed by the First Minister and Ministers. I understand that the tribunal will make decisions and resolutions on reasonableness and that the commissioner will also report on cases that will lead to court cases. Under article 6 of the European Convention on Human Rights, decisions on rights and responsibilities must be made by independent organisations. Given that the commissioner is appointed directly by the First Minister, is the Minister satisfied that this office will be truly independent?

Can the Minister also confirm that specific conditions will be attached to this type of post? There is danger that the appointment, and, indeed, appointments to the advisory panel and the tribunal, will be seen as political appointments that are too close to politicians. I am not suggesting for a moment that this Minister will make political appointments, but that does not prevent future Ministers from doing so. It can be said that politicians have too much power in these new structures. Can the Minister explain what kind of measures will be implemented to avoid giving Welsh Ministers too many powers?

I note that the proposed Measure states that the legislation will not impact upon English speakers. Is there any reason why the new commissioner will not be responsible for the English as well as the Welsh language? How will the new commissioner defend the rights of English speakers in Wales? I am sure that the Minister would agree that it is crucial that we defend the rights of both Welsh and English speakers in Wales.

The proposed Measure confirms that standards will be introduced and that



cynlluniau iaith yn cael eu gwaredu. A all y Gweinidog ddweud wrthym faint o safonau a fydd yn bodoli a pha amodau a fydd yn cael eu cynnwys yn y safonau hyn?

language schemes will be disposed of. Can the Minister tell us how many standards will exist and what conditions will be included in those standards?

Mae rhai yn poeni y bydd Bwrdd yr Iaith Gymraeg yn diflannu o ganlyniad i'r Mesur arfaethedig. Yr wyf yn siŵr bod y Gweinidog yn cytuno bod y bwrdd wedi bod yn allweddol ac wedi chwarae rhan bwysig dros y blynyddoedd diwethaf o ran hybu'r iaith Gymraeg. A all y Gweinidog ddweud wrthym sut y bydd y strwythur newydd yn gweithio? A fydd staff presennol y bwrdd iaith yn cael eu trosglwyddo'n gyfan gwbl i weithio dan y comisiynydd newydd ynteu a yw'r Gweinidog yn credu na fydd angen cymaint o staff neu, efallai, y bydd angen rhagor?

Some are worried that the Welsh Language Board will disappear as a result of the proposed Measure. I am sure that the Minister agrees that the board has been key and that it has played an important part over the last few years in promoting the Welsh language. Can the Minister tell us how the new structure will work? Will the board's current staff members all transfer to work under the new commissioner, or does the Minister believe that fewer, or perhaps more, staff will be needed?

Deallaf o'r datganiad y bydd y Llywodraeth yn cynnal cyfarfodydd cyhoeddus i adael i bobl leisio eu barn ar y Mesur arfaethedig. Mae rhai mudiadau'n poeni nad ymgynghorwyd â hwy ynglŷn â'r Mesur arfaethedig hyd yma. O gofio y bydd y Llywodraeth yn cynnal y cyfarfodydd cyhoeddus hyn, a fydd yn barod i addasu'r Mesur arfaethedig ar ôl gwrandao ar farn unigolion, mudiadau a sefydliadau?

I understand from the statement that the Government will hold public meetings to allow people to voice their views on the proposed Measure. Some organisations are concerned that they have not been consulted to date on the proposed Measure. Given that the Government will hold these public meetings, is it willing to amend the proposed Measure having listened to the views of individuals, organisations and institutions?

Mae'r Mesur arfaethedig yn rhoi dyletswyddau ar gwmnïau fel cwmnïau carthffosiaeth, fel yr wyf yn deall. Mae cwmnïau carthffosiaeth bach yn bodoli, gydag unigolion, hyd yn oed, yn mynd o amgylch yn clirio carthffosydd. A all y Gweinidog gadarnhau na fydd cwmnïau bach o'r fath yn dod o dan yr amodau hyn? Yr wyf yn siŵr y byddai'r Gweinidog yn cytuno bod gorfodi cwmnïau neu fusnesau bach i ddarparu gwasanaethau drwy gyfrwng y Gymraeg yn drychinebus o ran yr ymgyrch i ehangu'r iaith ac i greu Cymru gwbl ddwyieithog.

The proposed Measure places duties on companies such as sewerage companies, as I understand it. There are very small companies of that sort in operation, with individuals, even, offering a sewerage clearing service. Can the Minister confirm that small companies of that nature will not come under the ambit of the proposed Measure? I am sure that the Minister would agree that forcing small companies or businesses to provide services through the medium of Welsh would be disastrous in terms of the campaign to expand the use of the language and to create a truly bilingual Wales.

Yr wyf wedi clywed y Gweinidog yn dweud yn y gorffennol na fydd deddfwriaeth ynddi'i hun yn hybu'r Gymraeg yn ein cymunedau. A all y Gweinidog, felly, ddweud wrthym beth fydd effaith ymarferol rhoi statws i'r Gymraeg o ran sicrhau bod y Gymraeg yn iaith fyw yn ein cymunedau? Deallaf y bydd rhaid i Bwyllgor Deddfwriaeth Rhif 2 adrodd

I have heard the Minister say in the past that this legislation in itself will not promote the language in our communities. Can the Minister tell us, therefore, what practical impact he believes that giving the Welsh language official status will have in ensuring that the language is alive in our communities? I understand that Legislation

yn ôl cyn 2 Gorffennaf. O ystyried pwysigrwydd y Mesur arfaethedig hwn, a yw'r Gweinidog yn credu bod hyn yn ddigon o amser i graffu ar y Mesur arfaethedig? Diolchaf i'r Gweinidog am y datganiad ac edrychaf ymlaen at graffu ar y Mesur arfaethedig yn ystod y misoedd nesaf.

**Alun Ffred Jones:** Diolch, Paul, am y rhestr faith honno o gwestiynau. O ran y comisiynydd iaith a'i annibyniaeth, yr ydym yn barod i wrando ar unrhyw awgrymiadau synhwyrol, os bydd hynny'n ffordd o wneud y penodiad yn fwy derbyniol. Fodd bynnag, mae'r broses wedi'i hamlinellu eisoes yn y Mesur arfaethedig, ac mae'n dilyn yr un patrwm ag a ddilynwyd wrth benodi'r holl gomisiynwyr eraill a benodwyd yng Nghymru. Ni chlywais neb yn dweud bod y rheini'n benodiadau gwleidyddol ac nad ydynt yn annibynnol. Fodd bynnag, mae'n bosibl inni edrych ar y prosesau hynny.

Cyfeiriasoch at hawliau siaradwyr yr iaith Saesneg. Mae'r Mesur arfaethedig yn dweud yn glir nad yw'n effeithio ar statws y Saesneg yng Nghymru. Credaf fod hynny'n ateb eich pwynt yn gyflawn.

Cyfeiriasoch at fwrdd yr iaith, fel y gwneuthum innau yn fy araith, gan ganmol y gwaith a'r cynnydd a wnaed ganddo. O ran ei staff, nid Mesur arfaethedig er mwyn arbed arian yw hwn, felly mae disgwyl y bydd llawer iawn o staff y bwrdd, os nad y mwyafrif ohonynt, yn trosglwyddo i swyddfa'r comisiynydd iaith. Mae manylion hynny i'w trafod ac mae pwyllgor wedi'i sefydlu ar y cyd er mwyn gofalu bod y broses honno mor drefnus â phosibl, gan achosi cyn lleied o drafferthion a phoendod â phosibl i'r staff presennol.

O ran y cyfarfodydd cyhoeddus, eto, pe byddech wedi gwrando ar yr hyn a ddywedais yn fy sylwadau, cyfarfodydd cyhoeddus fydd y rhain i esbonio'r Mesur arfaethedig i bobl, nid cyfle i ymgynghori. Bydd unrhyw welliannau i'r Mesur arfaethedig yn dod o'r prosesau a ddilynir o fewn y Cynulliad; dyna sy'n briodol a dyna fydd yn digwydd. Nid oes angen codi bwganod ynghylch cwmnïau carthffosiaeth bach—ni fyddant yn dod o fewn y rheoliadau

Committee No. 2 will have to report back before 2 July. Given the importance of this proposed Measure, does the Minister believe that this will provide adequate time for scrutiny of the proposed Measure? I thank the Minister for his statement and I look forward to scrutinising the proposed Measure over the next few months.

**Alun Ffred Jones:** Thank you, Paul, for that long list of questions. On the language commissioner and his or her independence, we are prepared to listen to any sensible suggestions, if that will make the appointment more acceptable. However, the process has already been outlined in the proposed Measure, and follows the same pattern as that followed when appointing all of the other commissioners in Wales. I have never heard anyone say that those were political appointments and that they were not independent. However, it is possible for us to look at those processes.

You referred to the rights of English speakers. The proposed Measure clearly states that it does not affect the status of the English language in Wales. I believe that that answers your point fully.

You referred to the Welsh Language Board, as I did in my speech, praising its work and the progress that it has made. In terms of its staff, this is not a money-saving proposed Measure, therefore it is expected that many, if not the majority, of the board's staff, will transfer to the language commissioner's office. Those detailed are yet to be discussed and a committee has been established to ensure that that process is as orderly as possible, and causes minimum disruption and difficulty to the current staff.

With regard to the public meetings, again, had you listened to what I said in my comments, these will be public meetings to explain the proposed Measure to people, rather than an opportunity for consultation. Any amendments to the proposed Measure will stem from the processes followed in the Assembly; that is what is appropriate and that is what will happen. There is no need for scaremongering regarding small sewerage companies—they will not fall within the

oherwydd nid dyna yw bwriad y Mesur arfaethedig.

Yr oeddech yn holi ynghylch sut y bydd y Mesur arfaethedig yn hyrwyddo a hybu'r Gymraeg. Y gobaith yw y bydd mwy o wasanaethau ar gael ac y bydd pobl yn fwy ymwybodol o'r safonau hynny ac o ba wasanaethau a fydd ar gael. Gobeithio y bydd hynny'n arwain at fwy o ddefnydd o'r iaith ond brwydr i'w hennill eto yw hynny o ran y defnydd o wasanaethau. Nid y Mesur arfaethedig fydd yn sicrhau mwy o ddefnydd, ond bydd yn sicrhau bod pawb yn fwy eglur ynglŷn â safon a natur y gwasanaethau a fydd ar gael iddynt yn ddwyieithog.

Credaf fy mod wedi ateb y rhan fwyaf o'ch cwestiynau. Ynghylch yr amser i drin a thrafod y Mesur arfaethedig, yr ydym yn barod i fod yn hyblyg ond, ar y llaw arall, oherwydd yr oedi hyd yma, mater i ni yn y Cynulliad bellach yw sicrhau bod y Mesur arfaethedig yn cael ei drin a'i drafod yn drylwyr a'n bod yn bwrw ymlaen i wneud hynny er mwyn dod â'r Mesur arfaethedig i fwel cyn gynted â phosibl.

**Bethan Jenkins:** Mae'r Mesur arfaethedig hwn yn gam hanesyddol ymlaen ac, am y tro cyntaf, mae'n creu cyfundrefn sy'n rhoi hawliau i bobl Cymru dderbyn gwasanaethau Cymraeg, mae'n cadarnhau statws swyddogol y Gymraeg ac yn creu comisiynydd cryf i amddiffyn yr iaith. Credaf fod hyn yn ddechrau proses graffu hir, a chrosawaf y ffaith bod ein Gweinidogion wedi gwneud ymrwymiad i wrando'n ofalus ar y syniadau a gyflwynir gan eraill yn ystod y broses hon, wrth inni gyrraedd ein hamcanion.

3.30 p.m.

Os oes materion sydd angen eu gwella neu eu cryfhau yn y Mesur arfaethedig, a wnaiff y Gweinidog roi sicrwydd y byddai'n barod i wrando ar syniadau ac ar newidiadau a awgrymir? Mae'r Mesur arfaethedig yn creu, am y tro cyntaf, eiriolwr cryf dros y Gymraeg; pencampwr a fydd yn gallu ymchwilio, ac adrodd ar, unrhyw fater sy'n ymwneud â'r iaith. Mae'n creu trefn newydd sy'n gosod dyletswydd ar gyrff i ddarparu gwasanaethau drwy gyfrwng y Gymraeg, gan

regulations as that is not the intention of the proposed Measure.

You asked how the proposed Measure will promote and facilitate the language. It is hoped that more services will be available and that people will be more aware of those standards and of what services are available. It is hoped that this will lead to more use of the language but that is a battle that is yet to be won in terms of the use of services. This proposed Measure will not guarantee more use of the language, but it will ensure that everyone will be clearer about the standard and nature of services that will be available to them bilingually.

I think that I have answered most of your questions. Regarding the time available to discuss the proposed Measure, we are prepared to be flexible but, on the other hand, because of the delay so far, it is now a matter for us in the Assembly to ensure that the proposed Measure is discussed in detail and that we proceed with that in order to enact this proposed Measure as soon as possible.

**Bethan Jenkins:** This proposed Measure is a historic step forward, and, for the first time, creates a system that gives the people of Wales the right to receive services through the medium of Welsh, confirms the official status of the language and creates a strong commissioner to safeguard the language. I believe that this is the start of a long scrutiny process, and I welcome the fact that Ministers have made a commitment to listen carefully to ideas put forward by others during this process, as we realise our objectives.

If there are issues within the proposed Measure that need to be improved or made more robust, will the Minister assure us that he will listen to ideas and to proposed amendments? The proposed Measure makes provision, for the first time, for a strong advocate for the Welsh language; a champion who will be able to inquire into and report on any matters related to the Welsh language. It creates a new system that places a duty on service providers to offer services through the

gynnwys cwnïau ffôn, cwmnïau teithio, awdurdodau lleol, cwmnïau ynni, ac yn y blaen. Bydd hyn oll yn sicrhau bod y Gymraeg i'w gweld ac yn gallu cael ei defnyddio yn ein bywydau pob dydd.

Byddwn, wrth gwrs, wedi bod yn falch o weld rhai o'r cwmnïau mawr rhyngwladol eraill yn cael eu cynnwys, ond nid oedd y Gorchymyn terfynol yn caniatáu hynny. Serch hynny, yr ydym heddiw gam yn nes at weld gwefannau Cymraeg, biliau Cymraeg, a gwasanaethau i gwsmeriaid drwy gyfrwng y Gymraeg yn cael eu darparu gan ystod eang o gyrrff am y tro cyntaf. Wedi dweud hynny, hoffwn wybod a fydd sgôp i gynnwys cwmnïau rhyngwladol mewn Mesurau yn y dyfodol. Nid wyf yn dadlau na ddylem ni graffu ar y broses yma yn y Cynulliad, ond mae natur democratiaeth a'r strwythur deddfwriaethol yng Nghymru yn golygu y byddwn ni nawr yn esgor ar ymgynhoriad trylwyr gyda phobl Cymru. Ni allwn ni addo mwy neu lai na hynny, ac yr wyf yn siŵr y byddai'r Gweinidog yn cytuno. Yr ydym yn barod i wrando ac yn barod i sicrhau dyfodol cryf i'r iaith.

Mae'n bwysig nodi ar y cychwyn, wrth ymateb i'r rheini sy'n dweud nad yw'r Mesur arfaethedig yn mynd yn ddigon pell, y bydd Plaid Cymru, yn sgîl y Mesur arfaethedig hwn, wedi llwyddo i sicrhau datblygiad mwyaf blaengar a phellgyrhaeddol yr iaith Gymraeg ers sefydlu'r corff hwn. Gadewch inni atgoffa ein hunain am yr hyn a addawyd gan bleidiau eraill. Yng Ngorchymyn arfaethedig y Torïaid yn 2008, yr oedd sôn am gomisiynydd â statws, ond nid oedd sôn o gwbl am gynyddu darpariaeth gwasanaethau drwy gyfrwng y Gymraeg. Bwriad y Llywodraeth flaenorol oedd creu swydd dyfarnydd yn unig.

Crëwyd Plaid Cymru fel grŵp pwysu ieithyddol, ac yr ydym yn awr yn blaid flaengar sy'n rhan o Lywodraeth sy'n creu deddfwriaeth. Heb yr ymgyrchu a'r lobïo cynnar, ac heb yr ymgyrchu a lobïo cyfredol a'r bobl yn y blaid, ni fyddai hwn wedi dod yn realiti. Mae'n rhaid ategu bod Plaid Cymru yn rhannu uchelgais a chymhelliad ymgrychwr iaith o ran creu a chynllunio deddfwriaeth ar yr iaith. Felly, wrth edrych at

medium of Welsh, including telephone companies, travel companies, local authorities, energy companies and so on. This will ensure that the Welsh language is heard and can be used in our daily lives.

Of course, we would have been happy to see some of the large multinational companies included, but the final Order did not allow that. However, today, we are a step closer to seeing Welsh websites, Welsh bills, and customer services available through the medium of Welsh provided by a wide range of bodies for the first time. Having said that, I would like to know whether there would be scope in future Measures to include multinational companies. I am not arguing that we should not scrutinise the process here in the Assembly, but the nature of democracy and the legislative framework in Wales mean that we will now begin the long, thorough consultation with the people of Wales. We cannot promise more or less than that, as I am sure the Minister would agree. We are willing to listen and willing to ensure a strong future for the Welsh language.

It is important to note at the outset, in response to those who say that the proposed Measure does not go far enough, that Plaid Cymru, as a result of the proposed Measure, will have ensured the most innovative and far-reaching development for the Welsh language since the establishment of this Assembly. Let us remind ourselves of what other parties were pledging. In the Conservatives' proposed Order in 2008, they mentioned a commissioner with status, but there was no talk at all about an increase in the provision of Welsh-language services. The sole intention of the previous Government was to create the role of *dyfarnydd*.

Plaid Cymru was created as a Welsh language pressure group, and now we are an innovative political party and part of Government, making legislation. Without that early campaigning and lobbying, our continuing campaigning and lobbying and the people in the party, this would not have become a reality. We must say that Plaid Cymru shares the ambition and motivation of language campaigners in terms of creating

y dyfodol, edrychaf ymlaen at y drafodaeth a fydd yn digwydd dros y misoedd nesaf am sut i hyrwyddo'r iaith yn y dyfodol a phwy ddylai gael y cyfrifoldeb pwysig hwnnw

Yr wyf yn hynod falch fod y Mesur arfaethedig yn cynnwys cymal sy'n dweud y bydd yn rhaid i Weinidogion Cymru roi sylw priodol i argymhellion y comisiynydd iaith. Rhaid croesawu'r ffaith y bydd er neu hi yn gallu ymchwilio i unrhyw fater yn ymwneud â'r iaith Gymraeg. Yr wyf yn ymwybodol o'r consym am y ffaith y caiff y comisiynydd ei benodi gan y Prif Weinidog, fel y crybwyllwyd eisoes. Felly, hoffwn ofyn i'r Gweinidog a fyddai'n fodlon ystyried y mater hwn a sut y gellir ymateb i'r gofidion. A fyddai modd ystyried rôl i'r Cynulliad wrth gadarnhau'r apwyntiad? Hoffwn ofyn hefyd a fyddai modd i'r Gweinidog ystyried cynnig a wnaed gan fudiadau iaith i wneud yr hawl i siarad Cymraeg yn gefn i'r drefn newydd. Yr wyf yn croesawu'r darpariaeth a fyddai'n caniatáu i'r comisiynydd ymchwilio i unrhyw achos o ymyrraeth yn rhyddid yr unigolyn i siarad Cymraeg. Serch hynny, yr wyf hefyd yn falch fod y Mesur arfaethedig yn cydnabod yr angen i adolygu'r sefyllfa'n rheolaidd er mwyn addasu'r ddeddfwriaeth yn y dyfodol pe bai angen.

Wrth edrych ar y pleidiau eraill eto, a ydych yn cytuno, Weinidog, mai siomedig yw darllen ar wefan *Golwg* fod Paul Davies wedi dweud dros y penwythnos y byddai'r Mesur arfaethedig yn arwain at apartheid ieithyddol. Mae hyn yn tanseilio'r consensws eang sydd wedi datblygu yng Nghymru ynghylch datblygiad yr iaith, ac mae'r iaith a ddefnyddiodd yntau yn ymfflamychol ac yn gwbl ddiangen. Efallai nad yw Paul Davies yn deall cynnwys y Mesur arfaethedig, neu efallai ei fod yn ceisio bod yn negatif ac yn ceisio creu rhaniadau am resymau cwbl wleidyddol a sinigaidd. Yr wyf yn siomedig iawn ynglŷn â hynny.

**Y Llywydd:** Trefn. Bethan, yr ydym yn disgwyl cwestiynau am y datganiad; araith yw hon. Hoffwn i gael cwestiwn.

and planning Welsh language legislation. Therefore, looking to the future, I look forward to the discussion that will take place over the next few months on how to promote the language in future and who should have that important responsibility.

I am very pleased that the proposed Measure includes the provision that Welsh Ministers will have to give appropriate attention to the Welsh language commissioner's recommendations. We must welcome the fact that he or she will be able to inquire into any issues related to the Welsh language. I am aware of the concern about the fact that the commissioner will be appointed by the First Minister, as has already been mentioned. Therefore, I would like to ask the Minister whether he would be willing to consider this issue and how we can respond to those concerns. Could we consider giving the Assembly a role in confirming the appointment? I also want to ask whether the Minister could consider a proposal by Welsh language organisations to make the right to speak the Welsh language a core part of this. I welcome the provision to allow the commissioner to look into anything that restricts people's ability to use the Welsh language. However, I am pleased that the proposed Measure acknowledges the need to review this position regularly so that the legislation can be adapted in future according to need.

Considering the other parties again, do you agree with me, Minister, that it is very disappointing to read on the *Golwg* website that, over the weekend, Paul Davies said that this proposed Measure would lead to linguistic apartheid. This undermines the broad consensus that has developed in Wales on the development of the language, and the language that he used is inflammatory and entirely unnecessary. Perhaps Paul Davies does not understand the content of the proposed Measure, or perhaps he is trying to be negative and to create divisions for entirely political and cynical reasons. I am very disappointed about that.

**The Presiding Officer:** Order. Bethan, these are to be questions on the statement; this is becoming a speech. Perhaps we could have a question.

**Bethan Jenkins:** Yr oedd hwnnw'n gwestiwn i'r Gweinidog o ran a ydyw'n cytuno bod yr hyn a ddywedwyd yn peri siom.

**Y Llywydd:** Nid oes gan y Gweinidog gyfrifoldeb am Paul Davies [*Chwerthin.*] Felly, cyfle i ofyn cwestiynau am y Mesur arfaethedig sydd ger ein bron yw hwn.

**Bethan Jenkins:** Gan ein bod ni'n ceisio creu consensws, credaf ei bod hi'n bwysig inni glywed barn y Gweinidog.

**Y Llywydd:** Yr wyf i'n ceisio gofalu ein bod ni'n cael datganiad cywir a phriodol. Nid wyf i'n ceisio creu dim byd. Gawn ni gwestiynau plis? Gallwn symud ymlaen wedyn.

**Bethan Jenkins:** Yr wyf wedi gofyn fy nghwestiynau i i gyd. Diolch yn fawr am wrando.

**Alun Ffred Jones:** Diolch, Bethan, am eich cefnogaeth gadarnhaol, ac am y cwestiynau. Yr oeddech yn gofyn yn benodol ynglŷn â'r broses o benodi'r comisiynydd. Yr wyf yn ategu eto ein bod yn barod i wrando ar sylwadau neu syniadau ynglŷn â hynny, a byddem y dymuno cael consensws a chydweld. Os oes angen addasu'r Mesur arfaethedig i'r cyfeiriad hwnnw, byddwn yn barod i wrando ar syniadau. Yr oeddech yn iawn i bwysleisio y bydd y comisiynydd yn eiriolwr ar ran y Gymraeg. Mae geiriau'r Mesur arfaethedig yn ategu hynny drosodd a throsodd o ran gwaith a dyletswyddau'r comisiynydd: hybu, hwyluso, annog arferion gorau, a rhoi cyngor a chymorth, gan gynnwys cymorth ariannol, i unrhyw berson. Bydd cylch gwaith a dyletswyddau'r comisiynydd yn eang iawn, fel y dylent fod. Yr oeddech yn sôn am ychwanegu categorïau newydd, felly rhaid i ni bwysleisio bod y Mesur arfaethedig hwn yn adlewyrchu'r cytundeb a wnaed drwy'r Gorchymyn ynglŷn â hyd a lled y pwerau sydd wedi dod i ni. Ni fydd addasu ar hynny; mater arall fydd hynny i Lywodraethau'r dyfodol, os byddant yn dymuno gwneud hynny.

O ran hyrwyddo'r iaith, nid yw'r Mesur

**Bethan Jenkins:** That was a question to the Minister as to whether he agrees that this was very disappointing.

**The Presiding Officer:** The Minister has no responsibility for Paul Davies. [*Laughter.*] Therefore, it is a matter of asking questions about the proposed Measure.

**Bethan Jenkins:** As we are trying to create a consensus, I believe that it is important for us to hear the Minister's views.

**The Presiding Officer:** I am trying to ensure that we get an appropriate statement. I am not trying to create anything. Could we have some questions please? Then we can move on.

**Bethan Jenkins:** I have asked all of my questions. Thank you for listening.

**Alun Ffred Jones:** Thank you, Bethan, for your positive support, along with some questions. You asked about the process of appointing the commissioner. I reiterate the point that we are prepared to listen to comments or suggestions made in that regard, and we would like to seek consensus and agreement. If we need to amend the proposed Measure in that direction, then we would be willing to listen to suggestions. You were right to emphasise the point that the commissioner will be advocate for the Welsh language. The wording of the proposed Measure supports that position time and again in terms of the commissioner's work and duties: to promote, facilitate, encourage best practice, and provide advice and support, including financial support, to any person. The commissioner's remit and duties will be very broad, as they should be. You mentioned adding new categories, therefore we must emphasise that the proposed Measure reflects the agreement reached through the LCO regarding the length and breadth of the powers that we received. This will not be amended; that will be a matter for future Governments, should they choose to do so.

In terms of promoting the language, the

arfaethedig yn dweud yn union lle y bydd y cyfrifoldebau hynny yn gorwedd. Mae hwnnw'n fater ar gyfer trafodaeth, a chredaf ei bod yn iawn fod pawb yn cael dweud ei ddweud ynglŷn â hynny. Yr unig beth y mae'r Mesur arfaethedig yn ei ddweud yw y gallai'r cyfrifoldebau orwedd gyda'r comisiynydd a'i staff, neu yn rhywle arall.

O safbwynt y consensws a'r cytundeb, yr wyf yn weddol ffyddiog bod cytundeb ar draws y pleidiau o safbwynt symud ymlaen ac adeiladu ar Ddeddf 1993. Nid oeddwn yn hoff o'r dyfyniad gan Mr Davies ynglŷn ag apartheid ieithyddol, gan nad yw hynny yn helpu. Fodd bynnag, fel y dywedodd y Llywydd, nid oes gennyf gyfrifoldeb dros Mr Davies.

**Eleanor Burnham:** Ceisiaf fy ngorau i ofyn cwestiynau yn unig. Mae heddiw yn ddiwrnod hanesyddol. Yr oeddem yn lwcus i gael Jenny Randerson fel Gweinidog mewn Llywodraeth flaenorol, oherwydd gweithiodd yn galed ar ran Democratiaid Rhyddfrydol Cymru ym maes pwysig yr iaith. Credaf fod y Gweinidog presennol wedi cael trafferth yn symud y mater pwysig hwn drwy gwstard San Steffan. Yr wyf yn croesawu'r ffaith ei fod wedi dychwelyd erbyn hyn, er fy mod yn gresynu ei fod wedi cymryd cyhyd. A fu'r cyfnod hwn yn *learning curve*? A ydych yn credu y cawn ni lai o drafferth wrth i ni symud y materion hyn drwy San Steffan?

