



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

**Cyfarfod ar yr un Pryd o Is-bwyllgorau'r Pwyllgor
Menter a Busnes a'r Pwyllgor Iechyd a Gofal
Cymdeithasol ar Reoliadau Mangreoedd etc Di-fwg
(Cymru) (Diwygio) 2012**

**Concurrent Meeting of the Sub-committees of the
Enterprise and Business Committee and the Health
and Social Care Committee on the Smoke-free
Premises etc (Wales) (Amendment) Regulation 2012**

Dydd Mercher, 5 Rhagfyr 2012
Wednesday, 5 December 2012

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

These proceedings are reported in the language in which they were spoken in the committee.
In addition, a transcription of the simultaneous interpretation is included.

Aelodau'r Is-bwyllgor Menter a Busnes yn bresennol
Enterprise and Business Sub-committee members in attendance

Alun Ffred Jones	Plaid Cymru The Party of Wales
Nick Ramsay	Ceidwadwyr Cymreig (Cadeirydd yr Is-bwyllgor) Welsh Conservatives (Sub-committee Chair)
David Rees	Llafur Labour
Aled Roberts	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Eluned Parrott) Welsh Liberal Democrats (substitute for Eluned Parrott)
Kenneth Skates	Llafur Labour

Aelodau'r Is-bwyllgor Iechyd a Gwasanaethau Cymdeithasol yn bresennol
Health and Social Care Sub-committee members in attendance

Mark Drakeford	Llafur (Cadeirydd yr Is-bwyllgor) Labour (Sub-committee Chair)
Elin Jones	Plaid Cymru The Party of Wales
Darren Millar	Ceidwadwyr Cymreig Welsh Conservatives

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

Lara Date	Clerc Clerk
Sarah Bartlett	Dirprwy Glerc Deputy Clerk
Joanest Jackson	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser

Dechreuodd y cyfarfod am 8.49 a.m.
The meeting began at 8.49 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introductions, Apologies and Substitutions

[1] **Mark Drakeford:** Bore da a chroeso i chi i gyd i gyfarfod cyntaf y ddau is-bwyllgor sydd wedi'u sefydlu i gyfarfod ar y cyd i ystyried tystiolaeth ar Reoliadau Mangroedd etc. Di-fwg (Cymru) (Diwygio) 2012. Nid wyf am ddweud hyn bob tro, ond hoffwn ddweud yn swyddogol yn ein cyfarfod cyntaf bod gennym yr hawl i siarad yn Gymraeg neu yn Saesneg. Mae'r cyfieithu ar y pryd ar sianel 1. Nid ydym yn disgwyl larwm tân yn ystod y bore. Felly, os oes larwm, bydd yn rhaid i ni ddilyn y swyddogion allan o'r adeilad.

Mark Drakeford: Good morning and welcome to you all to the first meeting of the two sub-committees that have been established to consider the Smoke-free Premises etc. (Wales) (Amendment) Regulations 2012. I do not want to say this every time, but I would like to state officially in our first meeting that we have the right to speak Welsh or English. The interpretation is on channel 1. We are not expecting a fire drill this morning. So, if the alarm sounds, we will need to follow the ushers out of the building.

[2] Rydym wedi derbyn ymddiheuriadau gan Lynne Neagle. Bydd Lynne yn ceisio ymuno â ni tua 9 a.m.. Cafwyd ymddiheuriadau gan Eluned Parrott hefyd; Aled Roberts sydd gyda ni yn y cyfarfod heddiw. Croeso, Aled.

We have received apologies from Lynne Neagle. Lynne will try to join us at around 9 a.m.. We have also received apologies from Eluned Parrott; Aled Roberts is substituting for today's meeting. Welcome, Aled.

8.50 a.m.

Y Dull o Graffu Approach to Scrutiny

[3] **Mark Drakeford:** Mae tri pheth i'w hystyried o dan yr eitem hon. Y cyntaf yw'r cylch gorchwyl a nodwyd yn y llythyr ymgynghori ysgrifenedig. Mae hwnnw yn atodiad A y papur sydd gennym ar gyfer y cyfarfod y bore yma. A oes unrhyw sylwadau ar y cylch gorchwyl? Mae ar dudalen gyntaf y llythyr.

Mark Drakeford: There are three things to consider under this item. The first is the remit, which is noted in the written consultation letter. That is in Annex A to the paper that we have for this morning's meeting. Are there any comments on the remit? It is on the first page of the letter.