Yn ddiweddar, bŵm mewn seminar diddorol dan arweiniad Gwion Lewis. Yr oedd yn traddodi'n fanwl ar faterion sydd y tu hwnt i'm dealltwriaeth i efallai, ond, o'r hyn yr wyf yn ei ddeall, mae pryderon. Sut ydych yn ymateb i gyhuddiad Cymdeithas yr Iaith Gymraeg na wnaethoch eich gwaith yn ddigon da? Mae'r gymdeithas yn cwyno eich bod chi wedi camarwain y cyhoedd. Dyna'r cwestiwn rhesymol cyntaf i chi.

Mae'r cwestiwn nesaf yn ymwneud â'r pryder ynghylch colli Bwrdd yr Iaith Gymraeg. Mae gan fwrdd yr iaith enw da ar draws y byd am fod yn gadarn ac am wneud gwaith o safon. Sut ydych yn gobeithio y bydd y bwrdd yn datblygu? A fydd yn cael ei sugno i mewn i'r Llywodraeth, fel y digwyddodd i'r WDA gynt? Os na fydd, sut

proposed Measure does not say exactly where the responsibility will lie. That is a matter for discussion, and I believe that it is right that everyone has an opportunity to have their say. All this proposed Measure says is that the responsibility could lie with the commissioner and his or her staff, or elsewhere.

Regarding the consensus and agreement, I am fairly confident that there is agreement across the parties in terms of moving forward and building on the 1993 Act. I was not keen on Mr Davies' quote about linguistic apartheid, as I do not think that it helps matters. However, as the Presiding Officer said, I do not have any responsibility for Mr Davies.

**Eleanor Burnham:** I will do my best to limit myself to asking questions. Today is a historic day. We were fortunate to have had Jenny Randerson as a Minister in a previous Government, as she worked hard on behalf of the Welsh Liberal Democrats in the important sphere of the Welsh language. I believe that the current Minister has encountered difficulties in trying to progress this important matter through the political custard at Westminster. I welcome the fact that it has now come back to us, even though I regret the fact that it has taken so long. Has this period been a learning curve? Do you now believe that we will face fewer difficulties as we progress matters through Westminster?

I recently attended an interesting seminar held by Gwion Lewis. He spoke in great detail on issues that are perhaps beyond my comprehension, but, from what I understood, there are concerns. How do you respond to the accusation made by the Welsh Language Society that you have not done your work effectively enough? The society has complained that you have misled the public. That is my first rational question to you.

My next question relates to the concern regarding the abolition of the Welsh Language Board. The board has worked to the highest standards and acted robustly, and, as a result, is held in global renown. How do you hope to see the board developing? Will it be subsumed into the Government, as was the case with the WDA previously? If not, what

bartneriaeth fydd gyda'r comisiynydd newydd, rôl a fydd yn annibynnol? Yr ydych yn trafod rôl y comisiynydd fel eiriolwr. Nid wyf yn siŵr sut y bydd hynny'n annibynnol o'ch adran chi.

kind of partnership will be established with the new commissioner, whose role is to be independent? You referred to the commissioner as an advocate, but I am not exactly sure as to how the role will be independent of your department.

3.40 p.m.

Pam nad ydych wedi seilio'r materion pwysig hyn ar hawliau dynol? Onid ydych yn cydfynd â ni'r Democratiaid Rhyddfrydol ac eraill mai hawliau dynol yw'r pethau pwysicaf y dylem eu trafod ynghylch yr iaith, yn hytrach na gosod gofynion ar gyrff? Hwyrach y gallech ddweud wrthym sut y mae natur a maint y cyrff hyn wedi newid. Hyd y deallaf, dim ond cyrff sy'n cael grant o bron £0.5 miliwn gan y Llywodraeth fydd yn cael y gofynion hyn wedi'u gosod arnynt. Yr wyf yn edrych ymlaen, fel y mae gweddill y blaid, at wella'r sefyllfa.

Why have you not based these important issues on human rights? Do you not concur with us in the Liberal Democrats and others that the most important issue that we should be discussing for the language is human rights, rather than making requirements of organisations? Perhaps you could also tell us how the nature and size of these organisations has changed. As I understand it, the requirements are made only of those bodies that receive a grant of almost £0.5 million from the Government. I look forward, as does the rest of the party, to seeing improvements in this area.

Beth fydd yn digwydd i'r llysoedd yn sgîl y Mesur arfaethedig? Hyd y deallaf, ni fydd llysoedd yn datblygu'n ddwyieithog. Yr wyf yn siŵr y bydd y Llywydd yn rhygnu arnaf ynghylch y mater hwn mewn eiliad. Gyda hynny, croesawn y ffaith ein bod yn symud ymlaen. Er bod y cynnydd yn araf, hwyrach ei fod yn well na dim. Mae gennym bryderon, ond gobeithiwn y gallwn drafod y materion pwysig hyn yn ystod y drafodaeth am y Mesur arfaethedig.

What will happen to the courts as a result of this proposed Measure? As I understand it, the courts will not be developing bilingual services. I am sure that the Presiding Officer will berate me for this in a moment's time. With that, we welcome the fact that we are making progress. Although progress is slow, perhaps it is better than nothing. We have concerns, but we hope to be able to discuss these important matters during the discussion on the proposed Measure.

**Y Llywydd:** Trefn. Fel mater o drefn, nid yw'r cyfrifoldeb am y llysoedd eto wedi'i ddatganoli.

**The Presiding Officer:** Order. On a point of order, the responsibility for the courts has not yet been devolved.

**Alun Ffred Jones:** Gan nad yw'r llysoedd wedi'u datganoli, nid ydynt yn berthnasol i'r Mesur arfaethedig hwn. Nid Mesur arfaethedig sy'n well na dim byd mohono; mae wedi'i deilwra'n arbennig i ddatblygu Deddf yr Iaith Gymraeg 1993, i ehangu ar ei darpariaethau, ac i adeiladu ar brofiadau Bwrdd yr Iaith Gymraeg yn ystod y cyfnod hwnnw o Gymreigio gwasanaethau mewn llawer cyfeiriad ym mywyd cyhoeddus Cymru. Nid oes angen ymddiheuro am y Mesur arfaethedig hwn.

**Alun Ffred Jones:** Given that the courts are not devolved, they are not relevant to this proposed Measure. This proposed Measure is not better than nothing; it has been tailored specifically to develop the Welsh Language Act 1993, to expand on its provisions, and to build on the experiences of the Welsh Language Board during that period of pushing for bilingual services in many aspects of public life in Wales. There is no need to apologise for this proposed Measure.

Yr ydych yn anghywir wrth gyfeirio at gyrff sy'n derbyn dros £0.5 miliwn; £400,000 yw'r

You are wrong to refer to organisations that receive more than £0.5 million; the figure in



ffigur sydd yn y Mesur arfaethedig, ac mae'n cyfeirio at un yn unig o'r categorïau. Mae'r rhan fwyaf o'r cyrff sy'n cael eu henwi yn cyflwyno gwasanaethau i'r cyhoedd, a dyna'r maen prawf gwaelodol.

Ni allaf wneud unrhyw sylw am brosesau San Steffan. O ran y ddadl am hawliau dynol, mae'r Mesur arfaethedig hwn wedi cael ei lunio fel ei fod yn cael effaith uniongyrchol ar gyrff sy'n cyflwyno gwasanaeth i'r cyhoedd. Mae angen eglurder ar hynny, yn hytrach na gadael i'r llysoedd benderfynu beth sy'n rhesymol a synhwyrol ei gyflwyno.

Wrth i'r comisiynydd fynd fesul categori, ac edrych ar draws ystod o wasanaethau, bydd yn dweud pa safonau a ddisgwylir gan y cyrff. Os nad ydynt yn cyflwyno'r gwasanaethau hynny'n briodol, yn y Gymraeg neu'n ddwyieithog, mae ganddo bwerau, sy'n elfen newydd, i sicrhau eu bod yn newid eu ffyrdd. Mae'r elfen hon o orfodaeth yn gam pwysig ymlaen, ac yn rhoi dannedd i'r ci gwarchod nad ydynt gan fwrdd yr iaith ar hyn o bryd. Fodd bynnag, fel ym mhrofiad gwledydd eraill, gobeithiaf mai drwy drafod y byddwn yn dod â'r rhan fwyaf o'r anghydfodau a fydd yn codi i ben. Er hyn, mae gan y comisiynydd rym go iawn, ac yr wyf yn mawr hyderu y bydd yn gwneud gwahaniaeth i wasanaethau Cymraeg a dwyieithog yng Nghymru.

**Rhodri Glyn Thomas:** Yr wyf yn llongyfarch y Gweinidog yn fawr iawn am lwyddo i ddod â'r Mesur arfaethedig hwn ger ein bron y prynhawn hwn. Nid gwaith bach o gwbl fu hynny. Bu'n gyfnod hir iawn, ac mae'r Gweinidog wedi gweithio'n ddiflino er mwyn sicrhau hynny. Dros gyfnod hir, mae'n anodd cadw rheolaeth dynn ar y broses, ac mae'r Mesur arfaethedig yn hir iawn—136 o dudalennau. Gofynnaf dri chwestiwn penodol i'r Gweinidog, ac yr wyf yn croesawu ei agwedd iach at y drafodaeth a fydd yn digwydd yn sgîl ei ddatganiad: mae'n croesawu unrhyw gyfraniadau a fyddai'n cryfhau'r Mesur arfaethedig.

Weinidog, yr ydych wedi sôn am gadarnhau statws y Gymraeg. Byddwch yn ymwybodol bod rhai cwestiynau wedi codi ynghylch hynny. A oes modd cael cyfeiriad penodol clir yn y Mesur arfaethedig am statws y

the proposed Measure is £400,000, and that refers to only one of the categories. The majority of the bodies that are named provide a service to the public, and that is the basic criterion.

I cannot comment on the procedures at Westminster. On the argument about human rights, this proposed Measure has been drafted in such a way as to have direct effect on organisations that offer a service to the public. We need to be clear about that, rather than leaving it to the courts to decide what is reasonable and sensible to introduce.

As the commissioner goes from category to category, taking an overview of the range of services, he or she will state the standards expected of organisations. If they do not provide those services appropriately, in Welsh or bilingually, the commissioner has the power, which is a new element, to ensure that they change their ways. That element of enforcement is an important step forward and gives the watchdog some teeth, which the language board does not have currently. However, as is the experience in other countries, I hope that we can resolve the majority of disputes that arise by discussion. Despite that, the commissioner has real power, and I am totally confident that that role will make a difference to Welsh-language and bilingual services in Wales.

**Rhodri Glyn Thomas:** I congratulate the Minister very much on succeeding to bring this proposed Measure before us this afternoon. That was no mean feat. It has been a very long process, and the Minister has worked tirelessly to ensure that. Over a long period, it is difficult to keep a tight rein on the process, and this proposed Measure is a very lengthy one, at 136 pages long. I will ask the Minister three specific questions, and I very much welcome the healthy attitude that he has taken towards the discussion that will take place following his statement: he welcomes any contributions that would strengthen the proposed Measure.

Minister, you have talked about confirming the status of the Welsh language. You will be aware that some questions have arisen about that. Would it be possible to have a clear and specific statement in the proposed Measure

Gymraeg yng Nghymru?

Mae'r cwestiwn o hawliau wedi codi hefyd. Derbyniaf yn llwyr y ddadl yr ydych wedi'i chyflwyno ger ein bron, sef mai bwriad y Mesur arfaethedig hwn yw gosod cyfrifoldeb ar gyrff i ddarparu gwasanaethau drwy gyfrwng y Gymraeg. Er hynny, defnyddiwyd y gair 'eiriolwr' gennych yng nghyd-destun y comisiynydd, ac mae'r gair hwnnw yn y Mesur arfaethedig. Cyfrifoldeb eiriolwr yw diogelu hawliau unigolion. A oes unrhyw ffordd o ddiogelu'r elfen o hawliau siaradwyr Cymraeg yn swydd ddisgrifiad y comisiynydd?

Hoffwn hefyd ategu'r cwestiynau sydd wedi codi am annibyniaeth swydd y comisiynydd. Nid wyf yn poeni am y broses benodi gymaint ag annibyniaeth y broses adrodd yn ôl. Mae'n bosibl y gall sefyllfa godi pan fydd yn rhaid i'r comisiynydd weithredu ar ran unigolyn neu gorff sydd o'r farn nad yw Llywodraeth Cymru hyd yn oed wedi darparu gwasanaeth cymwys yn y Gymraeg. Weinidog, yr wyf yn croesawu'r ffaith eich bod yn mynd allan i drafod y system newydd o safonau yr ydych yn gosod yn eu lle. Nid wyf yn credu bod yr un ohonom yn gwbl glir am hynny ar hyn y bryd, a mawr obeithiaf y bydd y drafodaeth hon yn ein galluogi i weld hynny'n gliriach. Deallaf yn llwyr yr hyn a ddywedasoeh am bwysigrwydd y safonau hyn.

Mae fy nghwestiwn olaf yn ymwneud â gwahanu'r broses o hyrwyddo'r iaith Gymraeg, sef rôl a gyflawnwyd yn draddodiadol ac yn rhagorol iawn gan Fwrdd yr Iaith Gymraeg ers ei sefydlu yn gorff statudol â chanddo gyfrifoldebau statudol, a'r broses o reoleiddio a fydd yn nwylo'r comisiynydd. Yr wyf o'r farn—a gwn nad ydych eto wedi penderfynu'n derfynol ar y mater hwn—y dylid ystyried gwahanu'r cyfrifoldebau hynny, a sicrhau bod y rôl hyrwyddo yn rhan o gyfrifoldeb ehangach Llywodraeth Cymru i gyflawni'r hyn y mae wedi addo ei wneud, sef creu Cymru sy'n wirioneddol ddwyieithog. Gyda hynny o gwestiynau, croesawaf y Mesur arfaethedig yn fawr, a hoffwn eich llongyfarch, Weinidog, am ei ddwyn ger ein bron heddiw.

about the status of the language in Wales?

The issue of rights has also arisen. I accept entirely the argument that you make, which is that the intention of this proposed Measure is to place responsibilities on bodies to provide services through the medium of Welsh. Despite that, you used the word 'advocate' in reference to the commissioner, and that word is in the proposed Measure. An advocate's responsibility is to protect individuals' rights. Is there any way of protecting the element of Welsh-speakers rights in the commissioner's job description?

I also echo the questions that have been raised about the independence of the commissioner's role. I am not worried about the appointment process as much as the independence of the process of reporting back. It is possible that the commissioner will have to act on behalf of an individual or body that believes that even the Welsh Government has not provided an adequate service through the medium of Welsh. Minister, I welcome the fact that you will be going out to discuss the new system of standards that will be implemented. I do not think that any of us are totally clear about that at present, and I strongly hope that this debate will allow us to see that clearer. I understand entirely what you said about the importance of these standards.

My last question relates to separating the process of promoting the language, which is a role that has been traditionally and excellently undertaken by the Welsh Language Board since its inception as a statutory body with statutory responsibilities, and the regulation process that will be in the hands of the commissioner. I am of the opinion—and I know that you have not yet finally decided on this issue—that consideration should be given to splitting these responsibilities, to ensure that the promotion role should be part of the broader responsibilities of the Welsh Government to fulfil what it has promised to do, which is to create a truly bilingual Wales. With those questions, I very much welcome the proposed Measure, and congratulate you, Minister, on laying it before us here today.

**Alun Ffred Jones:** Diolch am y sylwadau hynny. Dechreuodd y gwaith hwn yn ystod eich amser chi fel Gweinidog. Mae'r Mesur arfaethedig yn hir a chymhleth—wel, mae'n hir ond mae'n dod yn symlach wrth i'r misoedd fynd heibio. Mae dau ddatganiad yn bodoli ynghylch statws swyddogol y Gymraeg. Nid wyf am osgoi'r cwestiwn drwy ddweud wrth gwrs y byddwn yn gwrandio ar unrhyw argymhellion a fyddai'n gwella'r Mesur arfaethedig neu'n ei wneud yn fwy eglur, ond mae hwn yn ddatganiad clir am ddarpariaeth bellach o ran statws swyddogol y Gymraeg yng Nghymru. Os dywedwn fod gan iaith statws swyddogol, rhaid gofyn ym mha ffordd yr adlewyrchir y statws hwn. Gwyddom am yr hen ddadl: nid oes gan y Saesneg statws swyddogol ysgrifenedig oherwydd dyna natur cyfansoddiad Prydain. Fodd bynnag, yr ydych yn cael statws drwy'r hyn yr ydych yn ei wneud. Mae'r Mesur arfaethedig yn ychwanegu at y ddarpariaeth a gynigir drwy gyfrwng y Gymraeg, ac felly at statws yr iaith. Efallai ein bod mewn perygl o geisio dyfalu sawl angel sy'n gallu sefyll ar ben pin yn y cyd-destun hwn, ac ni fyddwn yn cyrraedd pen draw'r mater drwy fynd ymhellach. Er hynny, drwy gynnwys y datganiad hwnnw am statws swyddogol yr iaith yn y Mesur arfaethedig, gellir ei ddefnyddio yn y dyfodol pe bai achos llys perthnasol yn codi, gan ei fod yn ddatganiad clir o'r hyn a gredwn ac o'r hyn sy'n digwydd yng Nghymru o safbwynt y Gymraeg.

O ran hawliau, gofynasoch a fydd gan y comisiynydd bwerau i ddiogelu hawliau unigolion. Bydd, mewn dwy ffordd cwbl ymarferol. Mae cyfeiriad penodol at y rhyddid i siarad Cymraeg, ac os bydd unrhyw un yn teimlo bod y rhyddid hwnnw wedi'i gyfyngu, bydd gan y comisiynydd yr hawl i ymchwilio i'r achos. Mae gan y comisiynydd hawl hefyd i ddwyn achos ar ran unigolyn a gweithredu ar ran yr unigolyn yn gwbl ymarferol. Felly, yn yr ystyr honno, bydd y comisiynydd yn cefnogi hawliau unigolion mewn modd ymarferol.

3.50 p.m.

Soniasoch wedyn am annibyniaeth y comisiynydd a'r ffaith ei fod, mewn rhyw

**Alun Ffred Jones:** Thank you for those comments. This work began during your time as Minister. The proposed Measure is lengthy and complex—well, it is lengthy but it gets simpler as the months go by. There are two statements that exist about the official status of Welsh. I will not evade that question by saying that of course we will listen to any recommendations that would improve the proposed Measure or make it clearer, but this is a clear statement about making further provision about the official status of Welsh in Wales. If we are to say that a language has official status, we have to ask in what way is this status reflected. We know of the old argument: English has no written official status, because that is the nature of the British constitution. However, you get status through what you do. The proposed Measure adds to what is provided through the medium of Welsh and, therefore, adds to the status of the language. Perhaps we are in danger of trying to guess how many angels can fit on the head of a pin in this respect, and we would not get anywhere by pursuing the matter any further. Nevertheless, by including that statement about the official status of the language in the proposed Measure, it could be used in future if a relevant court case arose, as it is a clear statement of what we believe and of what is happening in Wales in relation to the Welsh language.

You asked, in respect of rights, whether the commissioner will have powers to protect individuals' rights. There is a direct reference to the freedom to speak Welsh, and if anyone feels that that freedom is being restricted, the commissioner will have the right to enquire into the case. The commissioner will also have the practical right to bring a case on behalf of the individual. Therefore, in that respect, the commissioner will support individuals' rights in a practical way.

You then mentioned the independence of the commissioner, and the fact that the

ffordd, hefyd yn plismona'r Llywodraeth. Mae'r Mesur arfaethedig yn datgan,

'rhaid i Weinidogion Cymru roi sylw dyladwy i'r argymhelliad, y sylw neu i'r cyngor'.

Hynny yw, oddi wrth y comisiynydd. Dywedwyd wrthyf, mewn termau cyfreithiol, fod 'sylw dyladwy' yn eiriau cryf iawn mewn cydberthynas unrhyw gorff allanol a Llywodraeth. Felly, yn yr ystyr honno, mae pwerau'r comisiynydd yn gryfach na phwerau comisiynwyr eraill yng Nghymru.

Ni themlaf fod angen imi wneud sylw am y ddadl ynghylch hyrwyddo a rheoleiddio, oherwydd dyna'r union drafodaeth sy'n mynd rhagddo. Ymhle y dylai'r cyfrifoldeb hwnnw orffwys?

**Mark Isherwood:** In the debate last November, speaking as Chair of the legislation committee that scrutinised the draft legislative competence Order on the Welsh language, I stated that the committee agreed with the principle of it but expressed disappointment that, instead of allowing the Assembly competence over a broad area relating uniquely to the Welsh nation, the Governments had, in most places, narrowed it.

We recommended that organisations be subject to duties in any future Measures according to the nature of the services that they provide to the public, their size, and their legal status, rather than an arbitrary monetary threshold. Instead, the Minister has raised the financial limit to £400,000. Is that not still a fairly arbitrary figure?

I welcomed the fact that the proposed Measure should not capture those in receipt of one-off payments, which was a concern raised in evidence. We recommended that all large financial institutions providing services to the public should fall within the scope of matter 20.1 to ensure a level playing field between all companies within the sector. The provisions in this proposed Measure include only those financial institutions 'engaged in central banking', such as the Bank of England. However, will banks that have been bailed out by the UK Government be caught by the financial threshold, and does that result in a level playing field for banks and financial institutions?

Our main cause for concern was the qualification of the legislative competence of the Assembly, whereby the Assembly may not impose duties on persons unless they can challenge those duties on the grounds of reasonableness and proportionality. No previous legislative competence Order has proposed that kind of qualification. That seemed to mean that an Assembly Measure under matter 20.1 will never, in effect, be capable of imposing an absolute duty, which has potentially far-reaching implications. Does it therefore mean that any decision that the Assembly takes could be subject to challenge? On that basis, will the proposed Measure enable the Government to achieve its policy objective of addressing the shortcomings of the Welsh Language Act 1993? That qualification of the Assembly's legislative competence will govern the issue of whether a duty should apply at all. This provision is novel and unprecedented in the development of Schedule 5 to the Government of Wales Act 2006.

commissioner will, in some way, be policing the Government. The proposed Measure states,

'the Welsh Ministers...must have due regard to the recommendation, representation or advice'.

That is, from the commissioner. I was told, in legal terms, that 'due regard' are strong words to describe the relationship between any external body and Government. Therefore, in that respect, the commissioner's powers are greater than the powers of other commissioners in Wales.

I do not think that I need to make any comments on the discussion about promotion or regulation, because that is the very discussion that is already under way. Where should that responsibility lie?

Mae'r ddarpariaeth hon yn un newydd a digynsail yn natblygiad pwerau'r Cynulliad. This is a new and unprecedented provision in the development of the Assembly's powers.

It appears to set an uncomfortable and worrying constitutional precedent: the Assembly is granting powers only on the condition that a future Measure include certain specified provisions.

In its evidence to our committee, BT Cymru noted that its bilingual policy had been praised by the Welsh Government and the Welsh Language Board, but added that it had been pressing the Welsh Government to concentrate activity not on legislation but on practical programmes that would encourage more use of the language. The Association of Train Operating Companies told us that its Welsh language service had not been used as widely as it would have liked, adding its need for a business case when making decisions on future provision for services.

**The Presiding Officer:** Order. We are not doing very well with our questions today, for some reason. I am referring not only to you but to everyone. I would like to hear a few questions.

**Mark Isherwood:** Does the Minister therefore agree that we must address the concerns of such organisations when taking forward the proposed Measure on the basis of co-operation and consensus building, as was the conclusion of the legislation committee report, in accordance with the approach adopted by our friends and colleagues in Catalonia?

**Alun Ffred Jones:** Credaf ichi sôn am dri mater yn benodol. Dywedasoeh gryn dipyn am y trothwy o £400,000. Gadewch inni fod yn glir bod y rhan fwyaf o'r Mesur arfaethedig yn delio â gwahanol gategoriâu o gyrff, cwmnïau neu sectorau. Nid ydym yn enwi na chorff na chwmmi yn y Mesur arfaethedig. Yr ydym yn ymdrin â chyrrff fesul categori a hynny dim ond pan fydd y cyrrff hynny'n cyflwyno gwasanaeth i'r cyhoedd. Dyna'r meini prawf. Wrth gwrs, yr ydym hefyd yn awyddus i gynnwys cyrrff sy'n derbyn arian yn uniongyrchol o'r pwrw cyhoeddus ac o ran y cyrrff hynny y mae'r £400,000 yn berthnasol. Nid oes llawer o gyrff yn syrthio i'r categori hwnnw. Codi tipyn o ysgyfarnog, mewn gwirionedd, yw mynd ar drywydd y pwynt hwnnw.

**Alun Ffred Jones:** I believe that you referred to three specific issues. You talked much about the £400,000 threshold. Let us be clear that most of the proposed Measure deals with different categories of bodies, companies or sectors. We do not name a body or a company in the proposed Measure. We deal with bodies by category and only if those bodies provide a service to the public. Those are the criteria. Of course, we are also keen to include bodies that receive direct funding from the public purse, and the £400,000 is relevant to those bodies. Not many bodies fall within that category. In reality, pursuing that point is a bit of a red herring.

O safbwynt y ffaith bod y Gorchymyn yn dweud bod yn rhaid cael modd o herio unrhyw benderfyniad neu ddyletswydd ar y sail nad yw'n synhwyrrol na chymesur, y gwir amdani yw bod yn rhaid i bob darn o ddeddfwriaeth fod yn synhwyrrol a chymesur. Gellir herio unrhyw ddeddfwriaeth mewn llys ar y sail ei bod yn afresymol. Felly, nid ydym yn credu bod cynnwys y cymal hwnnw yn y Gorchymyn yn gwanhau'r Mesur arfaethedig hwn nac yn atal y Cynulliad rhag deddfu'n briodol yn y maes.

As for the fact that the Order states that there should be way of challenging any decision or duty on the basis that it is not sensible or proportionate, the truth is that all pieces of legislation have to be sensible and proportionate. Any legislation can be challenged in a court on the basis that it is not proportionate. Therefore, we do not believe that including that clause in the Order weakens this proposed Measure or stops the Assembly from legislating appropriately in the field.

Yn drydydd, o ran y sylwadau gan BT y gwnaethoch eu dyfynnu, yn sicr yr ydym mewn deialog gyson gyda'r byd busnes a diwydiant. Wrth osod dyletswyddau, rhaid i'r comisiynydd hefyd ddangos ei fod wedi trafod yn drylwyr gyda'r sectorau a'r cwmnïau cyn gosod y safonau. Y gobaith yw y bydd safonau cyson ar draws sector, er enghraifft, y sector ynni neu'r sector telegyfathrebu, fel bod yn rhaid i bob cwmni gyflawni'r un lefel o wasanaeth. Byddai hynny'n briodol ac yn deg.

Thirdly, as to the comments from BT which you quoted, we are certainly having a dialogue with the world of business and industry. In placing duties, the commissioner also has to show that he or she has held thorough discussions with sectors and companies before setting standards. The hope is that there will be consistent standards across individual sectors, for example, the energy sector or the telecommunications sector, so that each company provides the same level of service. That would be appropriate and fair.

Yr ydych yn hollol iawn, wrth gwrs, mai'r her ar ôl hynny fydd sicrhau bod mwy a mwy o Gymry Cymraeg yn defnyddio'r gwasanaethau Cymraeg. Mae honno'n her fawr, ac yr wyf yn derbyn hynny ar ran y Llywodraeth, ond mae hefyd yn her y bydd yn rhaid inni ei hystyried yn ofalus er mwyn sicrhau bod cynnydd yn y defnydd a wneir o wasanaethau Cymraeg.

You are quite right, of course, that the challenge after that will be to ensure that more and more Welsh speakers use Welsh services. That is a great challenge, and one that I accept on behalf of the Government, but it is also a challenge that we will have to consider carefully in order to ensure that there is an increase in the use of Welsh-language services.

**Jenny Randerson:** I will do my best to think of a couple of questions, Presiding Officer.

It is important to remember that we have had nothing less than a social revolution in attitudes to the language in the past 20 years. Minister, I very much regret the considerable delay to which you referred earlier in getting this proposed Measure before us. I always took the view that the very first thing the Assembly should be dealing with would be an LCO on the language, because I could not for one minute see why the UK Parliament would wish to interfere with our right to deal with issues relating to the Welsh language, but there you go.

It is now time to move on. I emphasise, Minister, that you should not cast the Welsh Language Board aside thoughtlessly, because it is an amazing success story throughout the world. Welsh is virtually the only minority language in the world that is growing not declining, and that is in large part down to the expert work of the Welsh Language Board over the years.

I agree with you, Minister, that it is time for 'Iaith Pawb' to have a successor. It has lasted well as a strategy, but it was written in other times when we did not have legislative competence over the language, and so it is important that we move on. It has lasted well, I think, because it was regarded as pretty radical at the time. It had room to grow, but people's attitudes to the language have grown at the same time.

4.00 p.m.

I do want to put some questions to you, Minister, and offer some words of warning. The Welsh language used to be fiercely divisive, largely along party political lines. That has been entirely overcome, and, as a result, has strengthened the language considerably. Do you share my concern that an acrimonious debate is already opening up? Your colleague behind you was hard and critical in her attitude towards Paul Davies—I am not defending Paul Davies in this—and your answer to Eleanor Burnham was also pretty sharp. It is not a time for Plaid Cymru triumphalism on this issue, and I applaud Rhodri Glyn Thomas for his earlier comments. It is important that we keep the language, and not party politics, at the forefront.

When I was a Minister, I vowed to overcome the party political approach, and I hope that you will agree that we would be taking a step backwards if we were to go back to the days when the Welsh language was something that Plaid Cymru always said ‘yes’ to, and the Labour Party automatically said ‘no’ to. The language will not grow in that type of political climate.

**The Presiding Officer:** Order. Let us have some questions.

**Jenny Randerson:** I am asking questions.

**The Presiding Officer:** Order. I do not think so. [*Interruption.*] Order. I would like to—

**Jenny Randerson:** I have asked two questions, Presiding Officer.

**The Presiding Officer:** Order. With the exception of the distinguished speaker on behalf of the opposition, Paul Davies, who asked a lot of questions, most responses to this statement have been speeches.

**Jenny Randerson:** I have asked two questions.

**The Presiding Officer:** Order. You have taken rather a long time to do so.

**Jenny Randerson:** I have got another one. I am sorry, but I was judging the length of my speech by the length of time given to other contributors.

**The Presiding Officer:** Order. It should not be a speech; this is the whole point. This is a legislative statement and questions are the order of the day. I keep having to say this; what is the problem this afternoon? It is not mine.

**Jenny Randerson:** I urge the Minister to take into account the need for the commissioner and the advisory panel, as Rhodri Glyn Thomas said, to be appointed independently and to be answerable to the Assembly as a whole. Do you agree that the key thing is to keep the language and its implementation out of the bear pit—as it is occasionally—of party politics? Do you agree that the language should be held as an independent issue at arm’s length from party politics and from Government? Do you agree with the earlier comments made by Rhodri Glyn Thomas in this regard, and will you take that seriously into consideration?

Finally, your statement also refers to the transfer of some powers to Welsh Ministers. In the light of my earlier comments, what type of powers are you thinking of? I am concerned, once again, that you could be bringing the language too close to the party politics associated with Government, and the type of criticism that is inevitably associated with Government action, whatever its colour. What type of powers are you thinking of transferring from those currently held by the Welsh Language Board to the commissioner and the Government?

**Alun Ffred Jones:** Yr wyf yn cytuno y bu chwyldro mewn agweddau ar yr iaith Gymraeg, a gallaf eich sicrhau na fyddwn yn colli unrhyw arbenigedd a ddatblygwyd gan Fwrdd yr Iaith Gymraeg dros y blynyddoedd. Yr wyf innau hefyd yn talu teyrnged i ‘Iaith Pawb’ fel y strategaeth gyntaf.

**Alun Ffred Jones:** I agree that there has been a revolution in terms of attitudes to the language, and I can assure you that we will not lose any of the expertise developed by the Welsh Language Board over the years. I also pay tribute to ‘Iaith Pawb’ as the first strategy.

O ran eich cwestiynau, yr oeddech yn dweud ei bod yn bwysig cadw’r gefnogaeth drawsbleidiol, a byddwn yn ategu hynny. Ni chredaf fod unrhyw nodyn o *triumphalism* yn

Turning to your questions, you said that it was important to maintain cross-party support, and I would support that. I do not believe that there was any note of

fy sylwadau, ac nid wyf yn bwriadu cynnwys nodyn o'r fath yn y dyfodol chwaith. Mae cael cefnogaeth eang Cymry Cymraeg a'r di-Gymraeg yn hollbwysig o safbwynt sicrhau dyfodol ffyniannus i'r Gymraeg.

O ran penodi'r comisiynydd, yr wyf wedi dweud, a dywedaf eto, fy mod yn barod i wrando ar unrhyw awgrymiadau ynglŷn â hynny. Yr un broses sy'n cael ei hamlinellu yma ag a ddefnyddir ar gyfer comisiynwyr eraill yng Nghymru, ac nid wyf yn ymwybodol o feirniadaeth lem o'r broses honno o safbwynt ei hannibyniaeth. Os oes beirniadaeth, gadewch inni wrando ar yr argymhellion.

Hoffwn ddweud un peth ynglŷn â pheidio â gwneud y broses yn un wleidyddol a'r awgrym mai dim ond os yw pawb yn gytŷn y bydd popeth yn iawn. Os nad oes ymrwymiad gwleidyddol i gefnogi'r Gymraeg, neu unrhyw fater arall, nid oes dim yn digwydd. Mae perygl, os yw pawb yn dawel ac yn cytuno â'i gilydd, na fydd dim yn symud ymlaen. Felly, er ein bod yn nodi bod cael consensws yn wych o beth, nid oes dim o'i le mewn cael trafodaeth fywiog am y pwnc hwn, fel pob pwnc arall, nac mewn anghydweld o dro i dro. Ni ddylem ddyrchafu consensws i fod uwchlaw popeth arall, hyd yn oed yn y maes arbennig hwn. Rhaid gwerthfawrogi'r chwyldro a'r newid mewn agweddau a gafwyd dros y degawdau diwethaf, a chytunaf fod hynny wedi bod yn fuddiol iawn.

O ran cymryd pwerau oddi wrth Fwrdd yr Iaith Gymraeg, mae'r Mesur arfaethedig yn egluro yn fanwl pa bwerau a fydd yn trosglwyddo i'r comisiynydd, ac yn ei gwneud yn glir bod y rhan fwyaf o'r pwerau hynny, a'r pwerau ychwanegol, yn cael eu trosglwyddo i'r comisiynydd o Fwrdd yr Iaith Gymraeg. Yr ydym yn sôn yn benodol am y gallu i hyrwyddo'r Gymraeg a'r lle gorau i hynny orwedd. Nid yw hynny yn y Mesur arfaethedig, er ei fod yn caniatáu i'r comisiynydd wneud hynny, os mai dyna yw'r dewis yn y pen draw.

triumphalism in my comments, and I do not intend to include such a note in future. It is vital that we have the broad support of Welsh-speakers and non-Welsh-speakers alike in order to ensure a successful future for the language.

In terms of the appointment of a commissioner, I have said—and I repeat—that I am prepared to listen to any suggestions made. The process being outlined here is the same as that used for other commissioners in Wales, and I am not aware of strong criticism of the independence of that process. If there is criticism, let us listen to the recommendations.

I would like to say one thing about not turning this into a political process and the suggestion that this will not work unless we have unanimity. Unless there is political commitment to support the language, or any other issue, nothing happens. There is a danger, if everyone is quiet and in agreement, that there will be no progress. Therefore, even though we note that consensus is excellent, there is nothing wrong with having a lively debate on this issue, as with all other issues, or with having disagreements from time to time. We should not put consensus on a pedestal, above everything else, even in this field. We must appreciate the revolution and change in attitudes seen over the past decades, which I agree have been very beneficial.

On taking powers away from the Welsh Language Board, the proposed Measure explains in detail what powers will be transferred to the commissioner, and makes it clear that most of those powers, and additional powers, are transferred to the commissioner from the Welsh Language Board. We are talking specifically about the ability to promote the language and the best place for that to lie. That is not in the proposed Measure, although it allows the commissioner to do so, if that is the decision ultimately taken.

**Darren Millar:** I want to ask some questions specifically as a member of the committee that looked at the Welsh language legislative competence Order. Before I do so, I want to say how supportive this party will always be of any Measures to protect, promote and to advance the



Welsh language and its use in Wales. I subscribe fully to the points made by my colleague, Paul Davies.

It is worth noting that there were over 150 responses to the consultation on the Welsh language LCO, over 70 of which came from individuals. Many of those individuals expressed concerns, based on information that they had, about the fact that the role of the commissioner could extend to the protection of the rights of English speakers, as well as of those of Welsh speakers. You were questioned in the committee on that subject, and you seemed to be prepared to look at the role of the commissioner and whether the rights of English speakers in some parts of north-west Wales, for example, could also be protected by the commissioner, who could act as a channel for complaints, where complaints might arise. Minister, could you signal to us whether, if evidence comes forward in that regard through scrutiny of the proposed Measure, you are prepared to look at that again to see whether that is necessary?

My second question relates to the public meetings. I welcome the fact that you have suggested that public meetings will be held across Wales, but it is important that they are not just a charm offensive on this subject, and that there is an opportunity for individuals, organisations and businesses who come to those public fora to make a contribution to the shaping of the legislation as it goes forward. I fully support Bethan Jenkins in that respect, who I believe made similar points.

My third question relates to the costs of the proposed Measure. You have indicated that you will use the £13.8 million that is available to support the Welsh Language Board to move forward with the implementation of the role of the commissioner. However, you have made no reference whatsoever to the support that might be available to those organisations that want to go further than they have done before to promote the Welsh language.

4.10 p.m.

As a committee member, I was interested to hear the evidence that was given by the Catalan Government on support that it has made available to organisations and businesses and to third sector organisations to help them to adapt and to be creative in terms of the use of the Catalan language. I think that it has a current annual budget of around €36 million. I recognise that we cannot make lavish promises on the cash that might be available to promote the Welsh language in Wales among organisations and businesses, but will you consider that point as you shape the regulations? Will there be adequate resources in order to make Wales a truly bilingual nation?

**Alun Ffred Jones:** Croesawaf ddatganiad Darren Millar, fel yr wyf yn croesawu cyfraniad bron pawb a siaradodd heddiw. Yr oedd Darren Millar yn gofyn am bwerau'r comisiynydd mewn perthynas â'r Saesneg. Dywed y Mesur arfaethedig yn glir nad yw'n effeithio ar statws y Saesneg yng Nghymru, ond ei fod yn edrych i hyrwyddo'r Gymraeg ochr yn ochr â'r Saesneg. Mesur arfaethedig yw hwn yn benodol i hyrwyddo'r defnydd o'r iaith a'r gwasanaethau sydd ar gael yn y Gymraeg, oherwydd, fel iaith leiafrifol hyd yn oed yng Nghymru, mae angen Mesur arfaethedig o'r fath i gyflawni'r amcanion hynny.

**Alun Ffred Jones:** I welcome Darren Millar's statement, as I welcome what has been said by nearly all of the contributors today. Darren Millar asked about the commissioner's powers in relation to the English language. The proposed Measure says clearly that it does not impact upon the status of the English language in Wales, but that it looks to promote the Welsh language alongside English. This is a proposed Measure aimed specifically at promoting the language and the services available through the medium of Welsh, because as a minority language, even in Wales, we need such a proposed Measure to achieve those objectives.

Mae'r cyfarfodydd cyhoeddus—dyna'r tro cyntaf imi gael fy nghyhuddo o gynnal 'charm offensive', ond derbyniaf y sylw—yn fater o gyflwyno gwybodaeth a derbyn cwestiynau, fel y byddai rhywun yn ei ddisgwyl. Fodd bynnag, o ran cyflwyno gwelliannau i'r Mesur arfaethedig, bydd gofyn iddynt gael eu sianelu drwy'r pwyllgorau priodol yn y Cynulliad, lle bydd Aelodau yn llobio am unrhyw newidiadau.

The public meetings—that was the first time that I have been accused of carrying out a charm offensive, but I accept the point—are an opportunity to present information and take questions, as one would expect. However, any amendments to the proposed Measure would have to be channelled through the Assembly's relevant committees, where Members will lobby for any changes.

O ran y costau, nid oes dim yn y Mesur arfaethedig sy'n ychwanegu at gostau'n uniongyrchol. Fel y gwyddom, mae darparu gwasanaeth yn cael ei ystyried fel rhan o weithgarwch unrhyw gorff neu gwmni ym mha bynnag iaith y maent yn gwneud hynny. Mae llawer o'r cwmnïau rhyngwladol hyn, gan gynnwys llawer o gwmnïau yng Nghymru, wedi hen arfer â chyflwyno gwasanaeth yn ddwyieithog. Fodd bynnag, yr wyf yn falch o glywed y sylw y bydd y Torïaid yn ystyried rhoi €36 miliwn tuag at hyrwyddo'r Gymraeg. Byddai hynny'n dderbyniol iawn.

On costs, nothing in the proposed Measure adds directly to costs. As we know, providing a service is seen as part and parcel of the activity of organisations and companies, whatever the language. Many of these multinational companies, including many in Wales, are used to providing bilingual services. However, I was pleased to hear that the Tories are thinking of providing €36 million for the promotion of the Welsh language. That would be very welcome.

Yn sicr, mae angen adnoddau i gyflawni nod uchelgeisiol o'r fath, ond nid yn unig drwy waith y comisiynydd y mae cyrraedd y nod hwnnw. Felly, gobeithiwn y bydd y gefnogaeth i'r Gymraeg yn cael ei phrifffrydio o fewn adrannau eraill.

We certainly need resources to achieve this ambitious aim, but that is not done through the work of the commissioner alone. Therefore, we hope that support for the Welsh language is mainstreamed in other departments.

**Y Llywydd:** Diolch i'r Gweinidog am ei ddatganiad.

**The Presiding Officer:** I thank the Minister for his statement.

*Daeth y Dirprwy Lywydd Dros Dro (Peter Black) i'r Gadair am 4.13 p.m.  
The Temporary Deputy Presiding Officer (Peter Black) took the Chair at 4.13 p.m.*

### **Dadl y Ceidwadwyr Cymreig Welsh Conservatives Debate**

#### **Cynnydd yn y Dreth Gyngor ac mewn Ardrethi Busnes Increases in the Council Tax and Business Rates**

**The Temporary Deputy Presiding Officer:** The Presiding Officer has selected amendment 1 in the name of Jane Hutt and amendment 2 in my name.

**Y Dirprwy Lywydd Dros Dro:** Mae'r Llywydd wedi dethol gwelliant 1 yn enw Jane Hutt a gwelliant 2 yn fy enw i.

**Darren Millar:** I move that

**Darren Millar:** Cynigiaf fod

*the National Assembly for Wales:*

*Cynulliad Cenedlaethol Cymru:*

1. notes with concern the burden placed on Welsh households and businesses respectively by above-inflation increases in the council tax and business rates;
1. yn nodi â phryder y baich a roddwyd ar gartrefi a busnesau yng Nghymru yn sgîl y cynnydd sy'n uwch na chwyddiant yn y dreth gyngor ac mewn ardrethi busnes;
2. raises concern over the impact of the business rates revaluation on many businesses in Wales. (NDM4434)
2. yn mynegi pryder am effaith yr ailbrizio ardrethi busnes ar lawer o fusnesau yng Nghymru. (NDM4434)

I am grateful for the opportunity to open this debate this afternoon for the Welsh Conservatives. Most here would agree that the increased burden placed on Welsh households and businesses by the above-inflation increases in council tax and business rates is a matter of great concern. Given that we are still emerging from one of the most severe recessions in living memory and one from which all of the evidence would suggest that, compared with the rest of the UK, Wales will emerge from even more slowly, that concern is certainly justified.

For the people of Wales, this means that, as a result of the unfair financial pressure placed on local authorities by the Labour/Plaid Cymru Welsh Assembly Government, their pockets are being hit pretty hard. Let us start by looking at council tax rises this year, which are directly affected by the poor settlements that are dished out year on year by this Government. I know that the Minister for Social Justice and Local Government has claimed that the latest settlement is fair and realistic, but others, including me, and probably most of the people who have seen their council tax payments double over the past 10 years, would beg to differ.

In contrast to the Minister's claim to realism and a rather rosy assessment of all things financial, John Davies, the leader of the Welsh Local Government Association, is probably more realistic by correctly describing the recent settlement as the lowest increase in Assembly Government support since devolution.

Unfortunately, that is not fair. The average 3.6 per cent council tax increase in Wales is more than twice the projected increase for England, which is just 1.6 per cent. We must not forget that the 3.6 per cent figure masks the huge variations between local authorities in Wales. Council tax in Conwy and Anglesey, for example, will rise by 4.7 per cent and 4.5 per cent respectively.

The Labour/Plaid Government's policy of lower settlements and higher council tax not only hurts people's ability to get by day to day, but will have a drastic effect on the future provision of services by local authorities.

**Gareth Jones:** Are you including the police precept in that increase? Do you have any comment to make about the increase in that percentage over the last five to seven years?

**Darren Millar:** I am not including the police precept increase; these are the increases in the council tax precept.

As I have said before, Welsh Assembly Government policy will inevitably mean that councils will be forced to make cuts to front-line services, putting schools, libraries, leisure centres and weekly bin collections—where they still exist—at risk. Most councils are already bracing themselves for the huge financial challenges that lie ahead.

We have heard in north Wales, for example, that Anglesey will need to make savings of around £10 million over the next three years, while, in the south, Cardiff has announced the need to make savings of £14 million. These are not savings. Let us be honest about it: they are cuts.

**Janet Ryder:** I take it from what you are saying that you will now give us a pledge that, should there be a change in Government, there will be absolutely no cuts to public services at all by any Tory Government.

**Darren Millar:** If you would bother to listen to me before intervening, you might be able to get an answer, might you not, Janet?

The £10 million in savings needed in Anglesey and the £14 million needed in Cardiff are probably extremes, but the need to save money, that is, to cut costs, will no doubt become the norm if the Welsh Assembly Government continues to wear its rose-tinted spectacles. We believe that fair and realistic support must be given to local authorities and council tax payers. Therefore, what can be done? Here is your answer, Janet.

First, there needs to be targeted support for the most vulnerable. It is worrying to read that, although one in three households in Wales are eligible for council tax benefit, according to the Assembly Government's own report, £100 million in council tax benefit goes unclaimed every year in Wales. I know that there are all sorts of different reasons as to why some people claim and why others do not, but, on the whole, the support that is readily available is simply not getting through. That is why one of our policies would be to give every pensioner household across the board a 30 per cent council tax discount. There would be no complicated forms to fill in or embarrassing interviews with council officers. It would be simple, straightforward and easy to understand: there would be a 30 per cent council tax discount for every single pensioner household.

You may respond that that is fair enough, but how on earth will we pay for it? Well, the second thing that we see as key is a need to reduce the use of hypothecated grants drastically. No doubt you will argue, Minister, in your response, that, in the 2010-11 settlement, you made some steps towards reducing hypothecation, and I understand that, but you did not go anywhere near far enough. Around a tenth of the £600 million currently hypothecated in grants to local authorities is swallowed up in administrative costs. By cutting the use of hypothecated grants—those ring-fenced grants that you make available year in, year out, which we have been telling you to stop messing about with for years—you could save around £60 million. That is money that could go towards supporting a council tax discount for pensioner households and to help other households that are struggling with their council tax bills, as well as to help to protect front-line services.

Another area that needs urgent review is local government pensions. Throughout Wales, band D council tax payers are seeing £273 of their annual bill go towards the massive pensions black hole facing local government. That is unsustainable. We believe that that needs to be tackled. Obviously, there needs to be discussion about that, but we are not hearing the Assembly Government saying anything about it at all at present. That bill excludes contributions made by council tax payers to the pensions of teachers, police officers and firefighters. Those index-linked, gold-plated pensions enjoyed by some of the senior council staff—many of whom are on salaries of more than £100,000 per year and some of whom are paid more than the First Minister—are no longer affordable.

4.20 p.m.

There are a number of other measures that, with better support from the Assembly Government, could be taken effectively at a more local level. We need to improve council tax collection rates, for example. Your own figures, Minister, suggest that local councils are owed more than £78 million in unpaid council tax and that around 4 per cent of the total council tax levied in 2008-09 has not been collected. That is not good enough. Low settlements and high council taxes have become the hallmark, unfortunately, of this Labour/Plaid administration, just as they were of the Labour administration previously.

The second part of our motion is about business rates and the crippling increases that some businesses face as a result of the recent business rate revaluation exercise. In one way, the business rate situation is a similar story to that of council tax—rates are going up while realistic support from Government for business is going down, with cuts in the budget for the economic development department. What is more, those hardest hit will probably be businesses in the rural communities that already face huge challenges, as they have done over many years under Labour rule. The tourism industry is facing a significant whammy as well. Rural Wales will suffer above-inflation rises in business rates that will exacerbate the loss of local services such as post offices, village shops, and schools.

Tourism-related businesses, including piers, amusement arcades, heritage railways, caravan sites, holiday homes, hotels, and tourist attractions all face big rates rises from April 2010. For an area such as north Wales, where I come from, Minister, that will be absolutely devastating to the tourism industry, which is already lagging behind that in other parts of the United Kingdom, as we discussed in this Chamber just a few weeks ago. That is not to mention the problems that the rate rises will cause for petrol stations, which are difficult to come across, frankly, in some parts of rural Wales.

Like many Members, I represent a constituency that includes a large rural area, and we rely on tourism as a primary economic generator. It is the bread and butter of our economy, as it is in some parts of west Wales. Not only will local businesses face the difficulties of trying to tackle the economic recession this year, additionally, they will find that, in extreme cases, their rates will increase 100 per cent. That is a big worry for many businesses, and the Government needs to do more to assist them. That is why we have been calling for the revaluation exercise to be postponed. To do so would not cost any money, because the situation is supposed to be cost-neutral in terms of the rates that will be collected. We need you to postpone that exercise, just as is being done in Northern Ireland. It will not cost you a bean, and that is one practical thing that you can do to help. You are showing a lack of urgency, however, that we find astonishing, and we want you to stand up in this Chamber to tell us what you will do to help these businesses that face huge rate rises.

We also want you to extend rate relief, of course, which we have been talking about and talking up for a long time now. It is one of the best tools at your disposal, and you should be using it much more. We propose rate relief of 100 per cent for all businesses with a rateable value of up to £10,000, and 20 per cent rate relief for businesses with a rateable value of between £10,000 and £15,000. Minister, if you give us a response today, tell us what you are going to do to support those businesses. They are the backbone of the Welsh economy and they represent the way out of recession. We have to support them if we are ever going to get off our knees. I look forward to your response.

**The Minister for Social Justice and Local Government (Carl Sargeant):** I move amendment 1 in the name of Jane Hutt. Delete all and replace with:

*the National Assembly for Wales:*

*1. notes that the resources made available to local authorities by the Welsh Assembly Government has enabled Wales to have lower council tax levels than the rest of the UK;*

**Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol (Carl Sargeant):** Cynigiaf welliant 1 yn enw Jane Hutt. Dileu popeth a rhoi yn ei le:

*Cynulliad Cenedlaethol Cymru:*

*1. yn nodi bod yr adnoddau a ddarparwyd ar gyfer awdurdodau lleol gan Lywodraeth Cynulliad Cymru wedi golygu bod lefelau'r dreth gyngor yng Nghymru yn is nag yng ngweddill y DU;*

2. notes that over 60 per cent of businesses in Wales will have a reduction in their rates bills as a result of the revaluation and in addition the majority of businesses in Wales will receive rates relief.

2. yn nodi y bydd dros 60 y cant o fusnesau yng Nghymru yn gweld gostyngiad yn eu biliau ardrethi o ganlyniad i'r ailbrisio ac y bydd y mwyafrif o fusnesau yng Nghymru hefyd yn derbyn rhyddhad ardrethi.

In 2010-11, local government will receive over £4 billion through the settlement to fund key services. That represents a 2.1 per cent, or £81 million increase on what authorities received last year, taking into account transfers. The additional resources demonstrate our commitment to support local government through the challenging economic times and the tough fiscal environment in which they find themselves. It also secures a minimum of 1 per cent for all authorities so that every authority can be assured of an increase in resources next year. That is far higher than the 1.3 per cent increase that would have resulted if the £216 million efficiency savings that the Assembly Government has had to find as a consequence of block grant funding had been applied to local government on a pro rata basis.

Interestingly, as a Manchester lad now living in Wales—we welcome you—Darren Millar wants to compare England with Wales. Council tax levels are set by local authorities, as you well understand, Darren, and council tax levels in Wales this year remain the lowest in Britain. Average band D council tax in Wales is £1,086. In England it is £1,414 and in Scotland it is £1,149. That has not happened by chance, Darren—it has happened because the Welsh Assembly Government has provided sufficient funds to enable local authorities to keep council tax levels lower.

**Darren Millar:** The fact is that the rate of increase in Wales is more than twice the rate of increase in England in the next financial year. Do you accept that? If you find that acceptable, for how long will you allow that rate of increase to continue?

**Carl Sargeant:** Darren, you do not understand. Average band D council tax in Wales is £1,086, and it is £1,414 in England. That is a difference of nearly £400 between England and Wales. It is not a percentage—those are the actual figures. The final figures for council tax in Wales for 2010-11 are not yet available, Darren, but, even in these challenging financial times, the indications are that a number of local authorities will increase council tax by less than the rate of inflation. Those are the facts and there are clearly inaccuracies in point 1 of the motion.

Local authorities are responsible for setting council tax, as I said, and they are responsible to their local electorate for their levels of council tax and the standards of service that they provide. The Assembly Government recognises the importance of adequately financing local authorities, and the relatively generous settlement grant demonstrates this.

However, resources are finite and local authorities, like the Assembly Government and the rest of the public sector, must seek to use their resources effectively and efficiently, and to continually review their methods of working and the use of their resources to obtain the best value for money.