[4] It is to consider evidence from interested parties and to agree on the content of a joint report.

[5] A yw pawb yn hapus â'r cylch gorchwyl? Rwy'n gweld eich bod chi.

Is everyone content with the remit? I see that you are.

[6] Yr ail beth i'w wneud yw ystyried yr opsiynau a nodwyd yn y papur ar gyfer amserlen y gwaith. Mae tri opsiwn yn y papur.

The second thing is to consider the options noted in the paper for the timetable for our work. We have three options in the paper.

[7] We have to consider the timetable within which we can carry out the work, and there are three options on pages 2 and 3 of the paper. Would anybody like to offer any views on those options?

[8] **Nick Ramsay:** Yes. Looking at option 1, and the note underneath regarding the workload of the Health and Social Care Committee and of the Enterprise and Business Committee, I would rule that one out. I would favour options 2 or 3—with 2, I suppose, being the most logical.

[9] **Elin Jones:** Rwy'n credu hefyd mai opsiwn 2 sydd, siŵr o fod, orau. Fi, gyda llaw, yw'r Aelod sydd hefyd yn aelod o'r Pwyllgor Deisebau, sydd â'r un slotiau amser. Rwy'n fodlon aberthu fy nghyfarfodydd Pwyllgor Deisebau er mwyn dod i'r cyfarfodydd hyn.

Elin Jones: I also think that option 2 is probably the best. I, by the way, am the Member who is also a member of the Petitions Committee, which has the same time slots. I am willing to sacrifice my Petitions Committee meetings in order to come to these meetings.

[10] **Mark Drakeford:** Mae Vaughan wedi dweud wrthyf fod ganddo broblem o ran cyfarfod ar un o'r boreau Iau ym mis Ionawr, ond rwy'n siŵr bydd modd i ni ddod o hyd i rywun arall i ymuno â ni am y

Mark Drakeford: Vaughan has told me that he has a problem with meeting on one of the Thursday mornings in January, but I am sure that we can find someone else to join us for that meeting. Lynne has told me that she is

cyfarfod hwnnw. Mae Lynne wedi dweud wrthyf ei bod yn erbyn opsiwn 3, achos mae ganddi gymaint o bethau eraill i'w gwneud. Roedd yn awgrymu dechrau gydag opsiwn 2 a gweld os bydd rhaid inni fynd yn ôl at opsiwn 1 hefyd, a pharhau drwy ddefnyddio'r amser sydd ar gael yn yr amserlen. Bydd yn rhaid i ni ei wneud fel hynny. Dim ond pedair awr sydd gennym ym mis Ionawr ar y ddau fore Mawrth. Felly, dechreuwn gyda'r dydd Mawrth a gweld lle y byddwn ar ôl gwneud gwaith ar y boreau hynny.

against option 3, because she has so many other things to do. She suggested starting with option 2 and seeing whether we would also need to return to option 1, and continue by using the time available in the timetable. We will have to do it like that. We only have four hours in January on the two Tuesday mornings. So, we will start with the Tuesday mornings, and see where we are having done that work on those mornings.

[11] **Darren Millar:** We will need to meet at least one more time to agree a report.

[12] **Mark Drakeford:** Absolutely, but it is possible that we will want to hear from further witnesses. In which case, we will have to revert to finding time in our main schedule. So, I think that we are showing willing, especially by meeting in January. We are not trying to drag our feet here, we are trying to get on with it as soon as we are able to do so, but, on the other hand, we want to do a proper job of it, so if it is not possible to complete taking evidence from all witnesses in those two slots, we will have to revert to trying to meet during normal committee time. Is everybody happy with that? I see that you are. Diolch yn fawr.

[13] Y trydydd peth i'w ystyried yw'r rhestr o dystion. Mae rhestr hir gennym ar dudalennau 8 a 9, a rhestr fer ar dudalennau 3 a 4. A ydym yn hapus gyda'r rhestr hir, ynteu a oes unrhyw gorff arall rydym am ei gynnwys? Os ydym yn hapus gyda'r rhestr hir, a ydym hefyd yn hapus gyda'r cyrff sydd wedi eu dewis o'r rhestr i roi tystiolaeth ar lafar? Mae'r rhestr honno ar dudalennau 3 a 4.

The third thing to consider is the list of witnesses. We have a long list on pages 8 and 9, and a short list on pages 3 and 4. Are we happy with the long list, or is there any other organisation that we want to include on it? If we are happy with the long list, are we also happy with the organisations that have been chosen from the list to give oral evidence? That list is on pages 3 and 4.