Most businesses in Wales have benefited from revaluation. Only the Tories could make political capital out of a situation where 60 per cent of businesses in Wales are winners, because over 60 per cent of businesses in Wales will pay less on 1 April 2010 as a consequence of revaluation and the raising of the threshold for the small business rate relief scheme. Over half of businesses in Wales—over 50,000 businesses—fall within relief thresholds that could entitle them to a 50 per cent or 25 per cent reduction in rates.

While most businesses will pay less, I accept that some will see their rates rise. These tend to be businesses that have performed relatively better since the last revaluation, and

consequently may see a rise in their rates bill. I am aware that in the tourism sector, rateable values for the self-catering sector have risen by 55 per cent, which is significantly more than average. However, that must be seen in a realistic context. Even after revaluation, their overall rateable values remain comparatively low. Around 85 per cent of those businesses will pay rates of under £10 per week. The majority of self-catering premises fall within a threshold that qualifies them for 50 per cent relief, and over 96 per cent fall within a threshold that could qualify them for 50 per cent or 25 per cent relief.

Small guesthouses have benefited from the revaluation. Their average rates bill will fall as a consequence of the revaluation, and over 93 per cent will also qualify for 25 per cent or 50 per cent rate relief.

I am aware that the rates of some clusters of business in the tourism sector have increased by significantly more than average. However, in general, that simply reflects the rental value of the properties, some of which are significant. For example, a property of which I am aware in mid Wales will have a rateable value of around £5,100 after revaluation. However, after the application of 25 per cent rate relief, the owner of the property will pay rates of around £30 per week. The website of the property shows that it is booked for a significant part of the year, and the advertised letting price is between £800 and £1,900 a week.

The increase in the thresholds for the small business rate relief scheme means that businesses that fell within the relief thresholds before revaluation will continue to do so. If their valuation has increased in line with, and in some cases by significantly more, than the national average, they will continue to remain eligible for relief.

4.30 p.m.

**Andrew R.T. Davies:** Your time is up.

**Carl Sargeant:** I do not think that my time is up yet. What exactly are the Tories proposing today? First of all, they are calling for a transition scheme based on the English model. That scheme is self-financing and would take away money from the businesses that have suffered the most during the recession to cap increases for businesses that have been more successful. It is typical of Tory values to propose this: increasing the tax on the poor to reduce the tax on the rich.

**The Temporary Deputy Presiding Officer:** Order. Can you wind up, please, Minister?

**Carl Sargeant:** The effect of that would be to take around £120 million from businesses that have decreased in order to cap those that have increased. Presumably, the Tories want us to spend more money on reducing business rates but this is yet another Tory spending commitment that they have no idea how they will pay for.

**Jenny Randerson:** I move amendment 2 in the name of Peter Black. Add as a new point at the end of the motion:

**Jenny Randerson:** Cynigiau welliant 2 yn enw Peter Black. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

*notes that the business rate revaluation has had an adverse effect on small businesses in particular.*

*yn nodi bod y broses ailbrisio ardrethi busnes wedi cael effaith andwyol ar fusnesau bach yn benodol.*

In the customary manner, I want to thank the Conservative group for bringing forward this motion. I like talking about the council tax, because, after all, the Conservatives introduced it, and they did so to cover the problems caused by the poll tax. One of the interesting things is that my constituents still call it 'the poll tax', and they know exactly who introduced the poll

tax. You can talk about 30 per cent discounts all that you want; you will not be able to defray the political damage that the council tax does to you, as a party, every single year.

The Welsh Liberal Democrats, as you all well know, are strongly opposed to the council tax. We believe that a much fairer system would be based on the ability to pay, as opposed to the size of the house or the fashionable status of the road in which you happen to live. You may offer a 30 per cent discount as an attempt to persuade pensioners that you are not all that bad, but it is the pensioners who are suffering most harshly from council tax and the problems that it brings. Pensioners ask me, ‘Why should I sell my home just because the council tax has risen on it? I don’t want to move from my home. Why should I sell my home, because I happen to live in a road where property values have become much higher?’

I would also tell the Conservatives to look at the record on the ground. Despite the fact that the Welsh Liberal Democrats do not approve of council tax, we are extremely good at managing it. In the Welsh Liberal Democrat-run councils throughout Wales, we have managed, over the last four years, to deliver increases that are well below the average increase for Wales. Councils under which political control, fellow Assembly Members, produce the highest increases in council tax in Wales? It is those that are under the Conservatives, where it is more expensive to live—

**Darren Millar and Gareth Jones** *rose*—

**Jenny Randerson:** I happily give way to Gareth Jones.

**Gareth Jones:** Thank you for taking my intervention. While we are reminding ourselves of these important issues, can you also remind us that, when we refer to business rates, that the tax was introduced by the Conservatives back in 1990?

**Jenny Randerson:** I was going to turn to business rates, Gareth. I am only getting going on this issue. If you live in Conservative-controlled Monmouth, you pay £20 a year more for the privilege than if you live in Welsh Liberal Democrat-controlled Newport, Cardiff or Swansea.

**Nick Ramsay** *rose*—

**Jenny Randerson:** No, I will not give way again, because the Temporary Deputy Presiding Officer will not give me any extra time at the end.

The Welsh Liberal Democrat-controlled councils have consistently, for the last four years, delivered the lowest increases in council tax. It is not just that we do not agree with them, but when we are in charge of a council, we can deliver efficiently.

I want to move on to business rates, which Gareth has happily reminded us were also introduced by the Conservatives. As I see it, despite the Minister’s efforts to deal with them, the major problem is that the proportion of the turnover or the takings of the small and medium-sized enterprises that is taken in business rates is still much higher than the proportion that comes from large businesses.

That has become an acute problem on our high streets. I want to draw your attention to the permeation of our high streets by Tesco, Sainsbury’s and so on, which are opening small shops that compete with the small businesses, the privately run grocery shops and supermarkets, for example the Spar and Nisa shops. They are taking advantage of being part of a big business, with the cover of a large multimillion pound turnover, and are competing directly on our high streets with the small shops. That, Minister, despite your efforts with business rates, means that we continue to have a serious problem. I recommend, Minister, that you keep your eyes on Scotland and England, where there are still more generous schemes



that aim to help to alleviate the impact of business rates on small businesses.

**Mohammad Asghar:** Thank you for the opportunity to speak on this special issue today. There can be no doubt that this is a hugely important issue; we are talking about a financial burden placed on many Welsh households and an economic strain placed on many businesses in Wales. This comes at a time when many families and business holders across the nation have been hit so badly by the recession. Mr Gordon Brown has said, over the past 24 hours, that we are not out of the woods yet.

Over the past decade, council tax has more than doubled under Labour. Council tax band D in 1997-98 was £495 in Wales, and now, in 2009-10, it is nearly £1,090, which is more than double. There can be no argument that this has placed notable strain on many Welsh households and I will focus on the impact that that has had on pensioners in Wales. The 2009 statistics show that we have more young people over the age of 65 in Wales than any other part of the United Kingdom. This large community of pensioners in Wales have been among the hardest hit by Labour's council tax hike since 1997 and many are being put under unnecessary pressure. I fully support the Conservative policy that will give all pensioners in the country a 30 per cent discount on council tax, which would amount to nearly £350 in council tax relief per household. That would help to make a real difference to their lives and, I am sure, would help them to live through periods of cold weather. Such a Conservative commitment is realistic and can be done by reducing the use of ring-fenced grants to local authorities.

**Janet Ryder:** Will you take an intervention?

**Mohammad Asghar:** Yes, I will in a minute. That could free up an estimated £60 million by cutting out the administration associated with these grants.

**Janet Ryder:** One of those ring-fenced grants is to provide support for autistic children. Are you seriously suggesting that that grant gets cut?

**Mohammad Asghar:** The funds of most of the local authorities run by you are mismanaged. [*Interruption.*] I have more things to say that I want you to listen to.

I also want to place emphasis on the issue of business rates. Many businesses across South Wales East are struggling. If you ask Trish Law, she will tell you that she comes from the poorest part of the United Kingdom, which is Blaenau Gwent. There are abandoned premises all across Newport, and many businesses have closed down as the recession bites.

4.40 p.m.

**Brian Gibbons:** The source for your statistic of administration costs of £65 million—

**Mohammad Asghar:** It was £60 million.

**Brian Gibbons:** The figure of £60 million for administration costs for special grants derives from your colleague beside you in his press release of probably 12 months ago. That particular press release was absolutely without foundation and a total misreading of the statistics.

**Mohammad Asghar:** It is information from the WLGA, as you should know, Doctor Gibbons. The Welsh Assembly Government should be doing all that it can not only to reassure businesses in this uncertain economic climate, but to foster the growth of new businesses. This is crucial as we look to tackle the problem of unemployment across Wales. Business rates are in the top three forms of expenditure for small businesses. There can be no

doubt that, for many, they are a huge financial strain. We should be doing all we can to alleviate that pressure. More rate relief is affordable in Wales. It should be a business support measure and rate relief should be given the highest priority in the business support budget. As things stand, not all rate relief is automatic. Statistics that show how many businesses are taking up the rate relief available to them are currently unavailable. That is another issue that you should be looking into very seriously, Minister. We must do all that we can to fully publicise which businesses are eligible for such relief to ensure a fair deal. We must ensure that the system of business rate relief in Wales is accessible and competitive. I want to see a Wales where business has every opportunity to flourish. We must ensure that Wales as a business environment does not fall behind again in future. I hope that it will not.

**David Lloyd:** May I say what a pleasure it is to follow Mohammad Asghar in a debate? It is also a pleasure to restate Plaid's position on council tax and business rates. We do not like either. The big picture underpinning this debate is tight Government finances. We are all aware of the global financial meltdown and the £178 billion black hole, which, potentially, means Wales losing £2.8 billion over the next four years from the Assembly budget.

**Nick Bourne:** I am very grateful to Dai Lloyd for giving way on that point. I welcome what he just said; that is certainly the case. How does he square that with Plaid Cymru's commitment to spend £20 billion per annum on pensions?

**David Lloyd:** We shall come to that now because I am developing the debate. [*Laughter.*] I am always pleased that the leader of the opposition allows people to develop their arguments. So, we have a global financial meltdown. On top of the fact that we are losing all of this money to the financial crisis, the Holtham commission and other commissions last year revealed how Wales has been grossly short-changed for the past generation and will continue to be short-changed by £300 million a year.

**Brian Gibbons:** Gerry Holtham has done an excellent job. He has certainly highlighted the fact that we need to look at the Barnett formula going forward. I do not think that there is anything in the Holtham report to suggest that Wales has been short-changed in the past. Indeed, my reading of the report was that Barnett has served us quite well, thank you very much.

**David Lloyd:** The Holtham report says that we lose £300 million a year and that we will lose £8.5 billion between now and 2020. Do not forget the global big picture, which is that there are £43 billion of unpaid taxes that need to be claimed back by the UK Government. That will interest our Conservative colleagues opposite. How much of that belongs to various non-doms? Anyway, to cut to the chase with regard to council finances being very tight, at least our local authorities can raise their own taxes by means of the council tax, a power that is denied to the Assembly. At least councils have tax-raising powers. Obviously, council tax is inadequate. As we have heard from Jenny Randerson, it is a property-based tax and, as we have rehearsed well over the years, another Conservative idea that has been pronounced to be largely inadequate. Here we go again—

**Darren Millar:** Shall we talk about your ideas? The Plaid Cymru 2007 manifesto said that you would look to cut business rates by up to a half. However, this year, your own Deputy First Minister said he was not currently persuaded that extending rate relief was the best use of the limited resources in the Assembly Government. Where do you stand on this? What are your ideas? You do not appear to be presenting any alternatives here.

**David Lloyd:** If you stopped interrupting all the time you might get to hear something. The arguments as regards council tax have been well rehearsed. There are total inadequacies in that it is a property-based tax; revaluation and rebanding exposed ever more problems with it. Plaid Cymru policy remains to replace council tax with a local income tax; taxation based on

the ability to pay. We feel that property-based taxes are unfair. That sort of rationale also underpins Plaid Cymru policy on business rates as they represent the same phenomenon; the present property-based system is unfair in much the same way as council tax is unfair. It takes no account of the ability of the business to pay tax. This has also been exposed now, through a rebanding project, if you like, with business rates, bringing that inequity to the fore as well. Business rates need to be remodelled and based on a company's profits and not on the size of the factory that it owns. Obviously, at present, we lack the powers to do anything about council tax and business rates. In the meantime, I am content to support the Government amendment.

**Nick Ramsay:** If I was confused earlier with the extra Plenary session, I am now beginning to think that I am still in a dream and that I will wake up in a minute. While I was listening to Jenny Randerson and Janet Ryder, I heard Jenny talking about the poll tax and I wondered how far back in history some parties here will go—we will be talking about the window tax next. Then we had Janet Ryder accusing the Welsh Conservatives of bringing in a universal benefit in terms of our assistance for pensioners. Okay, hands up, I admit that we are guilty.

In the last 10 years, council tax has doubled and that is what this debate is about. Carl Sargeant quoted figures on the rate of tax itself at the different levels at the moment. However, the key point, which he did not address, was that doubling of the tax and the fact that the rate has increased so much more in Wales than it has in England. If you follow that into the future, it will get far worse here, when we would like to have, as my party has made clear, a revision of the Barnett formula so that Wales gets more money and so that we can put more money into public services. I do not want to incur the temporary Deputy Presiding Officer's wrath by going on about council issues, so I will simply say that you cannot isolate this question of council tax from the revenue support grant. They are closely linked. You cannot have a council tax debate on the one hand, whether that be a local income tax or a property-based tax, and, on the other, take that apart from the revenue support grant.

**Janet Ryder:** One of the reasons why the autism grant is ring-fenced is because when it was going into the revenue support grant not having been ring-fenced, not one council was using it to provide autism services for children. Now that it is ring-fenced, we are seeing those services being developed. Your party is now talking about taking that ring fence away. Will you be getting rid of every ring-fenced grant, and, if not, which ring-fenced grants will you get rid of? Which other section in society will have to suffer?

**Nick Ramsay:** Which—I nearly said 'withering' then. Plaid Cymru is one of the key parties of the devolution process of 10 years ago. We believe in devolution, but we also believe in devolution to local authorities. Local authorities must be allowed to make those decisions. The problems that local authorities face at the moment is that they simply do not have enough basic money from here, so they are facing questions about their grants.

4.50 p.m.

**Alun Cairns:** The logic behind Janet's argument is that the budget would be ring-fenced for the services that we want to provide. If one local authority dares to take away the budget for supporting autistic or vulnerable people, or for tackling child poverty—whatever the essential area is—it would get everything that it deserves when the time comes for local authority elections; that is the nature of democracy. I remember Plaid Cymru standing on a platform that supported the further devolution of powers to local authorities, and debating that issue with Sue Essex, so there has certainly been a big turnaround.

**Nick Ramsay:** I agree with your comments, Alun. It is interesting that if one looks back at some of the things that Plaid Cymru has said, it looks as though we have entered a parallel universe. Back in 2007, Dafydd Wigley said that people may well ask how on earth they can

pay for business rate cuts, as they cannot be afforded within WAG's budget. He might not have been here when he said that, but it is my understanding that he is still in your party.

This is a crucial debate. It is an issue that the Liberal Democrats and we, the Conservatives, come back to often because it affects the most vulnerable people in our society. There are people who, when the council tax bill hits their doormat, will be asking what is being done on their behalf. In some respects, assistance has been given that council tax payers like, but, in the overwhelming majority of cases, they are not getting the support that they deserve.

Jenny Randerson mentioned the high rate of increase in the council tax in my constituency of Monmouthshire. I hope that she will join me in calling on the Government to give the local authority in Monmouthshire a far greater share of the cake because it is currently bottom of the pile in terms of the funding that it receives.

**Angela Burns:** Minister, I have a couple of questions on business rates. However, before I start on those, I have to go back to the comments made by Janet Ryder, because there is an old saying that 'power corrupts, and absolute power corrupts absolutely'. My concern is that we fight to have devolution of powers—we want to be devolved from the United Kingdom—yet we do not want to pass on that devolution down the line. Suddenly, we seem to think that the devolved powers should be kept here, and that local authorities do not have the wherewithal or the capabilities to do what they need to in some of their areas. Some local authorities may make an absolute hash of their responsibilities—no doubt about it—but that is what democracy and devolution are about, and what the empowerment of people is about. We talk about that fact that people are totally disillusioned with politics, that they do not buy what any of us is saying much and that they do not think that politicians as a whole are doing a wonderful job. We have to re-engage the public, and surely the way to re-engage the ordinary person living out there is to tell them that they have a say through the various layers of government. I agree that we do not want to have endless layers of bureaucracy, but we have to be brave enough to give power away.

**Jeff Cuthbert:** I am grateful to you for giving way. As I often say, I do not dwell on the past. [*Laughter.*] However, I take on board what you say about devolving powers, so do you regret the actions of the Conservative Government during the 1980s and early 1990s when it cynically took away powers from local authorities and created the quango state, because it could not control matters through elected representatives? Do you resent that now?

**Angela Burns:** I have heard talk of 'New Labour', which I understood was a new beast that came out of old Labour; it was a sign that Labour was moving on, was moving with the times and moving with democracy. The Conservatives have done exactly the same, except that we have not been trying to pull the wool over people's eyes by running around saying that we are 'New Conservatives'; we are just the Conservatives, but we have had the maturity to move on with the debate as times have changed. I am running out of time, so I will ask the Minister about business rates.

I am glad that the Deputy First Minister is in the Chamber, because I believe that the responsibility for business rates needs to sit in his department. The reason for this belief is that within the business rate infrastructure we have a lever that we can use to help to stoke the economy. We are having all of these economic summits throughout Wales to look at ways of bringing us through this economic crisis, and they are to be welcomed. However, these are hard times, and we need the economy of Wales to be strong, to grow and to be well supported so that all of these businesses throughout Wales, irrespective of their size, know that we are behind them. We need to use them so that we can develop as a nation.

Ninety-seven per cent of all businesses in Wales are SMEs. One of the most useful levers in helping to promote SMEs is business rates. My plea is not to do with the fact that 60 per cent

are going to better off—60 per cent may well be better off, and that is great. However, I am worried about the ones that have had an increase of more than 100 per cent; the ones that have had an increase of more than 200 per cent; the ones that have had an increase of more than 300 per cent; and I am worried about the poor guy who has a business in Tenby and who has had an increase of 430 per cent in his business rates this year. When you think that some of these businesses are relatively large SMEs, you are talking about many thousands of pounds. One of the businesses that has had an increase of more than 100 per cent has seen its rates go up from £11,000 a year to £26,000 a year. That is an enormous amount of extra money to find every single month: it is essentially one staff wage each month.

I accept that funds are tight and that you do not have limitless budget. What I do not accept, however, is the lack of information that would enable us to come forward with ideas to help resolve this situation. I have had many a debate here with the Deputy First Minister. One of the things that I have said to him from time to time is that if I could stand here and make a useful contribution and put forward some ideas, I would. Therefore, I wrote to his office and to the Members' research service to try to find out how many businesses in Wales have seen a business rate increase of more than 100 per cent. I know that these businesses are in pockets around Wales. I could not get the information. First, the Government came back and said it did not have the information. Then, MRS said that the information might exist but that it did not have access to the database and that we would have to get it from the Valuation Office. I went to the Valuation Office, which said that the Welsh Assembly Government had all of the information, cut, sliced, diced and packaged in every which way.

If I could have that information and could see how many of those businesses in the remaining 40 per cent—located in pockets like Aberaeron, Llandeilo and Narberth—have seen increases of more than 100 per cent, 200 per cent or 300 per cent in their business rates, I would make every effort to try to find a way of leveraging some help towards those businesses. The reason why I believe this should lie with the Department of Economy and Transport is that we have underutilised business support funds. Some of those funds could be used to help these businesses. I ask you, Minister, to come down to Narberth—I have written to ask you this, but you may not have seen the letter due to your absence—and I will walk you down a street where I can show you 20 shops that will have 'for sale' notices on them in April. That is a terrible situation for us to be in.

**The Minister for Social Justice and Local Government (Carl Sargeant):** I welcome the opportunity to respond to some of the points that have been raised today. Darren Millar started with the issue that the Conservatives are telling us that we should target funding in relation to taxes. Then, all of a sudden, the Conservatives argue the case for a universal policy on business rate relief. They want one thing one minute and another thing the next. That does not surprise me in the slightest. Oscar talked about council tax levels, which is a very important issue. You are absolutely right to raise it, Oscar; you will understand that Newport City Council sets the council tax for the Newport area, and Newport has a Conservative council.

I will refer to some other related points. The fact of the matter is that I do not believe that the Tories know what they want at all on business rates. As usual, they are on the wrong side of the argument. They complain about something that will benefit more than 60 per cent of businesses in Wales. It is clear that they do not understand the system or even the powers of the Assembly. They start by calling on us to delay the revaluation, which the Assembly does not have the powers to do. Then, they propose a transition scheme, which will take from the poor to give to the rich, or spend money on business rates without giving any indication of where or whom it will come from. Even the FSB in Wales, which represents the views of small businesses, does not want a transitional scheme.

5.00 p.m.

**Darren Millar:** You keep talking about the rate relief that is already available for businesses in Wales, but how many of those businesses eligible for relief actually receive that relief? As I understand it, you do not even know the figures. How can you demonstrate that your relief packages are working, when all the economic indicators are telling you that they are not, and that things are getting worse in Wales compared with the rest of the United Kingdom?

**Carl Sargeant:** More than 60 per cent of businesses in Wales can apply for business rate relief. I know what you are thinking now, but I certainly do not want to take that support away from all those businesses in Wales. Unlike you, I think that it is a bad thing to do and it would go against the support that we are giving businesses.

Jenny Randerson raised council tax policies. The policy in Scotland is under review, so that is under consideration yet again. I have explained to you that there is a transitional rate relief scheme under the model in England, which the FSB does not want, but the Tories do. I would have thought that they would at least have distanced themselves from that.

I am not at all surprised about the Liberal Democrats' policies on tax. Recently, when the top-rate tax policy was put to Nick Clegg, he said that, after dropping it, it did not really do as much as they had initially thought, but that is a recurrent problem with the Liberal Democrats.

**Mohammad Asghar:** I am a regional Assembly Member for South Wales East, which covers Merthyr, Blaenau Gwent, Torfaen, and Islwyn, not only Newport. In most of those areas, more than 25 or 30 per cent of the shops are empty.

**Carl Sargeant:** It is surprising how policies change in a few short weeks, is it not, Oscar? [*Laughter.*] As with many of their policies, the Tories' policy on business rates is all over the place. This motion is evidence of that. Again, their rhetoric fails to relate to reality, and so I urge Members to support the Government's amendment 1 today.

**David Melding:** I hope that my colleagues will forgive me if, before responding to the debate, I first respond to the main arguments, if they can be called such, of our opponents. I also welcome the Minister back, because we were all concerned about the accident that he suffered. This is one of his first ministerial contributions in a debate in the Chamber, and we wish him well. However, I think that he made a slightly complacent start. We all expected a bit more robustness from him. His predecessor, Brian Gibbons, was notoriously cold on the business sector. At times, it was as though the sector was not there. Indeed, he once made an intervention claiming that the Holtham report pointed out that the Barnett formula is neutral or even good for Wales. That is a very strange reading of the Holtham report. Then again, he did not show a wonderful grasp of the finances of local government and business rates when he was Minister. As I have referred to him, I will give way to him.

**Brian Gibbons:** Just for the record, in contradistinction to what Dai said, what I said was that, in the past, the Barnett formula has served Wales well but, looking to the future, there is obviously a need for change.

**David Melding:** I remember someone once telling me that, when a joke does not go well, it is pointless trying to explain it afterwards. You are on record, and I will leave it to people to judge.

The Minister then made the terrible calumny that Manchester is not in north Wales. I do not know what spatial map he is looking at but, on ours, there are pockets of Welshness all over the world. Lloyd George must be spinning in his grave. If he keeps up with that kind of lack of vision, I will get that wonderful former resident of Derby, Dafydd Wigley, onto him to sort him out.

**Janet Ryder:** Will you take an intervention?

**David Melding:** No, I want to get through this. On business rates, Minister, you made the complacent remark that 60 per cent are winners, but you know that, overall, your reforms are cost-neutral. There are no winners overall, if you look at Welsh businesses as a whole. Our reforms would bring real help of at least £50 million to Welsh businesses. That is the priority that we have. It was the priority of Plaid Cymru, of course, before it joined the Government. We say to its Members that they were right at that time and it is a pity that they did not hold on to that principle and deliver it when in office.

On what Jenny said, what we did on the poll tax is ancient history. She spoke passionately against the poll tax because it imposed a tax per head of the population on everyone over 18 years of age. Was that not wicked? What is her solution? She does not like the council tax either. She would tax everyone over the age of 18 with a local income tax. I have to say that I do not quite understand the vast difference in principle between those two systems.

**Jenny Randerson:** May I explain it to you?

**David Melding:** No, I fear that the time for explanations has come and gone. She was sounder on business rates and pointed out the more generous model in Scotland. That is what we ought to be comparing our policies to, and identifying best practice elsewhere.

Dai made a contribution that focused on the difficult financial position that we are in and then referred to the Barnett formula. We, on this side of the Chamber, accept that Barnett does not seem to deliver to Wales what it deserves. We have looked at a needs-based formula and that has to be addressed. However, there are no simple solutions to this. I must say to Plaid Cymru, as the nationalist party in Wales, that if they really think that this is essential, as our leader said on the weekend, they ought to get Ieuan to don a kilt and go up to try to convince the Scottish Government and their colleagues in the Scottish National Party that they should give up the £2 billion that Holtham identifies as what they get currently over and above their need. Dai Lloyd, why do you not don a kilt also and take a bag of dirks with you because you are going to need some protection when Alex Salmond tells you what he thinks and gives you the interpretation of nationalist opinion in Scotland? It is for the unionist parties that really believe in Great Britain to sort out Barnett. We are not going to take any lectures from the likes of you, Dai. This is just not your area.

We then had second helpings of Carl. Carl came back, but I am afraid that he did not make any more sense than the first time around. However, we wish him better in the future. I urge Assembly Members to support this motion.

**The Temporary Deputy Presiding Officer:** The proposal is that the motion be agreed. Are there any objections? I see that there are. Therefore, the votes will be deferred until voting time.

**Y Dirprwy Lywydd Dros Dro:** Y cynnig yw bod y cynnig yn cael ei dderbyn. A oes unrhyw wrthwynebiad? Gwelaf fod. Felly, gohiriwn y pleidleisiau tan y cyfnod pleidleisio.

*Gohiriwyd y pleidleisiau tan y cyfnod pleidleisio.  
Votes deferred until voting time.*

### **Cynnig Trefniadol Procedural Motion**

**The Temporary Deputy Presiding Officer:** I have been notified by Helen Mary Jones that

she wishes to move a procedural motion in accordance with Standing Order No. 7.26 to postpone the short debate tabled in her name.

**Helen Mary Jones:** I move that

*the National Assembly for Wales, under Standing Order No. 7.26, agrees to postpone the short debate.*

**Helen Mary Jones:** Cynigiaf fod

*Cynulliad Cenedlaethol Cymru, o dan Reol Sefydlog rhif 7.26, yn cytuno gohirio'r ddadl fer.*

**The Temporary Deputy Presiding Officer:** The proposal is that the motion be agreed. Are there any objections? I see that there are not. In accordance with Standing Order No. 7.35, the motion is therefore agreed.

**Y Dirprwy Lywydd Dros Dro:** Y cynnig yw bod y cynnig yn cael ei dderbyn. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff y cynnig ei dderbyn.

*Derbyniwyd y cynnig.  
Motion agreed.*

### **Adroddiad y Pwyllgor Cyllid ar Ariannu Seilwaith Ffyrdd The Finance Committee's Report on Funding Road Infrastructure**

**Angela Burns:** I move that

*the National Assembly for Wales notes the report of the Finance Committee on its inquiry into funding road infrastructure, which was laid in the Table Office on 8 January 2010. (NDM4433)*

**Angela Burns:** Cynigiaf fod

*Cynulliad Cenedlaethol Cymru yn nodi adroddiad y Pwyllgor Cyllid ar ei ymchwiliad i ariannu seilwaith ffyrdd, a osodwyd yn y Swyddfa Gyflwyno ar 8 Ionawr 2010. (NDM4433)*

I am pleased to open the debate today on the Finance Committee's inquiry into the funding of the road infrastructure in Wales. We live in a world in which communication is vital for nearly every aspect of life. The economy, wealth creation and jobs all depend on being able to move goods and people to where they are needed. Public services, such as health and education, depend on transport for patients, students and staff. Similarly, leisure, sport and holidays require people to move around. Our stewardship of the environment depends on communication being efficient and sustainable.

In its inquiry into the funding of the Welsh trunk roads network, the Finance Committee examined how this vital part of Wales's communication network is planned and developed. I start by thanking the very many witnesses who presented evidence to us in writing and orally, the clerking team and the Members' research service who supported the committee in this major investigation. I also thank the Deputy First Minister and the committee members for giving of their time, because this was a long and detailed inquiry.

The Finance Committee was prompted to launch this inquiry because of concerns put to it about the impact of changes made in the reprioritisation of the Welsh Assembly Government's trunk road forward programme 2008. As we explored these issues, we identified a number of broader concerns about the trunk road forward programme, particularly its co-ordination with other Government policies. The Finance Committee started from the viewpoint that the Welsh road system should be a strategic resource that should be developed and maintained to support and serve a wide range of economic and social activities.

5.10 p.m.



The trunk road system should be a key element of that, and the trunk road forward programme should be the way in which the resource is managed. It should be based on a strategic view of Wales's road transport needs. However, the Finance Committee found it difficult to avoid the conclusion that that is not happening and that the trunk road forward programme appears to be being developed without regard to the needs of all stakeholders, almost as though it were an end in itself.

Our inquiry focused to a large extent on the latest reprioritisation of the roads programme, in 2008, and the concerns put to us that it had involved a change in priority from strengthening east-west links to a focus on north-south links. That is significant because, as many witnesses told us, east-west links are critical to regenerating Wales and our economy, and because economic and community planning and development was being done locally on that basis.

We spent a considerable amount of time examining the three trunk road forward programmes: those in 2002, 2004 and 2008. We were surprised to find that, while the trunk road forward programme is presented as four main corridors in Wales, it is in reality a series of about 50 individual road schemes whose level of priority moves backward and forward in the light of policy decisions, funding constraints or project developments.

The Finance Committee noted that, while the trunk road forward programme was launched in 2002, it has had to be reviewed and revised twice in six years. In that period, there have been 32 changes to the phasing of schemes, two schemes have been added and two have been removed. While we accept that road schemes, like any long-term investment, can encounter difficulties that may delay progress, that level of adjustment has led us to conclude that it is clearly not being managed as a strategic programme. We discovered that many of the changes were due to delays and difficulties in delivering particular road schemes. We were told that that was due to a range of factors, such as a lack of funding and poor estimating. We learned of terms used to explain these failings, such as 'construction industry inflation' and 'optimism bias', but also of changes to the way in which projects are assessed.

We examined the charge that the Government had discreetly changed its policy and was now placing more emphasis on links between north and south Wales at the expense of the key economic links from east to west. However, while the Finance Committee could see signs of such a change in emphasis, there was so much poor management and uncertainty in the programme that it was difficult to come to a clear view on that.

It was plainly obvious that the roads programme is being managed in an old-fashioned way, whereby cost overruns and delays are accepted as part of the process. That is an approach to construction that has long been left behind by modern business practices and management methods. The Finance Committee was surprised to find that this approach still existed in the Department for the Economy and Transport and considered that the Government should adopt more modern business practices, which would help to eliminate and manage many of the project risks, including poor estimating, bad planning and late delivery.

The Finance Committee found an impressively contrasting picture when it spoke to the National Roads Authority of Ireland, which had developed ways to build roads on time and on budget. The key seemed to be good professional skills. The Irish had accepted the need to ensure that the roads programme in Ireland was based on a strategic plan that delivered the economic imperatives. They depoliticised the process as far as possible and created an independent authority that had the business skills and industry-specific knowledge to prepare reliable cost estimates for their projects. They had developed good and standardised contracts for these and then managed them well. The process was supported by a five-year rolling investment programme. While the Finance Committee accepts that that is longer than the normal financial horizon in the UK, it finds it difficult to see why, within an annual Welsh budget of some £16 billion, it is not possible to develop a mechanism that would enable

commitments to be made for a five-year period in relation to an annual investment programme of around £80 million to £90 million.

The Finance Committee also found it difficult to see how the trunk road forward programme had been co-ordinated with developments and priorities elsewhere in Government and throughout Wales. The programme seems to be determined to a great extent by the Government's transport department. There was no process evident by which the regeneration element of the Deputy First Minister's department fed into the development of roads, other than by being copied in on papers and having the opportunity to comment on them.

The committee was particularly surprised that there was not a stage in the process at which Ministers discussed the needs and requirements of other Assembly Government departments that need roads to meet their objectives. The Finance Committee was concerned to learn that the programme was not debated at Cabinet level to ensure cohesion with other major investment programmes.

The Finance Committee took evidence from a range of external organisations about the way in which they were involved in the development of the trunk road forward programme, and was encouraged by their general enthusiasm to work with the Government to ensure that developments locally were co-ordinated with the strategic programme.

However, what they all said was that it was a one-way process: while the Government was willing to be involved with the activities of local authorities and other bodies, it had never consulted them on the trunk road forward programme. This struck the committee as a strange way to do things. If the trunk road forward programme is intended to support and serve people and activities, surely the Government needs to know the plans and priorities of the people and organisations that will use the road network. Everyone could accept that, ultimately, the Government has to make decisions on the overall programme—sometimes difficult ones—but surely the way to get wide support for these is to ensure that everyone has their say before the decisions are made.

The fact that most witnesses expressed concern about the priorities indicated by the plan, and concerns that it failed to address Wales's economic needs, would seem to underline the point. I draw particular attention to the widespread concern about the Government's decision to abandon the new M4 project, which was described to us by the Confederation of British Industry Wales as,

'by head and shoulders the most key route and scheme for the economy'.

The committee's conclusions and recommendations in one sense are very simple: the trunk road forward programme should be seen as, and managed as, a strategic programme and one that underpins a wide range of the Government's policies and programmes.

The Government should come to a firm view on the programme's strategic objectives in the light of the needs of all stakeholders, both within and outside the Government. It should be open about the process and its thinking, and should seek and listen to the views of those involved with, and affected by, the programme. The plan should clearly set out how road investment dovetails with other investment and development proposals. The Government should then agree the plan, publish it and commit to it. I cannot emphasise enough the necessary requirement to commit, because our evidence showed without fail that the revisions and constant realignments are causing delays, confusion, lost opportunities and funding problems.

Delivery should be managed by a dedicated unit established for this purpose and skilled in the use of modern business practices, which will ensure delivery of projects to time and budget.

The Finance Committee does not have a view on whether this should be inside the Government or an external body, but the Government should ensure that such a unit has the necessary tools to do its job. That includes establishing a financial regime appropriate for an investment programme covering a number of years. The Government should then resist the temptation to micromanage the programme or change priorities, other than in exceptional circumstances.

The Finance Committee is also being realistic. Members recognised that the last thing that anyone wants is yet another revision. So we have asked the Government to refocus the existing programme to eliminate the many problems caused by poor estimation, delays, uncertainty over funding and endless revisions. In particular, the committee asked the Government to address the widespread concerns about the focus of the 2008 reprioritisation from organisations within Wales.

I will conclude by turning my attention to the Deputy First Minister's response to our report. The main thrust of his response is that the,

'Assembly Government believes that it has already addressed the issues raised by the Finance Committee in its report. The measures set out above will ensure that our transport programme is managed efficiently and effectively and that we can develop a modern and sustainable transport network.'

The measures that the Government sets out are indeed of great interest. I am heartened to note the Government's commitment to putting transport on to a carbon reduction pathway, in order to help meet the challenge of climate change. I also note the Government's realisation that moving to a low-carbon transport infrastructure will require a balanced, joined-up approach that takes full account of the linkages between different policy areas—one of the Finance Committee's key recommendations. I also note the Government's acceptance that it is essential to maximise the benefit from every single transport intervention that is made.

Indeed the Deputy First Minister's response informs the Finance Committee that many of the recommendations that we made are already in place. The Deputy First Minister talks of cohesion between transport and regeneration, better liaison with local government and a better framework for transport planning—all recommendations made by the Finance Committee.

However, what the Deputy First Minister does not address in his response to the report are the funding issues, the acceptance of long-term strategic objectives rather than short-term political fixes and consideration of a dedicated unit for delivery. Instead, he promises yet another transport reorganisation, this time in the guise of producing a national transport plan, because the Government is now moving away from the concept of separate trunk road and rail programmes.

This new transport programme is to replace the 2008 update of the trunk road forward programme, which reinforces everything that the committee said about not constantly altering the road programmes and making strategic commitments.

5.20 p.m.

Finally, if the changes that the Deputy First Minister talks about have happened on the ground and have bedded in, that is to be wholeheartedly welcomed. However, I remind you that the Finance Committee took evidence last year and the report was published in January this year, so the comment that the Government believes that it has already addressed the concerns of the committee is surprising. You would have expected some witness, somewhere, to have mentioned all of this, but no-one did, not even the Government.

**The Deputy First Minister and Minister for the Economy and Transport (Ieuan Wyn Jones):** I will confine my remarks at this stage of the debate to addressing some of the points that Angela has made, although I find it difficult to respond to some of them. I am astounded at the lack of recognition by the Finance Committee about how finance in the Assembly works.

I will mention one of the points that she raised. The following is a recommendation by the Finance Committee of the National Assembly for Wales:

‘The Finance Committee finds it difficult to see that within an annual Welsh budget of some £16bn it is not possible to develop a mechanism that would enable commitments to be made for a five year period in relation to an annual investment programme of around £80m - £90m’.

The first point is that the Assembly Government does not have a £16 billion budget. Why could the Finance Committee not find out the precise budget of the Welsh Assembly Government?

Secondly, my budget for roads is a capital budget. Of the £16 billion, £14.5 billion is revenue and £1.5 billion is capital. That is a fundamental error in the report. The committee does not understand how the budget of the Assembly works.

The third mistake appears in the same paragraph. It says that it would enable commitments to be made for a five-year period. The Assembly budget covers a three-year period. All of the comprehensive spending review announcements made by all previous Governments in Westminster are on a three-year cycle. How is it possible for the Government to put down a five-year programme against a three-year budget? It may well be that we could agree that this should be a five-year budget, but the current position is that it is not. Therefore, in one paragraph, I have counted three basic errors by the Finance Committee.

I will explain another. Paragraph 40 in your report asks why

‘the Minister and officials rely on phrases in the small print such as “Subject to completion of statutory consent procedures and the availability of finance” as a justification for not meeting targets’.

What is Angela suggesting? Is she suggesting that I should ignore statutory procedures? Is that the policy that Angela is now proposing? If she looked at all of the road programmes proposed by the former Welsh Office run by Conservative Secretaries of State, she would see that, after 10 years of the Assembly, every single road project has to have statutory consent before it can proceed.

**Alun Cairns:** Will you give way?

**The Deputy First Minister:** No, I will not give way.

The second point is that every single project depends on finance. How can you possibly commit to a road programme unless you say that it is subject to the provision of finance?

**Alun Cairns:** Will you give way?

**The Deputy First Minister:** No, I will not give way.

**Alun Cairns:** May I raise a point of order?

**The Temporary Deputy Presiding Officer:** Order. The Member is not giving way and I will

not take a point of order on this. Please sit down and let the Member finish.

**The Deputy First Minister:** I have listened to a catalogue of things raised by the Finance Committee and I am dealing with them. [*Interruption.*]

**The Temporary Deputy Presiding Officer:** Order. Please stop heckling from a sedentary position.

**The Deputy First Minister:** Let me make my final points in this part of my contribution. The first is this: I would have expected the Finance Committee to have looked at the Government's policy to decide whether it was following its own policy, and to decide whether the finance allocated to that policy could be delivered. It did not, however, mention in its report what the Government's policy was. In 'One Wales', which is an agreement between two of the parties in this Chamber, we agreed that there should be a contribution to the cost of north-south road links. That is Government policy. There is no scrutiny of that policy in this committee report whatsoever. It criticises that policy, but is that the role of the Finance Committee? The role of the Finance Committee is to scrutinise the Government's delivery of its policy.

My second point is this: I made it clear that it was the Government's priority to improve north-south links and to improve the Heads of the Valleys road across east-west links. Why, therefore, is the Finance Committee not dealing with that? In fact, it could not find the silver bullet that it was looking for. So what did it do? It has ended up with generalisations in its conclusions, which, frankly, have no place, in my view, in the committee's report.

Before I finish this part, I would also say that it fails to recognise this Government's statutory duty to comply with the provisions of the Transport (Wales) Act 2006. What does that transport Act tell us? It tells us that I have a responsibility to produce a Wales transport strategy and a national transport plan. In her response today, Angela Burns ridicules the Government for producing the national transport plan. The reality is that we have a statutory requirement to deliver that plan. What the committee failed to recognise is that I am complying with a statutory duty that has been placed on me by Parliament.

What we have here, unfortunately, are general statements by a Finance Committee that fails to scrutinise this Government properly.

**Nick Ramsay:** I will do an unusual thing by starting my contribution with something said by Alun Davies, a former member of the Finance Committee. When we were drafting this report, he said that, at the end of the day, this is about roads. We have been building roads for quite a long time—I am paraphrasing slightly—and we will be building them for a long time in the future.

When considering this subject in Finance Committee, it sometimes seemed, from some of the witnesses that we listened to, that we were talking about sending the first Welshman to the moon to collect some stones and getting him back here. I wonder why it has to be so complicated. I listened with interest to what the Deputy First Minister said, much of which was about the status of the Finance Committee and how it works. You cannot talk about finance for a road programme as if it was separate from the other issues involved in the roads and the cost issues. We should be clear that these two aspects are interlinked, and if the Deputy First Minister believes that this report contains recommendations that stray into an area that the committee should not be considering, I would disagree with him. I think that this is an excellent report, and it is not only a product of Angela Burns's chairing; every member of that committee worked hard to produce it, including Labour members, Liberal Democrat members and Plaid Cymru members. What came out was genuine horror and shock at the lack of clarity in the running of the transport budget.

Looking at some of the recommendations, many witnesses asserted that the consultation with the Assembly Government was too often a one-way process. That is a terrible indictment, and it came from many witnesses. Consultation should be a two-way thing. If you are not overseeing a proper two-way consultation process, how on earth can you hope to address some of the problems that were raised?

5.30 p.m.

The big issue that the Finance Committee came up with was the lack of an overall strategic planning framework for the roads programme. Many witnesses mentioned slippage, which was a word that came up time and again. Many of us were not aware of what was meant by 'slippage' to begin with, but, by the end of the inquiry, it became clear that 'slippage' was being used to mask many flaws in the way that the roads programme was being run. I do not think that they should have been masked in that way.

My vocabulary increased markedly during the committee's inquiry. The words 'optimum bias' came up, which is the percentage that must be added to a road budget line because engineers automatically underestimate the cost, not to mention inflation. Where else does that happen? 'Over-programming' was another word used; it means that the Government expects some programmes to be delayed, and so takes the opportunity to bring forward other schemes to fill the gap. Angela Burns mentioned 'construction index inflation' at the start of the debate. A lot of smoke and mirrors were used during the committee's sessions, and we worked hard to come to these conclusions and recommendations.

**Alun Cairns:** I could not agree with you more about the smoke and mirrors. When you work your way through the smoke and mirrors, you come across some horrific examples, such as the access road to the airport, where £2 million was spent on a programme that had already been consulted on, was then cancelled, and then revived for further consultation only for the Government to say that there were insufficient funds and that it could not go ahead with it. This Minister wasted £2 million on a road that went to nowhere and is going nowhere. That is how incompetent his department is.

**Nick Ramsay:** We also heard similar concerns regarding the new M4.

**Chris Franks:** Will you give way?

**Nick Ramsay:** Sorry, but I do not think that I have time, Chris; maybe next time. A political decision was made to cancel the M4 project, and I do not disagree with the Government's right to take that decision. However, when it came to the justification for it, at one point it was based on economic grounds, and then the environmental issues were thrown in, but there was no coherent explanation for the cancellation of that project. The same applies to the scheme that Alun mentioned. As I said, I am pleased that hard work went into this report and I am glad that I was part of the process. If the report makes Assembly Members think seriously about the role of the Finance Committee and the way in which the Minister's department works, then so much the better.

**Christine Chapman:** I am pleased that the Finance Committee has given us the opportunity to discuss this important issue. The report mentions the dualling of the A465 Heads of the Valleys road, and there is a huge amount of frustration and disappointment at the length of time that this project is taking, given the real economic benefits involved in its completion. Such frustrations were mentioned in the evidence that officers from Rhondda Cynon Taff County Borough Council gave to the Finance Committee last year.

However, I wish to focus attention on an even more vital aspect of the debate. The report

notes the impact of good road infrastructure on the lives of Welsh citizens, and we need investment in our road infrastructure to make those lives not just better but safer. Information that I have recently received from South Wales Police—I await a response from Gwent Police—shows that the figures highlight this. The figures show that between 2000 and 2009 there were nearly 900 accidents on just one stretch of the A465, between Dowlais Top and Hirwaun. Of these, 21 were fatal collisions, meaning that there were 21 incidents in which a life was lost—and sometimes more than one life was lost. A further 32 incidents were classed as serious collisions and over 250 others resulted in injury.

All that is on just one stretch of road, on which work will not be started until some unspecified time in the future and on which a disproportionate number of lives are being lost. I would be keen to know what the response is to this report on the grounds of safety. I know that the Automobile Association states that dual carriageways are safer, and dualling was one response adopted by the UK Department for Transport to increase road user safety. Similarly, the Campaign for Safe Road Design calls for a more intelligent, responsive attitude towards roadside design to help to prevent accidents. We need to concern ourselves not just with developing our existing road infrastructure, but with ensuring that that infrastructure is as safe as possible. I know that we have had lots of discussions and debates here about slippage, but I ask today that the Deputy First Minister starts to take a fresh look at this, given the appalling statistics that we are seeing on this stretch of road.

**Kirsty Williams:** I thank the Chair and the committee staff for their work in putting together this report and I also thank the witnesses who took the time and trouble to come to the committee to give evidence and to submit views in writing, and those organisations outside Wales that took the time and trouble to co-operate with the review. Quite often, in the discussions that resulted in the report, I thought, just like today, that there was a lot more heat than light.

The decision to reprioritise the trunk road programme in 2008 always took centre stage in those discussions. I was bemused by the shock and surprise expressed by some Members and some witnesses that reprioritisation seemed to move north-south routes further up in the priorities, while east-west programmes seemed to slip down the list of priorities. As the Deputy First Minister rightly stated, we really should not be shocked and surprised about that, because that was the stated aim of the Government and that is what the members of Government parties signed up to. Therefore, we should not be surprised to see, when looking again at the trunk road programme, that priorities changed in that way, because that was the Government's stated intention. You can argue over whether those were the right priorities and whether the Government was correct in identifying those roads as being strategically more important for the economic and social development of Wales, but you should hardly be shocked and surprised, because that was the Government's stated intention.

I can well understand the frustration of Members who had wanted to see the Heads of the Valleys road project move forward more quickly. The Deputy First Minister used the term 'silver bullet', but I think that what he meant to say was 'the smoking gun'. There was a feeling that this report would throw up the smoking gun that would pin the failure to bring this project forward on this particular Minister for transport. However, the Heads of the Valleys project perfectly encapsulates the problems that all trunk road programmes have had, in that they have not been managed optimally. It is not that the Deputy First Minister does not want to do anything about the Heads of the Valleys road, it is just that, in managing the programme, he, like previous Ministers for transport, has faced changes in the budget and poor planning. There was no smoking gun to be found. This particular road has been subject to the problems that we have seen. That is why I am disappointed by the Government's response this afternoon.

The Deputy First Minister can rip the Finance Committee apart and he can try to be personal

in his attacks on Angela, but the issue is that when we compare how we manage our trunk road programme with how it is managed by in Ireland there is a significant difference. I would not advocate, as has been done in Ireland, setting up a separate external body to do the work, but we are naive if we turn around and say that we cannot learn any lessons from anyone else, and we are naive and misguided if we refuse to learn any lessons from anyone else on how we can do this better.

5.40 p.m.

The Government, in its response to the committee's report, acknowledges that the way that this has been done before needs to be considered. The Government states that it has created new structures and new policy frameworks, and has reorganised the department, and that the management of this programme will be done better in future. I welcome that, but I agree with Angela that if this work had been going on, then it is surprising that the Deputy First Minister or his officials did not mention it in evidence to the committee.

We need to consider the role of the Cabinet in these decisions. The Deputy First Minister was quite clear that, in making these decisions, he did not take them back to the Cabinet. This is pretty significant policy and the kind of policy that I, perhaps naively, would expect to be discussed in the Cabinet. If the Cabinet is not discussing policies and decisions of this nature, what is it discussing?

**Alun Davies:** We were all quite surprised that the issue of reprioritisation had not been taken to the Cabinet. At the same time, we were also surprised that no stakeholder or witness who gave evidence to the committee stated that they had, at any time, been consulted by the Government on this reprioritisation.

**Kirsty Williams:** That is correct. There was no consultation within or outside the Government. However, I would expect a Government, in deciding on such important strategic infrastructure projects for the nation, to discuss that sort of thing internally and externally.

We should not be surprised about the reprioritisation; the Government's intention to do that was clearly stated. However, if we are going to be spending this amount of money on these important infrastructure projects in future, they should be discussed in the way that many of us think that they should have been. None of us should be surprised about the reprioritisation; it was clearly the Government's intention to do that and it is simply carrying out its own policy. However, in doing so, I suggest that it could manage the policy better internally.

**Chris Franks:** It is worth reminding ourselves that this report considers just a part of the transport system in Wales. It should be noted that Ieuan Wyn Jones has invested heavily in rail and bus services, not simply in roads. Since 2007, substantial road upgrades have been made by the Minister. He has ensured the stability of the whole road building programme, given the funding that he has secured, which includes a multi-million pound investment for the dualling of the Heads of the Valleys road, with completion timetabled for 2020. Members who do not sit on the Finance Committee will note that the Heads of the Valleys road has figured greatly in these discussions. My Conservative friends make great play of that, except in places such as the Vale of Glamorgan, where they say it is terrible to spend all this money on the Heads of the Valleys.

The route is vital and the work shows our commitment to the Valleys. The timetable for the work on the A465, the Heads of the Valleys road, is on course to be completed by 2020. There has been no slippage since 2007, when Plaid went into coalition Government, despite the bizarre statements made by some Members. There has been no slippage, despite the comments to the contrary.



**Christine Chapman:** Chris, do you agree that the figures that I cited today, referring to more than 21 incidents in which lives were lost over quite a short space of time, are unacceptable? Would you support a special investigation by the Welsh Assembly Government into why these accidents are happening?

**Chris Franks:** I agree that those figures are awful. The incidents often involve young motorists. It is devastating. However, Ieuan Wyn Jones has secured the funding to complete the work by the target date of 2020. No other Minister has done that. There were some unfunded schemes, and he has found the necessary money. In fact, he has secured additional moneys from Europe, which will be of great benefit to our scheme. In response to talk of how dysfunctional this department and this Minister are, it is worth noting that the £100 million M4 widening scheme around Cardiff was completed on time and on budget. Some opposition Members and some non-opposition Members are quite mute about that. The report is unrepresentative of the views of everyone on the committee, and it was not signed off by all committee members.

**Alun Cairns:** Will you give way?

**Chris Franks:** No. Perhaps I would give way to Mr Asghar, who was an important member of the committee who disappeared like a parrot in the jungle.

**Angela Burns:** Will you give way to me?

**Chris Franks:** No, you are not good enough compared to Mr Asghar, I am afraid. [*Laughter.*] In terms of his expertise I mean. The Finance Committee was dysfunctional, and it is unfortunate that it descended into petty point-scoring, which got in the way of robust scrutiny. It would be much fairer to say that Ieuan Wyn Jones has tackled the poor management and uncertainty in his 2008 reprioritisation. This will deliver a better trunk road network across Wales. We now have a programme that is more robust and more achievable than has ever been the case in the past.

Although the Welsh Government is committed to improving north-south links, it is not to be done at the expense of east-west links, including the Heads of the Valleys road. The Minister for transport is delivering and delivering on target—something that no other Minister has managed to achieve. Slippage in the past was the direct result of funding issues, and Plaid is campaigning for fairer funding for Wales so that we can get the money that we deserve based on need rather than a head count. In conclusion, the Deputy First Minister has shown his competence. He has kept to the timetable for completing the Heads of the Valleys road. Essentially, he has also secured funding. Regrettably, the dysfunctional nature of the committee at the time meant that there was a party-political slant to this report, which was not signed off by all Members.

**William Graham:** I want to concentrate my remarks on the Heads of the Valleys road and the aborted M4 relief road. Both projects have the capacity to bring tremendous social and economic opportunities to South Wales East, but both have been mired in controversy. The Finance Committee's report emphasises just how high a priority previous administrations considered the M4 relief road to be, until its complete abandonment last July. I believe that this issue will have to be revisited; transport and business leaders are almost unanimous in voicing the need for the scheme. As the report states,

'In the view of the CBI, the new M4 around Newport was, by head and shoulders, the most key route of the scheme for the Welsh economy.'

It is hard to see another scheme that is of such economic importance, and the previous Welsh Assembly Government appears to have agreed, giving the Magor to Castleton relief road a

greater priority in 2004 by moving it from being on hold to phase 2.

**Gareth Jones:** Could you remind us how much this road would have cost the people of Wales? We are talking about a national framework, but how much would it have cost? I believe that the Finance Committee knows its statistics, so can it tell us what that sum would have been, so that we can make comparisons?

**William Graham:** The approximate cost was in the region of £800 million. Compare that to the cost of £1 million an hour when the road is blocked, let alone the economic benefit it would bring to south-east Wales and the reassurance it would give manufacturers that they could get their raw materials in and their manufactured goods out.

**Alun Cairns:** I am grateful to William Graham for giving way. Does he recognise that when the Deputy First Minister stood in this Chamber to announce that road the decision was made on safety grounds, because of the deaths that had happened on that stretch of motorway? That was the rationale on which the road was originally commissioned. It is in the BBC reports of the time and it is in the Record of Proceedings, but the road was cancelled on financial ground.

5.50 p.m.

**William Graham:** There is also the alternative of a private finance initiative, particularly with regard to the fact that the tolls on the Severn bridge come to an end in 2016 and there have already been schemes that will make that economically viable.

No matter how hard the Government tries to prioritise the north-south transport links in Wales, statistics bear out that it is the east-west corridor that is of significantly greater economic value. It is no surprise therefore to read, in point 72 of the report, that:

‘The Finance Committee is therefore disappointed that the decision to abandon this project seems to have been based solely on the road’s affordability and without reference to the wider roads programme or the economic impact of the scheme.’

There is a clear need for a greater strategic approach to the traffic flow problems in the Newport area that have held back the local population’s economic and social development for far too long. Along with the many thousands of people who are regularly delayed on this route, this summer I look forward to the publication of the plans for the new road connecting the Newport southern distributor road to the M4 motorway via the former Corus site. The Minister replied to a recent written question I posed on this issue, indicating that construction is scheduled to commence on this route early next year at a cost of £20 million. I urge the Minister to make this route an absolute priority in the forthcoming national transport plan.

The Welsh Conservatives warmly welcomed the Assembly Government’s confirmation yesterday that the next stage of the dualling of the Heads of the Valleys road between Brynmawr and Tredegar will start in 2012 and that a contractor was awarded today for £116 million. This remains a vital project, which has been overshadowed by the argument over which the transport Minister should take responsibility for the slippage in the scheme. There have unquestionably been serious inconsistencies in successive Assembly Government explanations of the delay. Putting aside the arguments and local disappointment that the scheme is not being completed earlier, it is encouraging that the Minister has signalled a completion date of 2020 and we must then press the Government for a greater realisation of the strategic aims contained in the documents, ‘Heads—We Win’ and ‘Turning Heads’. For this to happen, the Assembly Government must take heed of the report’s comment that there is a need for greater co-ordination in the Heads of the Valleys programme between the Minister for the Economy and Transport and the Deputy Minister for Housing and

Regeneration, as well as a need to involve key stakeholders, such as local government and business, to a greater degree.

When I questioned the previous First Minister last summer on the fact that work on the first section to be dualled on the A465 had cost three times the initial estimate, he put this down to optimism bias on the part of engineers and other professionals. As the Finance Committee report states, at point 39, this is a particular cause for concern and I am interested in learning of the measures that the transport Minister has put in place to ensure that the final sections are delivered on time and on budget. To go so far over budget is a major cause for concern, given the damage that it has done in setting back the overall dualling programme, not to mention the negative public perception of such perceived overspending.

The Welsh Conservatives look forward to seeing meaningful action being taken to alleviate the long-term traffic congestion problems on the M4 in the Newport area, a firm resolve to complete the work on the A465 with greater partnership between Assembly Government departments and local businesses, and a more integrated transport system that recognises the importance of east-west transport links and unlocks the economic potential of the Gwent valleys.

**Alun Davies:** I also put on record my thanks to the committee, the staff of the committee, and also the Chair of the committee in guiding and steering the committee through what was, at times, a very fraught inquiry. I reject the Deputy First Minister's criticisms of the report. It was a report that was adopted and supported by the committee as a whole. One of the issues that we had to face, as a committee, was that we were receiving and taking, at times, very consistent evidence, and at other times some very inconsistent evidence. We heard from a wide range of witnesses on this inquiry. They were in unanimous in their views. They had not been consulted by the Government or by the office of the Deputy First Minister. They had very clear views on what should be done in terms of the strategic trunk road programme, and the unanimous view of a wide range of stakeholders was entirely contrary to the programme of the Government.

We had inconsistent evidence from the Deputy First Minister. When we talk about a road programme that was inherited—I will use the Deputy First Minister's terms—I take, as my starting point, the 14 September 2006. On that date, the then Minister, Andrew Davies, made a clear statement:

'In line with the 'Heads We Win' strategic framework for the Heads of the Valleys, it would be the Assembly Government's intention is to complete the remaining sections by 2015.'

That statement was repeated by the Minister, Brian Gibbons, in Plenary and was repeated—ironically enough—by the Deputy First Minister when he took over the role. When he replied to short debate that I tabled in November, he redefined what the inherited programme was. He defined it as this:

'When I first spoke to my officials in the transport department, I asked them what road schemes we had in the programme, where we were on their implementation, and when we were likely to start and finish those road schemes. The officials gave me a timetable for the Heads of the Valleys road that had a completion date of 2020.'

That date had not been reported to the Assembly at all. However, what the Deputy First Minister had done, in April 2008 and November 2007, was tell the Chamber that there had been no slippage in the programme for the Heads of the Valleys road. There is a clear question to answer. Deputy First Minister, this is not playing politics, this is scrutiny. At what point did you have that discussion with your transport officials? Had you had that discussion before you made a statement to the Assembly that there had been no slippage? You made

statements six months after you had taken office and nearly a year after you had taken office. At what point did you know that slippage had taken place?

In terms of what we are seeing with the road programme, Kirsty is wrong to say that we voted for the programme that is being delivered. We voted for a different programme. What we have seen since the Government has taken office is a deprioritisation of the Heads of the Valleys dualling project. During the last Government, between 2003 and 2008, the average annual expenditure on this scheme was £21.7 million. The average annual expenditure by this Government on the Heads of the Valleys scheme, up to next year, is £8.87 million. Money talks. It is clear that the previous Government regarded the Heads of the Valleys scheme as a priority and spent money on it. It is clear that this Government does not regard the Heads of the Valleys dualling project as a priority and has not spent its money on it. Where has that money gone? The concern of the committee was that the 2008 reprioritisation had effectively changed the policy of the Government and that it had been done without consultation or debate, without a discussion at Cabinet and without consultation with any stakeholder.

In the coming financial year, the amount of money spent on north-south links is £61.5 million and the amount of money spent on east-west links is £19.5 million. That reverses Government policy. It reverses the historic trend of policy, going back to 2002-03. Every year, we have seen money invested in the key economic links of Wales, except next year, when we will see a complete reversal of that policy. This is not what the ministerial advisory group advised the Deputy First Minister to do. It is not what was in the 'One Wales' agreement. It was not consulted on or reported on. It was done by slight of hand, in private, and in a way that would avoid scrutiny and debate. That is the conclusion of the report by the Finance Committee. That is scrutiny, Deputy First Minister, and you are yet to respond to that charge.

**David Melding:** I will start by saying that I think that the Deputy First Minister has set a most unfortunate tone for this debate. To completely rubbish a report in that manner is to undermine the legislative and scrutiny functions of the Assembly. I thought that Chris Franks delivered an even less gallant speech. Silently poisoning the well has never been regarded as being a particularly courageous thing to do. I have to tell you, Mr Franks, that you are either dilatory in committee in not raising your objections or you are being disingenuous now. A shameful performance, I have to say. I will give way, if you would like me to because I think that you deserved that criticism.

**Chris Franks:** I have had extensive discussions with the committee Chair to express my dissatisfaction with this report. I do not know how long those discussions may have lasted—it may have been an hour or two hours. We went through a huge range of issues and hardly any of them were addressed. In the end, I could not sign up to the report, and nor did Mr Asghar, as I understand. I am not sure whether Mr Davies signed up to it—if he did, it was at the very last minute. [*Interruption.*] You did; okay.

6.00 p.m.

**David Melding:** I regret that you do not understand the procedures of the Assembly or the protocols that apply. If you disagree with a report, you have to vote against it in committee, and you require the committee to take a vote. If it is so fundamentally flawed, that is what you do. You should be congratulated on being able to discuss a huge range, as you put it, of objections in just one hour. We have at least proven that you were dilatory in your performance.

The Deputy First Minister created a huge diversion in saying that the committee's report was not credible because it did not understand that the Welsh Assembly Government did not have a £16 billion budget, but that it had a £14.5 billion revenue budget and a £1.5 billion capital budget. Those combine to make about £16 billion. That appears to be a distinction without a

difference, and it comes from a man who has just promised a £20 billion increase in pensions in the United Kingdom, which is to be funded year in year out by the £20 billion saved on Trident. How many of us realised that the replacement of Trident would cost £20 billion each year for the next 20 or 30 years? There is a profound misunderstanding of the difference between revenue and capital, but he presumed to dismiss the report in a wild, hyperbolic fashion.

In his written response, the Deputy First Minister was much more cautious. He adopted that old trick of the Government's of saying, 'Yes, that is a point, but we are disappointed that you did not recognise that we have already made those changes.' That is what he said about the connection to wider objectives regarding regeneration and having an integrated approach to transport—not just with regard to roads, but the whole area of transport—and also about strengthening the management of the transport programme.

I will quote the written response, which, under the heading 'An improved focus on delivery', says:

'We have changed the organisational structure of the Assembly Government to sharpen our focus on delivery, as well as ensuring that we have staff with the right transport planning, civil engineering, procurement, project management and programme management skills.'

What a relief that he has the people in his department who can perform the basic skills required to carry out transport planning and delivery. Yet, he pretends to be angry, dismisses a report and insults the work of a cross-party committee of the Assembly.

In the short time that remains, I want to talk about issues on which we agree. The A470 does need to be improved. In fact, I went up to Llandudno and back at the weekend and could see some of the improvements. As a party, we do not have a problem with that, but they do have to be balanced against other strategic issues. The A470 is being improved for strategic reasons as well as reasons of national unity and because of social concerns. They do impinge on transport; you cannot just look at it in a utilitarian, economic way, and we accept that. However, the A465 is the strategic route that is most in need of being developed at the moment, and it is crucial to the regeneration of the Valleys. Members who represent the Valleys areas have a right to be frustrated at the rate of progress over the years, and not just recently; I would concede that. We need a modern road infrastructure for the Welsh economy. We require a whole range of responses to modern transport development, and roads and their construction are essential and will be for many years to come.

**The Deputy First Minister and Minister for the Economy and Transport (Ieuan Wyn Jones):** I am afraid that Alun Davies has let the cat out of the bag. What was interesting about Alun's contribution was that he was not speaking to the recommendations of the report. Let me tell him what the report recommends. He is a member of the committee, and he signed it off. So, just to remind you, Alun, this is what it says:

'While the Finance Committee could see that there were signs of a change in emphasis from east-west to north-south there was so much poor management and uncertainty within the programme that it was very difficult to come to a clear view.'

Your view today is entirely different. What you said today, which you repeated—*[Interruption.]* No, I have listened to your speech; now you have to listen to mine. Let me make this point clear to you, Alun: you had a short debate, and your arguments were totally demolished. You are saying today that this Assembly Government has allowed slippage to happen with regard to the Heads of the Valleys road. This inquiry was set up to determine that. That was the smoking gun that Kirtsy Williams mentioned; it was what this committee was supposed to find out. The reality is that it has failed to find it out because there is no

conclusion in this report that this Government has caused the slippage of the Heads of the Valleys road. That is the truth of the matter.

**Alun Davies** *rose*—

**The Deputy First Minister:** I am not giving way, Alun. I will repeat the point again: this Government has not caused any slippage whatsoever in the work on the Heads of the Valleys road.

The committee heard evidence from me, which was that our priority was to improve north-south links, but that I also regarded it as an equal priority to deliver the Heads of the Valleys programme. The previous Government published two documents, which I think William mentioned earlier. These documents were entitled ‘Turning Heads’ and ‘Heads We Win’. Both documents state that the Heads of the Valleys road should be completed by 2020. When I went to speak to my officials, after I was given the post of Minister, and asked them, ‘Is that deliverable by 2020?’ They said ‘yes’. I then asked how it could be funded, and I spent time listening and talking to my officials. I concluded that it could be funded, provided we could secure more funding than we had in our core budget. I therefore secured extra funding from the strategic capital investment fund and from European programmes. I have now made it clear that I am committed to the delivery of the Heads of the Valleys programme.

I also thank William for something that I heard from him, though not from Alun. He congratulated the Government on making the announcement on the new section of the Heads of the Valleys road, which I announced yesterday. I would have expected Alun to congratulate me on that, but he did not take the opportunity to do so. [*Interruption.*]

**Alun Davies** *rose*—

**The Temporary Deputy Presiding Officer:** Order. Alun, please sit down. The Deputy First Minister is about to wind up because we are out of time.

**The Deputy First Minister:** What we have decided to do is carry on this programme. We are committed to delivering the programme, and we have set the contract for its next stage. We are therefore delivering on it.

The other point that has been made is that there has been a lack of consultation. Two documents that are crucial to this but that the committee has ignored for some reason are the Wales transport strategy and the national transport plan. Both documents have gone to Cabinet, both documents have been endorsed, and both documents include all of the programmes that have been set out in the trunk road forward programme. All of the programmes that have been set out in the trunk road forward programme have gone into the national transport plan, which has been endorsed by the Cabinet, and if the committee had bothered to look at the Cabinet minutes, it would have found that. It is clear. It is the truth of the matter. Not only has there been consultation, there has been a 12-week consultation period, and there has also been extensive consultation with local government. The programme is aligned with local government priorities because each authority in Wales is a member of one of the regional transport consortia, which feed into the priorities that we have for the strategy. This is what I am saying: they set out to embarrass the Minister. They wanted to find the smoking gun. They failed to find it, and, unfortunately, they embarrassed themselves.

**Angela Burns:** Temporary Deputy Presiding Officer, I have never been in this situation before so I am going to rely upon you to tell me when you think that I should not be saying certain things that I am about to say. Given that the Minister dislikes this report so much, he has spent his time here today, with his party’s support—not the support of the Government, of which he is a part—trying to trash the Finance Committee, the members of the Finance

Committee and the Chair of the Finance Committee.

6.10 p.m.

I salute Labour Ministers. I salute them because, time and again, when committees have produced reports that have been critical and have raised serious issues, they have taken them, absorbed them, set forward their responses, and they have accepted that the committees have worked in the best interest. I object most strongly to being accused in this Chamber of deliberately trying to embarrass the Deputy First Minister. This was an inquiry into how the funding of the road infrastructure in Wales brings economic benefit and good value for money for the Welsh pound. This report is an absolute indictment of the transport department. I would have thought that the Minister would have taken this report and thought, 'Great; I now have ammunition with which to go back to my civil servants to improve the return for the Welsh pound'. Instead, the Deputy First Minister has taken some examples from the report, which he has judiciously used in speaking to us today. I could go through them but I know that I only have three minutes to speak, and I also want to deal with the subject of Chris Franks.

The Deputy First Minister says that the Finance Committee was surprised by the use of the words,

“Subject to completion of statutory consent procedures and the availability of finance” as a justification for not meeting targets.’

If you read the whole thing, you will see that what it actually says is that when you are out to meet a target, you actually build in that kind of thing so that you have it there. You do not use it as an excuse on a routine basis.

Chris, I was not going to bring this up, but you have absolutely led this Assembly astray. You came to see me and my clerking team with around 26 or 28 points. There is so much evidence to the Finance Committee on the slipshod way that the trunk road programme is run that we actually provided every single committee member with a bound copy of the evidence. Do you recall it? It is that thick. I will happily bring it here and show it to people. I sat with you and the clerking team, and with Members’ research service staff, who do not make mistakes about the numbers in here, and we went through all of those points. To your chagrin, you could not find any of them stacking up because, within that evidence, we answered every single point. Instead, you did a disappearing act because you knew that you would have to come here today and defend the Deputy First Minister. I did not want this to be politically nasty and personal, but it was you, Deputy First Minister, started this. You have impugned my reputation and the committee. You should take this report back to your civil servants and say, ‘Wales needs to be better served. How can we do better?’

**The Temporary Deputy Presiding Officer:** The proposal is to note the Finance Committee’s report. Does any Member object? I see that there are no objections. Therefore, the motion is agreed in accordance with Standing Order No. 7.35.

*Derbyniwyd y cynnig.  
Motion agreed.*

### **Pwynt o Drefn Point of Order**

**Alun Davies:** Point of order. During the last debate on the Finance Committee report on the trunk road programme, the Deputy First Minister, in replying to the debate, used my name on

a number of occasions. I believe that he abused the procedures and the Standing Orders of the Assembly in not allowing me an opportunity to reply to the points that he was making. I tried to intervene on a number of occasions but he refused to allow an intervention despite using my name repeatedly during his speech. I believe that that is a very real abuse of the privileges that we have in this Chamber, and I would like a ruling on the matter.

**The Temporary Deputy Presiding Officer:** Thank you for that point of order, Alun. I think that you are aware, as all of us are, that not only have we just had a very robust debate in which very strong views were put on either side, but that it is up to the individual Member to take an intervention or not. Therefore, that is not really a matter for me.

## **Dadl y Ceidwadwyr Cymreig Welsh Conservatives Debate**

### **Cau Ysgolion School Closures**

**The Temporary Deputy Presiding Officer:** The Presiding Officer has selected amendment 1 in the name of Jane Hutt and amendments 2 and 3 in my name.

**Y Dirprwy Lywydd Dros Dro:** Mae'r Llywydd wedi dethol gwelliant 1 yn enw Jane Hutt a gwelliannau 2 a 3 yn fy enw i.

**Paul Davies:** I move that

**Paul Davies:** Cynigïaf fod

*the National Assembly for Wales:*

*Cynulliad Cenedlaethol Cymru:*

*1. calls on the Welsh Assembly Government to ensure that before a school is closed full consideration is given to:*

*1. yn galw ar Lywodraeth Cynulliad Cymru i sicrhau bod ystyriaeth lawn yn cael ei rhoi i'r canlynol cyn cau ysgol:*

*(a) its standard of education;*

*(a) safon yr addysg;*

*(b) the importance of that school in the community;*

*(b) pwysigrwydd yr ysgol honno yn y gymuned;*

*(c) any new future residential planning applications which could secure its future viability; and*

*(c) unrhyw geisiadau cynllunio preswyl newydd yn y dyfodol a allai sicrhau ei hyfywedd i'r dyfodol; a*

*2. believes that a proper and robust consultation process must be put in place at an early stage of a proposed school closure. (NDM4435)*

*2. yn credu y dylid rhoi proses ymgynghori briodol a chadarn ar waith yn gynnar pan fydd bwriad i gau ysgol. (NDM4435)*

It gives me great pleasure to propose the motion tabled in the name of Alun Cairns on behalf of the Welsh Conservatives. We have tabled this debate because concerns around school reorganisation are raised with me as the education spokesperson for the Welsh Conservatives, and with other Members, on a regular basis. Parents across Wales are becoming increasingly concerned about the way that school reorganisations are being handled. I know that we were told by the previous First Minister last year that 170 schools across Wales need to close in order to tackle surplus school places. I accept that there are thousands of surplus places in schools across Wales, and I am not arguing that all schools must remain open. The subject of school closures is an extremely sensitive issue, and I know that it concerns every Member.



In most cases, schools not only provide education for our children, but are true community centres. For example, where a village does not have a hall, the school is used for social activities. Schools are at the heart of our communities, particularly in rural areas. They are a valuable community resource, especially where public services, such as post offices and libraries, have been removed. Closing a small rural school, particularly in a Welsh-speaking area, is like ripping the heart out of that community. Therefore, it is crucial that any decisions to close schools be taken on the basis of not only education, but their impact on the culture and language of the communities. That is why robust community impact assessments must be undertaken in all cases in which schools are earmarked for closure. The Welsh Assembly Government has issued guidance to local authorities stating that they will need to consider

‘the impact that proposals may have on local families and the local community, through the preparation of a community impact assessment’.

‘sut y gallai’r cynnig effeithio ar deuluoedd lleol a’r gymuned leol, drwy gynnal asesiad o’r effaith ar y gymuned’.

However, that is not statutory. After all, it is only guidance. It goes on to say that it

‘sets out the policy context and general principles, policies and issues which have a bearing on reviewing the provision of school places’.

‘yn amlinellu’r cyd-destun polisi a’r egwyddorion cyffredinol, y polisiau a’r materion ar gyfer adolygu darpariaeth lleoedd ysgolion’.

Some of the schools earmarked for closure across Wales provide high-quality education, which is borne out by Estyn reports. Take some of the schools in Powys for example. These are some of the best performing schools in the country, yet many are faced with potential closure. Closing good schools must surely be avoided at every opportunity. No school that is able to deliver the national curriculum should be forced to close without the agreement of parents, teachers and governors. Where a school is earmarked for closure, it is essential that robust consultation processes be put in place and that education authorities listen to the voice of the communities that they serve.

A good education opens the door to life opportunities. Not only does a good school teach children reading, writing and arithmetic, but it inspires young people to learn, to follow their interests, and to become responsible adults. I accept that school rolls must be considered in funding each school, but the most important factor is the effect of the closure on the wider community. Closing a school can mean that children have to travel to access their education. That has an environmental impact, as parents and education authorities run more vehicles.

Before closing a school, consideration must be given to planning applications in the area. Time after time, I am told that schools are earmarked for closure with no regard for planned housing developments, which could improve their viability. Closing a school can also have a huge impact on a community’s local economy. For example, pupils attending secondary schools can double the size of a town’s population, in many cases. Many pupils use the town’s facilities before and after school, and during lunch times, boosting the economy. Those pupils will bring their parents with them, when calling for or dropping off their children at school, and parents will also use the town’s amenities. There would therefore be a significant economic impact on communities in which schools are to close. That is why we must look at all the alternatives before a school is finally closed.

School buildings can be used to house libraries, re-establish post offices, host community meetings, concerts and other community purposes. Most school buildings are redundant after 3.30 p.m. Monday to Friday, and are closed for the weekends and the holidays. We must look at innovative ways of making schools more viable if a particular school is seen to be unviable by the authorities. For example, in some cases, some schools have spare rooms that could be

leased or rented to local businesses, thereby making that school more viable. All these options should be considered before closing the doors of a school for the last time.

I also believe that federation can be an important element in avoiding the closure of some of our schools. By working in federation, there is mutual support for the teaching staff, and individual expertise can be developed across a number of schools, spreading the bureaucratic burden. The federation of schools can allow for the employment of certain staff who can perform all the administrative functions of a number of schools across the area, thereby making individual schools more viable.

6.20 p.m.

I believe that community partnerships should be formed when a local education authority announces its intention to close a school. Such partnerships could include community councils, local businesses, in addition to parent and teacher groups. It is crucial that the entire community be given the right to consult, given that a school closure can impact on a community for many years to come. That is what local democracy means—everyone participating so that the entire community supports the decisions that affect it.

We have seen difficulties in some parts of the country because the local authority has failed to take on board the views of the community. I am pleased that the Minister last week acknowledged that the school reorganisation process is inadequate. Perhaps he could tell us in his response what he now intends to do about it. The Liberal Democrats' amendments 2 and 3 seek to highlight that issue, and, for that reason, we will be supporting them. Councils must consider carefully the impact that any decision to close a school will have on a community, particularly in Welsh-speaking areas. It is not merely a matter of closing a school, as a far more serious issue is allied to this, namely the effect on culture and the wider population.

There is evidence to suggest that a community is weakened when a school closes. In some areas, there is always a danger that the post office and local shop will close because of the economic impact that closing a school will have. Before a school in any community closes, each and every sensible option must be looked into.

The message that we must convey today should be absolutely clear: schools are not just places in which our children are taught; they play an important role in our communities. We have a responsibility to ensure that we protect those communities. I urge Members to support our motion.

**The Temporary Deputy Presiding Officer:** I now call on the Minister for Children, Education and Lifelong Learning to move formally amendment 1.

<p><b>The Minister for Children, Education and Lifelong Learning (Leighton Andrews):</b> I move amendment 1 in the name of Jane Hutt. In point 1, delete all before 'given' and replace with</p>	<p><b>Y Gweinidog dros Blant, Addysg a Dysgu Gydol Oes (Leighton Andrews):</b> Cynigiad welliant 1 yn enw Jane Hutt. Ym mhwynt 1, dileu popeth cyn 'i'r canlynol' a rhoi yn ei le:</p>
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<p><i>notes that the Welsh Assembly Government ensures that before a school is closed, full consideration has been</i></p>	<p><i>yn nodi bod Llywodraeth Cynulliad Cymru yn sicrhau bod ystyriaeth lawn wedi'i rhoi</i></p>
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<p>In point 2, replace 'believes' with 'recognises'.</p>	<p>Ym mhwynt 2, dileu 'yn credu' a rhoi 'yn cydnabod' yn ei le.</p>
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**The Temporary Deputy Presiding Officer:** You have five minutes in which to speak.

**Leighton Andrews:** I thought that you just said ‘to move formally’. Sorry.

I will start by saying that everyone recognises that school closures are difficult for parents, pupils, teachers and local communities. I do not think that there is any disagreement about that among us in the Chamber. I suspect that we will all have had the experience of seeing school reorganisation proposals in our own constituencies and will all have been on the receiving end of representations. In many cases, we may have joined in by objecting to proposals that have come forward, and it is entirely appropriate for us to do so in supporting the concerns of groups in our constituencies.

These are sensitive issues, and the two points in our amendment reflect the fact that, in our published guidance, we have tried to address the issues that are raised in the motion today. The latest guidance on school organisation is our circular 021/2009, which affects proposals published from 1 January 2010. The circular sets out what local authorities and other promoters need to consider when bringing forward a proposal. It also sets out the considerations that Ministers will apply when they are required to determine statutory proposals. Consultation should begin before any statutory proposals are published by local authorities. That is in the guidance that we have published in the past, which also states that adequate time should be allowed and sufficient information provided for those being consulted, so that they can take a considered view of the issues. That is published before the statutory proposals come forward.

Point 1(a) of the motion refers to the standard of education, and says that that needs to be considered. That is the main emphasis of the circular that we have introduced on school closures. It stresses that, at all times, the effect of a proposal on educational standards will be the prime consideration. Those promoting reorganisation need to consider whether the school provides education of a good standard compared with alternative schools, as evidenced by Estyn and other measures of performance. We, as the Welsh Ministers, take into account whether the proposals are likely to maintain or improve the standard of education provision in the area, including the standard of provision for pupils who have special needs. The Welsh Ministers will not normally be prepared to approve the closure of a popular and effective school unless evidence is presented that the alternative school proposed would offer an education of at least equivalent quality and diversity at a lower total cost than had the school remained open.

Point 1(b) of the motion relates to the importance of the school in the community. That is referred to in our guidance, which gives the emphasis to community impact statements. In fact, I think that there is probably a greater emphasis now on the community aspect in the new circular because of that specific reference to the development of community impact assessments. So far, we have strengthened that guidance in the new circular. We have not yet had any proposals come forward under that—inevitably so, because it took effect from 1 January only—but we will want to see how the community impact assessments develop as a part of that.

Point 1(c) of the motion calls on the Welsh Ministers and those who propose a reorganisation to take account of the impact of future residential planning applications. Our circular emphasises that proposals have to be developed in the light of sound forecasting. They need to take account of population projections, and of forecasts for inward and outward migration and birth rates. They also need to take account of local plans for economic or housing development. There is evidence to show that local authorities are doing that. For example, there is a formula for estimating how many pupils might be generated from a particular housing development. It is therefore up to local authorities to work through those processes, which exist and are there in our guidance.

I certainly agree that consultation needs to be proper and robust. It should also clearly occur in the run-up to the proposal of a decision rather than after decisions have been made. The timing of consultations is up to the local authority involved in the process, but we have stressed, through our guidance, what we expect to see, so that people have enough time and information to form a considered view. We want people to have the opportunity to make their views known, and we want a clear method for doing so, through meetings or in writing. Local authorities now provide opportunities to do that electronically, as well, of course.

Therefore, there are processes and we think that they are appropriate. However, as I said at the outset, there is no question that the processes themselves may take longer than we would like, particularly when we have a bunching of school organisation proposals, as we have at the present time. I acknowledged that last week, and my officials and I are looking at it and will be considering it over the next few months. We need to see our way through the current batch of proposals before we get into further suggestions for change, but it is important to us. At the end of the day, we want a sustainable schooling system in Wales. That means that local authorities have to engage, as Paul Davies said in introducing the motion, with the issue of surplus places, and we expect them to take action to address that. We are putting in the funding to support the necessary changes.

**Kirsty Williams:** I move the following amendments in the name of Peter Black. Amendment 2: add as a new point at the end of the motion:

*notes that it has taken an average of 32 weeks for the Welsh Assembly Government to make a decision on the last 10 school reorganisation proposals, and, in one case, has taken 47 weeks.*

Amendment 3: add as a new point at the end of the motion:

*regrets that delays in decisions taken by the Welsh Assembly Government can cause huge uncertainty for students, families and teachers and makes the necessary process of reorganising schools even more difficult for those involved.*

**Kirsty Williams:** Cynigiau y gwelliannau canlynol yn enw Peter Black. Gwelliant 2: ychwanegu pwynt newydd ar ddiwedd y cynnig:

*yn nodi ei bod ar gyfartaledd wedi cymryd 32 wythnos i Lywodraeth Cynulliad Cymru benderfynu ar y 10 cynnig diwethaf i ad-drefnu ysgolion, ac, mewn un achos, iddi gymryd 47 wythnos.*

Gwelliant 3: ychwanegu pwynt newydd ar ddiwedd y cynnig:

*yn gresynu bod oedi cyn cael penderfyniadau Llywodraeth Cynulliad Cymru yn gallu achosi llawer o ansicrwydd i fyfyrwyr, i deuluoedd ac i athrawon, a bod hynny'n gwneud proses angenrheidiol ad-drefnu ysgolion hyd yn oed yn anos i'r rheini dan sylw.*

I begin by echoing the Minister's opening comments, recognising how difficult school closure and school reorganisation is for many communities and those directly involved in the proposals. As it is such a difficult and controversial issue, it is vital that the discussions that lead to proposals to reorganise or close schools be done properly. Not only that, but they must be seen by the community and stakeholders to have been done properly.

Quite rightly, standards in education should be at the forefront of any decision about a school's future. Nobody here, I am sure, would advocate keeping a failing school open just for the sake of having that institution within the community. However, time and again in my own constituency, I have seen schools that Estyn has judged to be perfectly adequate and, often, better than adequate subjected to closure. I echo Paul's comments about looking at the ramifications for the wider community when a closure takes place. That is particularly relevant for me considering current proposals in my county. If some of those proposals were to go ahead, Welsh schoolchildren who are currently entitled to follow a Welsh curriculum, to

study the Welsh language to GCSE level, and to study the Welsh baccalaureate post 16, the council will have a legal responsibility to bus them only to the nearest school. If that school is over the border, suddenly those citizens of Wales no longer have the right to study in their own country, to study their country's national curriculum and to study their country's language. These issues about what the alternatives are must be carefully looked at in all aspects.

6.30 p.m.

These changes can go well if they are handled properly. We have seen a mass reorganisation of primary schools in the Ystradgynlais area and those discussions are ongoing, but by working closely with the community, by listening to people's concerns and by ensuring that the Government changes its policy when those concerns have been brought to its attention, as the previous Minister for education did, you can move communities to accept change. When it is done properly, it can work and it can effect a real change in communities.

However, more often than not, these proposals are met with strong and vigorous resistance. That is why, when they come to the Minister for final determination, that process must also be handled in a timely and proper fashion. The Government has stated again and again that councils cannot duck the issue of surplus places. Indeed, in answers to questions last week, the First Minister held up the issue of surplus places as the primary reason why Welsh schools were not doing as well as they should be and said that councils needed to get on with the job. However, we have found that, when councils get on with the job and go through what is a painful process for communities, which is often damaging for elected individuals, it can take an awfully long time for that decision to be finally taken by the Minister. In answer to questions laid by my colleague Jenny Randerson, the Minister's figures suggest that, for the last 10 decisions on which the Minister for education was asked to make a judgment, the average time for making those decisions was some 32 weeks and the longest time was 47 weeks. That is almost a year for a decision to be made or for the processes to be—

**Leighton Andrews:** Can we be clear about the process? The answer that I gave was the number of weeks from the point at which the proposal was published. It is not as though it waited around in our department for 47 weeks. That is the time that the process took from the beginning. I think that I am right in saying that, in the example that you gave of 47 weeks, we had to go back to the local authority to get further information.

**Kirsty Williams:** I accept that, in the process, the objectors have an opportunity to write to the Minister and the council has the opportunity to respond to those questions that are raised in the objections to the Minister. That process has to be thorough and it has to allow people's views to be heard, but the decision must also be made in a timely fashion. The Minister has targets by when he wishes those decisions to be made and, in many cases, the decision is taking longer than the target time. That causes huge problems. It causes huge anxiety for the teachers and the children in those individual institutions and for those children's parents. It also causes huge problems for parents who are looking to plan for the future educational needs of their children. It also puts huge pressure on those politicians at the local level who are making these tough decisions. Government Ministers expect schools to close and expect local authorities to tackle this problem, but they have to play their part by ensuring that they handle their decision correctly and in a timely fashion. I hope that the Minister will take some steps to ensure that he reaches his targets.

**Nick Bourne:** This is an important debate and, in fairness, the Minister has approached it sensitively. There is an issue, and I do not think that anyone here would suggest that schools should never close. I well remember when Trap school in Carmarthenshire was closed; it had seven pupils, which would clearly not satisfy Estyn in delivering the core curriculum. In such instances one has to be totally realistic. Therefore, I do not think that anyone is saying that

schools should be preserved in aspic and that we should keep schools open, regardless of the number of pupils. That said, I do not think that there have been many instances, if any at all, where a Minister has turned down a proposal—there may have been one or two, but the balance has very much been to uphold the decision made by the local authority by a considerable margin.

Schools must modernise and change; I accept that. It is a question, to a large extent, of how this is organised. Having reached the point where we say that, yes, on occasion, school must change and reorganise, the issue is why they should be reorganised and how we should handle that. They should not be reorganised for budgetary reasons; that should not be the prime motivator. The prime motivator must be that the kids at the school get a decent education. I know of many schools in Wales, as Kirsty does, that have closed for financial reasons, even though they have been delivering a first-class education and have excellent Estyn reports, and even though they are a treasured part of the local community and the parents, governors and pupils are all happy. If that is going to be the criteria, we should be honest about it, but no-one has ever said that that is to be the criteria. I would certainly disassociate myself from any such approach.

**Gareth Jones:** I am pleased to hear the Conservative Party talking about organisation and community and educational needs. However, it seems to me that we should be funding those partnerships and processes. Unfortunately, your party introduced pupil funding, and that is the heart of the problem. That is the issue, because all schools are funded according to the number of pupils. The fewer pupils, the more exposed and vulnerable the school. It is your party that introduced an alien system into Wales that is leading to these school closures. What do you intend to do about the funding system?

**Nick Bourne:** I am coming to that issue. You are, after all, in the Government and, as this is a devolved legislature, you have the ability to change that. I do not think that that is much of a defence, Gareth. I thought that yours was going to be a more telling intervention, if you do not mind be saying so. You have the ability to change all of that, and I hope that you do change it. [*Interruption.*] Please allow me to carry on.

There are important considerations here and, as I said, they should not be governed by budgetary considerations alone; it should primarily be governed by the education of the children. That is vital. Powys has been mentioned, and I welcome Kirsty Williams's comments, but it must be said that the Liberal Democrats and the independents in Powys were the people who brought those proposals forward. I accept that they have since withdrawn them—

**Kirsty Williams:** My understanding is that, at the last discussion that Powys County Council had on this issue, Councillor Michael Hodges from Llandrindod Wells, who, I understand, is the joint leader of your group on that council, supported the Liberal Democrat and independent amendment in that debate, and voted with that group, as did other members of the Conservative council group.

**Nick Bourne:** The point remains, because I do not think that you have countermanded it, that the original plans were brought forward by the Liberal Democrats and the independents. I will stand shoulder to shoulder with you if you disagree with those proposals. It is also important that we put on record that, of the 13 schools that exist at secondary level in Powys, seven were threatened with closure in those proposals. The proposals have since been withdrawn, which is good news. What is crucial in this debate, Minister, is that, as soon as those proposals are made, a planning blight is created on that school and the community. It demotivates the teachers and pupils and has a devastating effect on the local community. The Minister has been fair enough to acknowledge that in the past, and if there is anything that can be done to solve this dire problem, it needs to be done. My primary message is that it cannot

be done for budgetary reasons, but it should be done for educational reasons.

We need to look at community purposes, as Paul Davies rightly said. We need to build in something on rurality. There is something on community, but, with rurality, there are issues of the larger distances travelled between schools, and the use of transport against the green agenda, which we are also plugging. Mention has not been made so far of the Welsh language, which is a massive concern. I have visited many schools in my area that have closed where Welsh was the prime language, for instance in Henllan Amgoed, Carmarthenshire, and many are under threat in Gwynedd. That is another consideration that needs to be built in. Above all, a school closure is devastating for education, it is unsettling and unfair to school children and their parents, and it rips out the hearts of communities. For instance, the closure of Llanidloes High School, which I have visited—I also know that Gareth has an interest in it, because his son teaches history there—would devastate that community. We must get a balance, but, above all, we must look at the way in which we handle this issue to avoid the great uncertainties in this area.

6.40 p.m.

**Nerys Evans:** Diolch am y cyfle i siarad. Yr wyf yn falch bod y Ceidwadwyr wedi gosod y cynnig hwn i edrych ar y broses o ad-drefnu a chau ysgolion. Yn sgîl yr agenda weddnewid, sy'n effeithio ar addysg uwch ac addysg bellach, ac wrth i awdurdodau lleol ymdrin â lleoedd gwag ysgolion cynradd, dyma fater pwysig iawn. Hoffwn sôn am ychydig egwyddorion ac enghreifftiau penodol.

Mae'r cynnig yn gosod y camau y dylai awdurdodau lleol eu cymryd wrth gau ysgolion. Hefyd, wrth gwrs, fel y crybwyllwyd eisoes, mae'n rhaid inni ystyried nad ar chwarae bach y mae cau ysgol yn y lle cyntaf, yn enwedig yn ein cymunedau gwledig. Mae ystyriaethau arbennig iawn i'w cymryd yn ein cymunedau gwledig. Mae angen dirfawr inni edrych ar ein hysgolion fel asedau cymunedol ac fel adnoddau i'n cymunedau. Dylai'r awdurdodau lleol geisio defnyddio'r adeiladau i ddarparu gwasanaethau eraill ac i wneud yr adeilad yn hwb cymunedol—yn ffocws i'r gymuned—fel modd i gynnal cymunedau gwledig yn hyfyw. Felly, y dewis olaf un fydd cau ysgol yn ein cymunedau gwledig.

Yn ystod y cwestiynau i'r Gweinidog dros Blant, Addysg a Dysgu Gydol Oes y prynhawn yma, soniais am y broses o geisio cau ysgolion ym Mhowys a sir Gaerfyrddin. Hoffwn ymhelaethu ar y pwnc hwnnw. Mae'n fater anodd gan fod y pwerau a'r broses wedi'u datganoli. Fel y dywedodd y

**Nerys Evans:** Thank you for the opportunity to speak. I am pleased that the Conservatives tabled this motion to look at the process of reorganising and closing schools. As a result of the transformation agenda, which affects further and higher education, and as local authorities deal with surplus places in primary schools, this is a very important issue. I would like to mention some principles and some specific examples.

The motion sets out the steps that local authorities should follow in closing schools. Also, of course, as has already been mentioned, we must consider that closing a school in the first place should not be undertaken lightly, especially in our rural communities. There are some very specific considerations that should be taken into account in rural communities. We need to give serious consideration to our schools as community assets and as community resources. Local authorities should try to use the buildings for other services and to make them community hubs—a focus for the community—as a way of keeping rural communities viable. Therefore, closing schools in our rural communities should be the last resort.

During this afternoon's questions to the Minister for Children, Education and Lifelong Learning I mentioned the process of trying to close schools in Powys and Carmarthenshire. I would like to expand on that. This is a difficult issue, because the powers and processes have been devolved.

Gweinidog yn gynharach, bydd penderfyniadau terfynol i'w gwneud os daw anghytundeb i'w ddesg ef. Serch hynny, mae'n bwysig inni amlinellu'r pryderon am y broses ymgynghori sydd yn bodoli mewn dwy o'r siroedd yr wyf yn eu cynrychioli.

Ym Mhowys—fel y soniodd Nick eisoes—mae cryn bryder ymhlith staff, disgyblion a thrigolion y sir ynglŷn â'r broses o ad-drefnu neu gyflwyno cynlluniau ar gyfer ad-drefnu, sydd yn cynnwys cau nifer fawr o ysgolion. Daeth i'r amlwg bod pedwar opsiwn yn cael eu trafod, a'r argymhellion yn radical ac yn bellgyrhaeddol. Nid yw'r broses wedi cael mewnbwn oddi wrth aelodau etholedig y sir. Mae gan gynghorwyr rôl bwysig iawn yn y maes hwn, ac mae democratiaeth leol yn hollbwysig. Yr wyf yn falch o weld bod awdurdod lleol Powys bellach wedi aildechrau'r broses.

Yn ystod y cwestiynau, soniais hefyd am Gyngor Sir Caerfyrddin. Yr wyf i a Rhodri Glyn Thomas wedi codi ein pryderon sawl gwaith yn y Siambr ynglŷn â'r broses yno. Mae'r broses yn un hynod o sensitif, fel y mae pob llefarydd wedi'i nodi. Mae ad-drefnu ysgolion uwchradd, o ran yr agenda weddnewid yn sir Gaerfyrddin, yn golygu cyfuno ysgolion. Mae yna bryderon mawr ynglŷn â'r safleoedd, y cyfrwng iaith, yr amserlen, a'r goblygiadau teithio i bobl ifanc. Mae'r achosion hyn oll yn rhai sensitif, felly mae'n hollbwysig bod yr ymgynghoriad yn un pwrpasol ac eang sy'n cynnwys cymaint o bobl ag y bo'n bosibl.

Cafwyd sawl diffyg mawr yn y broses ymgynghori yn sir Gaerfyrddin. Er enghraifft, un o'r cynigion yw uno Ysgol Pantycelyn, sydd yn Llanymddyfri, ag Ysgol Tre-Gib, sydd yn Llandeilo, a chynnig ysgol newydd rhwng y ddwy dref. Yr oedd trigolion Llanymddyfri yn anfodlon iawn gyda'r cynnig i ddechrau, ond fe'u darbwyllwyd am nifer o resymau gwahanol. Un o'r rhesymau pennaf yw y bydd yr ysgol newydd yn cael ei hadeiladu mewn lleoliad rhwng y ddwy dref. Wrth i'r cyngor ddatblygu a chymeradwyo'r cynlluniau, mae wedi cymeradwyo ysgol newydd i'r de o

As the Minister said earlier on, final decisions will have to be made if any disagreements reach his desk. However, it is important that we outline the concerns that have been raised about the consultation process in two of the counties that I represent.

In Powys—as Nick has already mentioned—staff, pupils and county residents have expressed considerable concern at the process of reorganising or proposing plans for reorganisation, which includes closing a large number of schools. It became clear that four options were being discussed, and that the proposals were radical and far-reaching. There has been no input to the process from the county's elected members. Councillors have a very important role to play in this field, and local democracy is vital. I am pleased to see that Powys local authority has restarted the process.

During questions, I referred to Carmarthenshire County Council. Rhodri Glyn Thomas and I on a number of occasions have raised our concerns in the Chamber about the process in that area. The process is extremely sensitive, as every speaker has mentioned. The reorganisation of secondary schools, in the context of the transformation agenda in Carmarthenshire, does mean merging schools. There are grave concerns about the sites, the medium of teaching, the timetable and the travel implications for young people. All of these cases are sensitive, therefore it is crucially important that the consultation is purposeful and wide-ranging and that it includes as many people as possible.

There were a number of huge deficiencies in the consultation process in Carmarthenshire. For example, one of the proposals is to merge Ysgol Pantycelyn in Llandovery with Ysgol Tre-Gib in Llandeilo, and to open a new school between the two towns. The people of Llandovery were very dissatisfied with the proposal at the outset, but they were convinced for a number of different reasons. One of the main reasons was that the new schools would be located between the two towns. As the council developed and approved the plans, it approved a new school to be located to the south of Llandeilo. This



Landeilo. Nid oedd hynny'n opsiwn wrth i'r cyngor gynnal ei ymgynghoriad. Rhagdybiwyd mai safle rhwng y ddwy dref a ddefnyddid ac felly mae teimlad cryf nad yw'r ymgynghoriad wedi bod yn deg a bod elfen o dwyll yn bodoli—dyna'r gair mae pobl leol yn ei ddefnyddio ynglŷn â'r ymgynghoriad.

Fel y dywedais, mae'r rhain yn faterion sensitif iawn. Mae'n fater sensitif o ran natur ieithyddol yr addysg yn y drefn newydd. Mae'n bwysig eto bod yr ymgynghoriad yn un ystyrlon, eang a chywir.

Ar ôl y broses o ymgynghori a gynhaliwyd gan Gyngor Sir Caerfyrddin, a oedd yn gamarweiniol—nid yn unig o ran cynlluniau daearyddol ond hefyd o ran diffyg gwybodaeth gywir ac esboniad digonol ar y categorïau gwahanol o safbwynt darpariaeth ieithyddol addysg—mae'r bwrdd gweithredol yn sir Gaerfyrddin wedi cymeradwyo cynllun i fynd o bump ysgol uwchradd i dair ysgol. Mae'n gynllun eithaf radical, gyda goblygiadau pellgyrhaeddol. Mae'r bwrdd gweithredol wedi penderfynu ar leoliadau daearyddol a chyfrwng ieithyddol yr ysgolion newydd, ond ni all y cyngor llawn gynnal trafodaeth ar y cynlluniau hyn, na chynnig gwelliannau ychwaith. Yr unig drafodaeth y bu i'r bwrdd gweithredol ei chaniatáu ddydd Gwener diwethaf oedd nodi cofnodion y bwrdd gweithredol. Nid oedd modd trafod y materion hyn yn eang hyd yn oed. Dengys hyn ddiffyg enfawr mewn democratiaeth leol. Mae cau ysgolion yn fater sensitif, ac mae'n bwysicach fyth bod y broses a osodwyd yn cael ei dilyn. Felly, gobeithiaf y bydd y Gweinidog yn edrych ar yr elfennau a osodwyd allan.

**Mark Isherwood:** Although the issue of surplus school places is important as local authorities face increased pressure on their budgets, the Welsh language pressure group Cymdeithas yr Iaith Gymraeg was right to call for the argument about school closures to be widened beyond statutory education to the value of schools in communities. Section 79 of the Government of Wales Act 2006 states that:

'Welsh Ministers must make a scheme...setting out how they propose...to promote sustainable development.'

Sustainable development means development that meets the needs of the present without compromising the ability of future generations to meet their own needs. In reality, however, the sometimes unsustainable nature of Labour/Plaid Cymru Welsh Government policy was summarised in a recent Wales Rural Observatory report case study:

was not an option as the council went out to consultation. There was a presumption that the site would be between the two towns, therefore there is a strong feeling that the consultation has not been fair and that there has been an element of misleading—that is the word used by local people in relation to the consultation.

As I said, these are very sensitive issues. It is a sensitive issue in terms of the linguistic nature of the education under the new regime. Again, it is important to have a meaningful, broad and proper consultation.

Following the consultation process undertaken by Carmarthenshire County Council, which was misleading—not only in relation to the geographical plans but also in terms of a lack of accurate information and an adequate explanation of the different categories of the medium in which education is provided—Carmarthenshire council's executive board has approved a plan to reduce the number of secondary schools from five to three. It is quite a radical plan, with far-reaching implications. The executive board has decided on the geographic location and the medium of the new schools, but the full council cannot have a discussion on those plans, nor can it propose amendments to them. The only discussion allowed by the executive board last Friday was to note the minutes of the executive board. These matters could not even be discussed in general. This demonstrates a huge deficiency in local democracy. School closures is a sensitive issue, and it is even more important that the process that is set out is followed. Therefore, I hope that the Minister will look at the elements set out.

‘Our school closed in December.... There was a campaign to keep it open, but it closed.... The closure of the school has had effect on the village hall where school functions were held.... There are no buses anymore. It can be difficult for elderly people to get about.’

Gwynedd Council was forced back to the drawing board after protests against school closures became a council election issue. A fortnight ago, Gwynedd was forced to extend a consultation after complaints that villagers were not properly consulted on proposals to shut five primary schools in the Tywyn area. Powys campaigners stated that Welsh Government guidance lacked breadth and clarity, resulting in councils and the Welsh Government blaming each other for community school closures. Once again, the Welsh Government practises the politics of the coward and bully, planning school closures but refusing to admit and debate it publicly, openly and honestly.

As headteachers and school governors in Flintshire told me, the Welsh Government’s modernising education agenda is driven more by resource implications than improvements in educational delivery, thereby putting at risk whole-school communities, school infrastructures and community resources. Only last week, I visited a small rural school, following its excellent Estyn report. It has fewer than 60 pupils. The staff are confident about the future and deserve to be so. They should not have to fear the future. They also highlighted the need for council planners and planning committees to consider the sustainability of local schools when determining residential planning applications.

The Association of Communities in Wales with Small Schools told me that it wanted a voice, that the current situation was ‘not equitable’ and that

‘the main issues and concerns are focused around the lack of citizen engagement.’

As the Campaign for the Protection of Rural Wales has stated, the report by the Institute of Welsh Affairs on small school closures appears to ignore all the existing evidence that favours small schools for their educational merits, including the support given by Plaid Cymru’s separatist friends in the Scottish National Party and the presumption against closure applying to small schools in England.

When I referred in the Chamber to the letter issued by the UK Government to local authorities in England stating that, by law, small rural schools should not be closing, Carwyn Jones responded by stating that this related to schools with 75 children. However, the UK Department for Children, Schools and Families advises that it does not have a definition of a small school and that this is a matter for local education authorities. The report by the Institute of Welsh Affairs fails to acknowledge Ofsted conclusions in England regarding the quality of teaching in small schools, as well as the Countryside Commission’s report to the UK Parliament in 2005, which highlights the reality that

‘schools with under 100 pupils...get the best results’.

This Labour/Plaid Cymru Welsh Government must not ignore concern about the general erosion of community life and of rural services that provide the social glue that binds communities together. In response to the deep rural localities report, the Campaign for the Protection of Rural Wales said:

‘the Welsh Government needs to recognise the depth of the problem’.

The campaign added that it expected support for the

‘provision of services in deep rural areas—such as education.’

Throughout Wales, rural and otherwise, local government and the Welsh Government must look at this issue in the round and see how school buildings and assets could be used for the benefit of communities as well as for schools, replacing the problem of excess capacity with sustainable and cost efficient use of resources. As the Minister indicated, to achieve this, no school closure should be considered without a community impact assessment having first addressed its impact on community cohesion.

6.50 p.m.

**Alun Davies:** Had I been proposing an amendment to the motion, I would have said that we should delete all after point 1(a). I do not believe that we can justify any school remaining open or any school reorganisation on the basis of anything other than educational grounds. You simply cannot say to a community or to parents, ‘I’m sorry, we do not think that the school provides a particularly good education, but we are going to keep it open because the local choir likes to practise in the hall’. You must be very clear-sighted on this. If I were to make an appeal to the Government this afternoon—I assume that the Minister will be replying to the debate—I would say, ‘Please ensure that the debate on the future of schools in Wales is of a higher standard and is better informed’. One reason why this debate is so difficult is that, too often, parents and communities feel that they are being railroaded into a closure that they do not understand and that has not been explained to them, where they have not been involved in the discussion or where the discussion has been poorly informed and, frankly, sometimes misled.

All too often, people fear what will happen in the future. Paul Davies introduced the debate. He will know Crymych better than I do, but he will know that there is not a parent in that community who would like to go back to the old system before Ysgol y Frenni was established. The education provided by Ysgol y Frenni is of a far better quality than that provided by a number of schools previously. It is disingenuous to say that we should support an educational experience for children that is not comparable with that provided anywhere else in Wales or in the United Kingdom.

The Rural Development Sub-committee conducted an investigation into this matter two years ago, and Rhodri Glyn Thomas, Mike German and Lorraine Barrett, who all took part in that inquiry, are all here today. The worst part of that inquiry was when we sought evidence on the impact on a community of a school’s closure. We heard many of the speeches that have been made here this afternoon, but we did not have any facts or information; we had a very insubstantial debate. If this Government is to achieve anything, I hope that in future we will be able to have a better debate that seeks to involve people on the basis of the facts as we know them.

**Rhodri Glyn Thomas:** In order to get a complete picture of the situation, do you agree that we need to gain the views of people after schools have been joined to form an area school to find out their views after their children have been educated in the area school? It is natural for people to try to defend a small rural school in their community, but, quite often, when they have had an opportunity to see their children educated in an area school, they are very happy about the benefits of that education.

**Alun Davies.** Absolutely. That is why I referred to Ysgol y Frenni earlier. It is a very good example of where that has happened, and there are, of course, many other examples. I disagree with the points made by Kirsty Williams, because, too often, the debate on school closures is misinformed and ill informed. Minister, one thing that we and the Government need to do is to emphasise the amount of money that is being invested in schools in Wales. The statistics produced by the Office for National Statistics two months ago demonstrated that the Welsh Assembly Government spends £830 per capita on schools, compared with a spend

of £814 per capita in England, outside London. That demonstrates very real investment in education and in providing a world-class educational experience for children and young people. Too often, I hear people saying that this is the result of cuts and that closures are happening because Cardiff has told them that this must happen.

**Darren Millar:** You are spouting these figures, which are meaningless, because the actual spending per head, per pupil—this is a fact that you cannot dispute—is £527 less in Wales than in England. It is not about the level of investment. That is why we are lagging behind in educational attainment, and that is why we have bigger problems in investment in our crumbling schools. You have to accept that fact and have to stop bandying about nonsense about the amount per head.

**Alun Davies:** Therefore, when I quote statistics, I am babbling and spouting, but when you quote statistics, you are informing the debate. That is typical of you, Darren, and that is exactly the sort of misleading debate to which I was referring earlier. The reality is that the Minister has addressed that issue in his announcement in January. By the way, the real figure is £316, so you need to be careful about the statistics that you are bandying about.

Minister, please ensure that local education authorities have a clear duty to proactively seek the involvement of the community and the views of parents, and to ensure that all members of the community are consulted, informed, and feel a part of that decision and not as though they are being railroaded by poor politicians, and, frankly, by poor local representatives, as happens all too often. They then have an ill-informed debate and feel that reorganisation has been foisted upon them, and feel bitter and sad as a result. That, Darren, is the reality of what happens too often in Wales today. As a representative in the Assembly, you should be leading the debate, not debasing it.

**Jonathan Morgan:** I do not doubt the difficulty for local authorities in trying to reorganise school places. Many local authorities struggle with this enormous task. Many of them—that is my experience in Cardiff—lack capacity in terms of the sheer number of officials that are required to undertake a task of this magnitude. Cardiff Council has been trying for years to reorganise school places across the city, and many proposals have been extremely controversial. In my constituency, we lost Cefn Onn Primary School, which served a difficult and challenging estate in the heart of Llanishen. That was despite the fact that it was the only local facility. The result is that children will now be scattered to other, neighbouring schools, and many will have to cross busy roads and attend schools that their friends are not attending as they have had to go elsewhere. That was a difficult decision and a difficult campaign.

In Whitchurch, the council wants to reduce the size of a successful and popular high school, and it wants to close two English-medium primary schools and replace them with one new school. It also wishes to expand the capacity of the Welsh-medium primary school sector. That is to be commended, because, for more than a decade in Cardiff, the local authority has failed to increase the supply of school places in the Welsh-medium sector to meet the demand from parents. The council's handling of the proposals for Whitchurch has been disastrous. Only a council run by Liberal Democrat and Plaid Cymru councillors could launch an incredible attack on some of the most successful schools in the capital city.

In October last year it consulted on three options. In that consultation it relied on projections that had been supplied to the Assembly Government on the number of pupils. I am sure that many of you would argue that that would seem fair. However, those figures were submitted to the Assembly Government in 2008, and the council failed to point out that the most recent figures to be submitted to the Welsh Assembly Government, in 2009, were, surprisingly, somewhat healthier than the previous set of figures. I am not surprised that it relied on data that were more suited to backing up its argument.

Despite the fact that the council's own figures show strong demand for two English-medium primary schools in Whitchurch, it still wants to cut provision from schools that are regarded by Estyn as not just succeeding, but providing a high standard of education, and that are popular with pupils and parents alike. Its plans for the high school, namely to reduce it from being 12-form entry to 10-form entry, have been designed without any analysis of what that will mean for the provision of education at the school, and the decision has not been taken in accordance with the Assembly Government's own guidance, which states that changes need to show how improvements will be gained as a result. In proposing the closure of primary schools and reducing the size of the high school, the council has failed to take into account how successful these schools are and their importance to the local community.

7.00 p.m.

In respect of the second point of our motion, I believe strongly that we need to ensure that there is a proper and more robust consultation process. As the first three options have been a disaster, Cardiff Council has now come up with a fourth option. As I said to the Minister earlier, that fourth option is only to give a month for consultation. That is not done to the point of statutory notice in the sense of the Assembly guidance, which states two months. So, given that it is not a statutory notice, I am sure that the Government can get away with merely offering one month. However, that is only one month to consult an entire community, including schools, governors, parents and elected representatives. It is a fourth option with no accompanying information to back up why this scheme was being redesigned in the way that it was. That is a disastrous way to reorganise schools in that area of Cardiff. It is vital that the guidance from the Assembly Government is robust enough to ensure that proper consultation takes place—not just at the point of statutory notice, but when it is publicly considering options.

The Minister asked earlier for our ideas. That is my first idea for revising the guidance. My second idea is to ensure that local authorities start to tackle the reasons for a school being less popular than another school. You cannot make unpopular schools popular just by reducing the size of popular schools and forcing parents to send their children to those less popular schools. That is where Cardiff County Council is going dreadfully wrong and that is what we need to do to ensure that all schools' standards are raised.

**Trish Law:** I support the Liberal Democrat amendments 2 and 3 for I have a school in my constituency whose pupils, parents and staff are at their wits' end over the length of time it has taken to reach a ministerial decision on the school's future. The formal statutory notice to close Nantyglo Comprehensive School was issued on 9 July 2009—that is 35 weeks ago. We are 14 months down the line from when the closure plan went out to consultation. I wrote to you, Minister, shortly after your appointment with an appeal for an early decision in order to end the uncertainty once and for all, as pupils, parents and staff were undergoing a most unsettling and anxious time. I received a response from you where you stated, and I quote,

'I currently expect to be able to issue a decision within the next six weeks.'

That was more than 8 weeks ago, and I have since sent you two urgent e-mails on this issue and I am still waiting for a response. You will also have received a letter from a member of staff at Nantyglo school who wrote, and again I quote,

'The uncertainty that this indecision is causing is becoming unbearable for staff and their families, pupils, parents and the wider community.'

The author of that letter also made the point that staff and pupils had worked hard to maintain a stable teaching and learning environment during the last academic year and consequently achieved some of the best ever results at GCSE and A-level in the summer of 2009. I am told

that Blaenau Gwent County Borough Council and the school need to know by Easter the school's fate in order for the necessary redeployment of staff to be fulfilled in time for the start of the autumn term, and Easter is perilously close—just three weeks away in fact. I would implore you, for the good of all concerned, to end this uncertainty and to speed up the decision process, which, as you admitted in answer to earlier questions, is not acceptable.

**William Graham:** The Welsh Conservatives continue to favour retaining viable local schools rather than Labour-imposed titan schools. It must be the Assembly Government's aim to strengthen the bond between our schools and their local communities rather than to weaken them. There is an urgent need to rebuild the once natural bond that existed between people across Wales, of duty and responsibility, which is currently being replaced with the synthetic bonds of state regulation and bureaucracy.

The arguments for building on the foundation provided by our schools in south-east Wales are compelling. We should look to improve their standards rather than rip up the existing framework and introduce large, unaccountable schools. Clearly, there are pressing issues demanding the Minister's attention in south-east Wales, such as the region having the highest levels of absenteeism in Wales, the need to attract more high-calibre young graduates into teaching science and maths in the region and the fact that if you are schooled in Blaenau Gwent, you will have just a 45 per cent likelihood of gaining five or more good grades. That is significantly below the Wales and UK average, but there is a strong case for improving our existing schools framework rather than shifting to providing education in large central institutions that necessitate the closure of local smaller schools. Where closure is put forward, a proper and robust consultation process with those affected must be conducted.

Currently, Merthyr Tydfil County Borough Council wants to close sixth forms at Cyfarthfa High School, Pen-y-Dre High School, Afon Taf High School and Bishop Hedley Roman Catholic High School in favour of a new £33 million tertiary college.

Local Members will know that there has been considerable opposition to the plan, particularly from Roman Catholic Church leaders campaigning to retain post-16 education at Bishop Hedley Roman Catholic High School in Merthyr Tydfil. Indeed, the Archbishop of Cardiff warned that the longstanding partnership between the Welsh Government and the Catholic Church could be seriously damaged if plans to close the sixth form are approved.

If these plans are approved, there would be no alternative Catholic provision across the Heads of the Valleys. Since the Education Act 1944, the Catholic Church has worked successfully in partnership with national and local government to ensure the provision of Catholic education throughout England and Wales. This raises wider issues of serious concern to the teachers, pupils and parents at Wales's faith schools. We must ensure that, where viable, parents have a right to have their children educated in accordance with the teaching of their chosen faith, rather than have the school closed to make way for any unified tertiary college.

With the Minister for Children, Education and Lifelong Learning having stated his express support for faith schools in response to my oral question in plenary on 3 February, it is clear that the Assembly Government acknowledges that the unique role that faith schools play in Welsh Communities could not be replaced by a central college. Similarly, the Minister will understand the concerns surrounding any merger between the College Ystrad Mynach and Coleg Gwent. Although currently described as a strategic alliance, any future merger or closures must be allowed to occur only after extensive and meaningful consultations.

The excellent facilities at Newport High School, which opened last November at a cost of £28 million, demonstrate what can be achieved where there is strong local support for a closure and opening of a replacement facility. The school demonstrates how modern facilities and a customised learning environment can provide a major boost to pupils' performance in

examinations. The same design team who worked on the Newport High School project are now engaged in the replacement Hartridge High School scheme. With construction planned to start in July 2010, this is clearly an encouraging time for pupils and educators in Newport and demonstrates what is possible from traditional secondary schools that have strong support from their local community. The pioneering vocational training facility established by Blaenau Gwent County Council at the Tafarnaubach industrial estate in Tredegar provides a good example of a centre that can be set up to supplement existing learning arrangements with no need for closures.

There is unquestionably a need to replace the many school buildings that the previous First Minister described in May 2006 as being ‘trash built in the 1960s’. Improving our schools system is the most important thing that we can do to make opportunity more equal and to address our declining social mobility. Wales is slipping down the world league tables in mathematics and English, and violence in the classroom is a serious problem. Truancy is, regrettably, at record levels, having risen by more than a third despite the Assembly Government spending millions to combat it. Standards are falling and there is a growing gap between those of least and most ability. We cannot go on like this.

The reason that we have fallen behind is that schools are controlled by politicians and bureaucrats with the wrong ideas. They have undermined the power of teachers to keep order and devalued the curriculum and exam system. The Welsh Conservatives aspire to provide safe classrooms, talented and specialist teachers, access to the best curriculum and exams, and smaller schools run by teachers who know their children’s names. To make real progress, we need to implement the kind of reforms that have worked so well in countries like Canada, Sweden and elsewhere, based on increased choice and accountability, rigorous standards and greater prestige for the teaching profession. By making these changes, we will improve standards for all pupils and close the attainment gap.

**Leighton Andrews:** I like this new system where Ministers get two speeches during an opposition debate. The tone of this debate has been constructive and participative, and people have been engaged in quite a difficult and sensitive issue, as Paul Davies said right at the outset.

Inevitably, I will not comment on individual school organisation proposals that Members have spoken about today. In my opening remarks, I referred to the specifics of the motion and how existing guidance—the existing circular—deals with the points in the motion. However, others have raised matters such as the Welsh language. Pages 13, 18, 21, 23, 25, 27, 28 and 34 of the circular all refer to issues connected to the Welsh language and Welsh-medium provision—and that was just a quick glance. Rurality was also raised, and paragraph 1.20 on page 11 deals with rurality, and transport issues are dealt with in 1.21 and 1.22 on page 12.

The community use of school premises, which has been widely raised, is dealt with on page 17 of the circular. In the last year, the Assembly Government has put in place the new community asset transfer programme which I was pleased to launch last autumn with the Big Lottery Fund, and which enables communities to take over assets which may no longer be needed in the public sector. That aspect is now being dealt with by my colleague, the Minister for Social Justice and Local Government.

7.10 p.m.

William Graham referred to two schools in Newport, which I had the privilege to visit last week, one of which was Newport High School with its terrific new building—the facilities are tremendous, and the staff also have some interesting and valuable insights into the curriculum. I also visited Hartridge High School and had a presentation from the new headteacher, whom I know from his previous role at Ferndale Community School in my

constituency. He presented his plans for raising attainment levels in that school. The debate that we ought to be having more often in the Assembly Chamber is about the importance of school leadership, because that is what changes standards and raises attainment levels. That is a debate that we need to have.

After the current batch of proposals awaiting determination, we will look, as a Government, at all the issues around school closures. It is true that I have been caught out on one or two occasions this year when I have expressed a hope that a determination will be made within a given timescale, only to find that we have not been able to do that. As I said before, it is because of the bunching of the number of proposals that we currently have. Some of the proposals have also attracted extraordinary numbers of objections which must be evaluated. It is also the case that some of the proposals are quite complex in that there are inter-relationships between a number of different schools in the proposals by local authorities. So, we are conscious of the issues that face us, we are moving on that, and we will be looking in more detail at what we can do to improve the process after we have determined the current batch of proposals that have come to Ministers for determination.

**Darren Millar:** This has been a good non-partisan debate for the best part, and there has been a great deal of consensus. We had the usual dirty bomb lobbed across the Chamber from Alun Davies, which was toxic in the extreme, but apart from that it has been pretty sensible. Paul Davies opened the debate excellently in talking about the community value of schools, and the fact that school buildings are a community asset and not just an educational establishment. However, we must not lose sight of the fact that schools are there to educate, which is their fundamental function.

Kirsty Williams talked about the situation in her constituency, as did many Assembly Members, including Jonathan Morgan. We are all aware of schools that we felt should not have faced closure, and where we felt that there were flaws in the consultation process. While we accept that the Government's revised guidance is an improvement on the previous guidance, you must keep these things under review, Minister. I was pleased that you said that you would review the situation after considering the current batch of school closures, and it is important that you do so.

Nick Bourne talked about the impact of a school closure on the wider community. The impact of a potential school closure on a community, even if it ends up staying open, can be devastating. It impacts on the educational attainment of the children, the morale of the teaching staff and the school's future role, because it immediately triggers a panic in the local community and people tend to take their children elsewhere. That is why it is important that we truncate this decision-making process when these matters come to you as Minister, so that you can make a decision quickly and so that the uncertainty is not prolonged unnecessarily.

Nerys Evans referred to the adequacy or inadequacy of the consultation process within her region. She quite rightly placed an emphasis on the Welsh language because the situation is different in different areas, and the language has to be taken into consideration. Kirsty mentioned a situation where a school had closed and the nearest school was over the border in England, where there was no opportunity for pupils to be taught through the medium of Welsh. So, it is important that there is a proper assessment of the impact on the local community in terms of the language.

Mark Isherwood raised the issue of wider sustainability in a community, and the fact that if a school closes you are often immediately taking away custom from the local shop and the local post office, and other community services, such as bus transport, immediately lose custom. Minister, there was not enough emphasis on such issues in the circular that you issued in January. We would like to see a bit more of that when you seek to review it—*[Interruption.]* Yes, we have looked at it, Minister. It might astonish you, but we have. He also mentioned



the support for the campaign for the protection of rural Wales on those issues.

Jon Morgan made a very important point about the quality of the consultation process and the need for total transparency in that process, rather than the simple fait accompli that is very often presented when a school modernisation programme is kicked off. It is important, Minister, that where different options are set out by local authorities, they are backed up with robust arguments for and against, showing the pitfalls, shortcomings and potential benefits. Quite rightly, some Members have said that, very often, parents who resisted school modernisation support it with hindsight, because of the benefits that it has brought. It is important that those messages are communicated to those communities in such situations. Pembrokeshire is a good example of such a situation.

William, you raised the issue of faith schools and the need to recognise their importance when looking at school modernisation programmes. Of course, controlled schools generally fall outside any modernisation programme, but in the case of voluntary controlled schools—and many primary schools exist on a voluntary controlled basis—there is no consideration of the faith issue when a modernisation programme is brought forward. You must take into account the differences in the catchment areas for faith schools compared with general community schools.

This has been a quality debate. We look forward to the further review of the guidance you are issuing, Minister. We are here to support you in ensuring that there are robust ways to look at these issues, generally accepting that there is an issue with school rolls and financing. However, the fundamental issue that we must consider is the education of our children in this nation. We have got to close the attainment gaps. We have to ensure that the necessary investment is made in schools to ensure that people get the education they need in a quality school environment.

**The Temporary Deputy Presiding Officer:** The proposal is to agree the motion without amendment. Are there any objections? I see that there are. In that case, I will defer votes on this item until voting time. As it is past 5 p.m., I propose to move straight to the votes. Does any Member wish the bell to be rung? I see that no-one does.

*Gohiriwyd y pleidleisiau tan y cyfnod pleidleisio.  
Votes deferred until voting time.*

### **Cyfnod Pleidleisio Voting Time**

*Cynnig NDM4434: O blaid 15, Ymatal 0, Yn erbyn 29.  
Motion NDM4434: For 15, Abstain 0, Against 29.*

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

Asghar, Mohammad  
Bates, Mick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Isherwood, Mark  
Law, Trish  
Melding, David  
Millar, Darren

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

Andrews, Leighton  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John

Morgan, Jonathan  
Ramsay, Nick  
Williams, Kirsty

Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Ryder, Janet  
Sargeant, Carl  
Thomas, Rhodri Glyn  
Watson, Joyce

*Gwrthodwyd y cynnig.  
Motion not agreed.*

*Gwelliant 1 i NDM4434: O blaid 29, Ymatal 0, Yn erbyn 16.  
Amendment 1 to NDM4434: For 29, Abstain 0, Against 16.*

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

Andrews, Leighton  
Barrett, Lorraine  
Chapman, Christine  
Cuthbert, Jeff  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Ryder, Janet  
Sargeant, Carl  
Thomas, Rhodri Glyn  
Watson, Joyce

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

Asghar, Mohammad  
Bates, Mick  
Bourne, Nick  
Burnham, Eleanor  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
German, Michael  
Graham, William  
Isherwood, Mark  
Law, Trish  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Ramsay, Nick  
Williams, Kirsty

*Derbyniwyd y gwelliant.  
Amendment agreed.*

*Gwelliant 2 i NDM4434: O blaid 16, Ymatal 0, Yn erbyn 29.  
Amendment 2 to NDM4434: For 16, Abstain 0, Against 29.*

Pleidleisiodd yr Aelodau canlynol o blaid:

Pleidleisiodd yr Aelodau canlynol yn erbyn:

The following Members voted for:

Asghar, Mohammad  
 Bates, Mick  
 Bourne, Nick  
 Burnham, Eleanor  
 Cairns, Alun  
 Davies, Andrew R.T.  
 Davies, Paul  
 German, Michael  
 Graham, William  
 Isherwood, Mark  
 Law, Trish  
 Melding, David  
 Millar, Darren  
 Morgan, Jonathan  
 Ramsay, Nick  
 Williams, Kirsty

The following Members voted against:

Andrews, Leighton  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davies, Alun  
 Davies, Andrew  
 Davies, Jocelyn  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Rhodri Glyn  
 Watson, Joyce

*Gwrthodwyd y gwelliant.  
 Amendment not agreed.*

Motion NDM4434 as amended: that

*the National Assembly for Wales:*

*1. notes that the resources made available to local authorities by the Welsh Assembly Government has enabled Wales to have lower council tax levels than the rest of the UK;*

*2. notes that over 60 per cent of businesses in Wales will have a reduction in their rates bills as a result of the revaluation and in addition the majority of businesses in Wales will receive rates relief.*

Cynnig NDM4434 fel y'i diwygiwyd: bod

*Cynulliad Cenedlaethol Cymru:*

*1. yn nodi bod yr adnoddau a ddarparwyd ar gyfer awdurdodau lleol gan Lywodraeth Cynulliad Cymru wedi golygu bod lefelau'r dreth gyngor yng Nghymru yn is nag yng ngweddill y DU;*

*2. yn nodi y bydd dros 60 y cant o fusnesau yng Nghymru yn gweld gostyngiad yn eu biliau ardrethi o ganlyniad i'r ailbrisio ac y bydd y mwyafrif o fusnesau yng Nghymru hefyd yn derbyn rhyddhad ardrethi.*

*Cynnig NDM4434 fel y'i diwygiwyd: O blaid 30, Ymatal 4, Yn erbyn 11.  
 Motion NDM4434 as amended: For 30, Abstain 4, Against 11.*

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

Andrews, Leighton  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davies, Alun

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

Asghar, Mohammad  
 Bourne, Nick  
 Cairns, Alun  
 Davies, Andrew R.T.  
 Davies, Paul

Davies, Andrew  
 Davies, Jocelyn  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Law, Trish  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Rhodri Glyn  
 Watson, Joyce

Graham, William  
 Isherwood, Mark  
 Melding, David  
 Millar, Darren  
 Morgan, Jonathan  
 Ramsay, Nick

Ymataliodd yr Aelodau canlynol:  
 The following Members abstained:

Bates, Mick  
 Burnham, Eleanor  
 German, Michael  
 Williams, Kirsty

*Derbyniwyd cynnig NDM4434 fel y'i diwygiwyd.  
 Motion NDM4434 as amended agreed.*

*Cynnig NDM4435: O blaid 15, Ymatal 0, Yn erbyn 30.  
 Motion NDM4435: For 15, Abstain 0, Against 30.*

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

Asghar, Mohammad  
 Bates, Mick  
 Bourne, Nick  
 Burnham, Eleanor  
 Cairns, Alun  
 Davies, Andrew R.T.  
 Davies, Paul  
 German, Michael  
 Graham, William  
 Isherwood, Mark  
 Melding, David  
 Millar, Darren  
 Morgan, Jonathan  
 Ramsay, Nick  
 Williams, Kirsty

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

Andrews, Leighton  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davies, Alun  
 Davies, Andrew  
 Davies, Jocelyn  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn

Law, Trish  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Ryder, Janet  
Sargeant, Carl  
Thomas, Rhodri Glyn  
Watson, Joyce

*Gwrthodwyd y cynnig.  
Motion not agreed.*

7.20 p.m.

*Gwelliant 1 i NDM4435: O blaid 34, Ymatal 0, Yn erbyn 11.  
Amendment 1 to NDM4435: For 34, Abstain 0, Against 11.*

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

Andrews, Leighton  
Barrett, Lorraine  
Bates, Mick  
Burnham, Eleanor  
Chapman, Christine  
Cuthbert, Jeff  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
German, Michael  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Law, Trish  
Lewis, Huw  
Lloyd, David  
Lloyd, Val  
Ryder, Janet  
Sargeant, Carl  
Thomas, Rhodri Glyn  
Watson, Joyce  
Williams, Kirsty

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

Bourne, Nick  
Cairns, Alun  
Davies, Andrew R. T.  
Davies, Paul  
Graham, William  
Isherwood, Mark  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Ramsay, Nick

*Derbyniwyd y gwelliant.  
Amendment agreed.*

*Gwelliant 2 i NDM4435: O blaid 16, Ymatal 0, Yn erbyn 29.  
Amendment 2 to NDM4435: For 16, Abstain 0, Against 29.*

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

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

Asghar, Mohammad  
 Bates, Mick  
 Bourne, Nick  
 Burnham, Eleanor  
 Cairns, Alun  
 Davies, Andrew R.T.  
 Davies, Paul  
 German, Michael  
 Graham, William  
 Isherwood, Mark  
 Law, Trish  
 Melding, David  
 Millar, Darren  
 Morgan, Jonathan  
 Ramsay, Nick  
 Williams, Kirsty

Andrews, Leighton  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davies, Alun  
 Davies, Andrew  
 Davies, Jocelyn  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Rhodri Glyn  
 Watson, Joyce

*Gwrthodwyd y gwelliant.  
 Amendment not agreed.*

*Gwelliant 3 i NDM4435: O blaid 16, Ymatal 0, Yn erbyn 29.  
 Amendment 3 to NDM4435: For 16, Abstain 0, Against 29.*

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

Asghar, Mohammad  
 Bates, Mick  
 Bourne, Nick  
 Burnham, Eleanor  
 Cairns, Alun  
 Davies, Andrew R.T.  
 Davies, Paul  
 German, Michael  
 Graham, William  
 Isherwood, Mark  
 Law, Trish  
 Melding, David  
 Millar, Darren  
 Morgan, Jonathan  
 Ramsay, Nick  
 Williams, Kirsty

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

Andrews, Leighton  
 Barrett, Lorraine  
 Chapman, Christine  
 Cuthbert, Jeff  
 Davies, Alun  
 Davies, Andrew  
 Davies, Jocelyn  
 Evans, Nerys  
 Franks, Chris  
 Gibbons, Brian  
 Gregory, Janice  
 Griffiths, John  
 Griffiths, Lesley  
 Hart, Edwina  
 Hutt, Jane  
 Jones, Alun Ffred  
 Jones, Ann  
 Jones, Carwyn  
 Jones, Elin  
 Jones, Gareth  
 Jones, Helen Mary  
 Jones, Ieuan Wyn  
 Lewis, Huw  
 Lloyd, David  
 Lloyd, Val  
 Ryder, Janet  
 Sargeant, Carl

Thomas, Rhodri Glyn  
Watson, Joyce

*Gwrthodwyd y gwelliant.  
Amendment not agreed.*

Motion NDM4435 as amended: that

Cynnig NDM4435 fel y'i diwygiwyd: bod

*the National Assembly for Wales:*

*Cynulliad Cenedlaethol Cymru:*

*1. notes that the Welsh Assembly Government ensures that before a school is closed, full consideration has been given to:*

*1. yn nodi bod Llywodraeth Cynulliad Cymru yn sicrhau bod ystyriaeth lawn wedi'i rhoi i'r canlynol cyn cau ysgol:*

*(a) its standard of education;*

*(a) safon yr addysg;*

*(b) the importance of that school in the community;*

*(b) pwysigrwydd yr ysgol honno yn y gymuned;*

*(c) any new future residential planning applications which could secure its future viability; and*

*(c) unrhyw geisiadau cynllunio preswyl newydd yn y dyfodol a allai sicrhau ei hyfywedd i'r dyfodol; a*

*2. recognises that a proper and robust consultation process must be put in place at an early stage of a proposed school closure.*

*2. yn cydnabod y dylid rhoi proses ymgynghori briodol a chadarn ar waith yn gynnar pan fydd bwriad i gau ysgol.*

*Cynnig NDM4435 fel y'i diwygiwyd: O blaid 34, Ymatal 0, Yn erbyn 11.*

*Motion NDM4435 as amended: For 34, Abstain 0, Against 11.*

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

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

Andrews, Leighton  
Barrett, Lorraine  
Bates, Mick  
Burnham, Eleanor  
Chapman, Christine  
Cuthbert, Jeff  
Davies, Alun  
Davies, Andrew  
Davies, Jocelyn  
Evans, Nerys  
Franks, Chris  
German, Michael  
Gibbons, Brian  
Gregory, Janice  
Griffiths, John  
Griffiths, Lesley  
Hart, Edwina  
Hutt, Jane  
Jones, Alun Ffred  
Jones, Ann  
Jones, Carwyn  
Jones, Elin  
Jones, Gareth  
Jones, Helen Mary  
Jones, Ieuan Wyn  
Law, Trish  
Lewis, Huw  
Lloyd, David

Bourne, Nick  
Cairns, Alun  
Davies, Andrew R.T.  
Davies, Paul  
Graham, William  
Isherwood, Mark  
Melding, David  
Millar, Darren  
Morgan, Jonathan  
Ramsay, Nick

Lloyd, Val  
 Ryder, Janet  
 Sargeant, Carl  
 Thomas, Rhodri Glyn  
 Watson, Joyce  
 Williams, Kirsty

*Derbyniwyd cynnig NDM4435 fel y'i diwygiwyd.  
 Motion NDM4435 as amended agreed.*

**The Temporary Deputy Presiding Officer:** The short debate has been postponed, therefore I declare the Plenary meeting closed.

*Daeth y cyfarfod i ben am 7.21 p.m.  
 The meeting ended at 7.21 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 (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)  
 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)

## **Neges gan Ei Mawrhydi Y Frenhines, Pennaeth y Gymanwlad A Message from Her Majesty The Queen, Head of the Commonwealth**

**Her Majesty The Queen:** Today's societies are constantly seeking ways to improve their quality of life, and science and technology play a vital part in that search.

Experimentation, research and innovation mean that more opportunities for improving people's lives exist today than ever before. Take long distance communication, where the obstacles of time and geography have been dramatically reduced: people can now use mobile phones to be in instant contact virtually anywhere in the world, be it with a medical centre in the Himalayan mountains in Asia, a Pacific island school, a research facility at the South Pole, or even the international space station, beyond this planet altogether.

Advances in modern telecommunications are also having a marked economic effect on people from developing nations in the Commonwealth, helping to transform small to medium-sized businesses. The internet is playing an important part in helping to nurture these fledgling markets but, as yet, it still remains an unaffordable option for too many of our Commonwealth citizens.

Progress in the fields of healthcare, manufacturing, and education have, for the most part, helped improve people's lives throughout the world. In the health sector, the Commonwealth has shown how collaborative schemes can successfully assist member states to fight pandemics and diseases.

In making these advances the Commonwealth recognises that the best forms of innovation are those that unite, and help build resilient partnerships and better societies as a whole.

This is particularly important for the more than half of the Commonwealth citizens who are under 25 years of age. It is vital that their potential to build on the exceptional scientific expertise that exists in member states is also fully supported through education and social development. The Commonwealth understands this, and should continue to aid and encourage our young people to participate in the exciting new opportunities that lie ahead, in the knowledge that progress is something which must be sustained and shared by all.

**Elizabeth R**  
**8 March 2010**

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