[14] Now is our chance to consider whether we want to add any names to the long list and whether we have the right people coming in to give us evidence.

[15] **Alun Ffred Jones:** O ble mae'r pwysau wedi dod i edrych eto ar y ddeddfwriaeth hon? A yw'r rheini'n cael eu cynrychioli ar y rhestr hon?

Alun Ffred Jones: Where has the pressure come from to look again at this legislation? Are they represented on this list?

[16] **Mark Drakeford:** Mae'r pwysau wedi dod o'r ochr ieched, credaf. Mae nifer o asiantaethau ac unigolion yn y maes ieched wedi cwyno ac wedi ysgrifennu—

Mark Drakeford: The pressure has come from the health side, I think. Several agencies and individuals in the health field have complained and have written—

[17] **Alun Ffred Jones:** Oes. Ond, o'r ochr arall, y rhai sydd eisiau gweld newid yn y ddeddfwriaeth—

Alun Ffred Jones: Yes. But, from the other side, those who want to see a change in the legislation—

[18] **Mark Drakeford:** Maent ar y rhestr hefyd. Y BBC yw'r corff mwyaf, credaf, sydd wedi gofyn am newid pethau. Fodd bynnag, rwyf hefyd wedi derbyn e-byst gan

Mark Drakeford: They are also on the list. The BBC is the largest organisation, I think, that has asked for a change. However, I have also received e-mails from a number of small

sawl cwmni bach sydd eisiau rhoi tystiolaeth.

companies who want to give evidence.

[19] **Alun Ffred Jones:** Iawn, diolch.

Alun Ffred Jones: Okay, thank you.

[20] **Elin Jones:** Rwyf eisiau codi'r ffaith bod byrddau iechyd—adrannau iechyd cyhoeddus y byrddau iechyd—wedi ysgrifennu at y rhan fwyaf o Aelodau cyn yr amser roedd y rheoliadau i fod i gael eu cyflwyno. Felly, er bod Iechyd Cyhoeddus Cymru ar y rhestr—nid wyf yn cofio os yw Iechyd Cyhoeddus Cymru yn rhan o'r Llywodraeth neu'n annibynnol ohono—efallai y dylem gynnig cyfle i'r byrddau iechyd ddod i roi tystiolaeth os ydynt yn credu bod ganddynt rywbeth i'w ychwanegu.

Elin Jones: I want to raise the fact that health boards—the public health departments of health boards—wrote to most Members before the regulations were supposed to be introduced. So, even though Public Health Wales is on the list—I do not recall whether Public Health Wales is a part of Government or independent of it—perhaps we should offer health boards the opportunity to come to give evidence if they feel that they have something to add.

[21] **Mark Drakeford:** Iawn. Mater iddynt hwy fydd dod o hyd i rywun i ddod i mewn i siarad ar ran y byrddau iechyd i gyd.

Mark Drakeford: Okay. It will be for them to find someone to come in to speak on behalf of all the health boards.

[22] **Elin Jones:** Ie.

Elin Jones: Yes.

[23] **Mark Drakeford:** Grêt. Diolch. A oes unrhyw sylwadau eraill ar y rhestr o dystion? Gwelaf nad oes. Diolch yn fawr iawn.

Mark Drakeford: Great. Thank you. Do you have any other comments on the list of witnesses? I see that you do not. Thank you very much.

[24] We will now write to the world, after today's discussions, to tell everyone that this is the work that we are embarking on and the timetable to which we are working. We will write in particular to the organisations on the long list, inviting them to send us written evidence, but it is open to any organisation to submit written evidence. We will also contact the organisations on the short list and follow up Elin's suggestion about finding someone to represent local health boards, and then report to you when information begins to flow in.

[25] To be clear, for those who were not here right at the beginning of the meeting, technically, we are two sub-committees meeting simultaneously. The agreement is that Nick and I will co-chair the meetings. I have chaired today's meeting and Nick will chair the first session that we have in January. We will then make a decision about who chairs which session depending on availability and the nature of the evidence that we are hearing and so on. At the end of it all, our aim is to produce a single report from the people around the table here. That report will go back to the two parent committees, who are not obliged to agree to our report. In the end, those committees will have to independently sign-off a report. Hopefully, it will be the same report that we will have agreed and that report will end up on the floor of the Assembly. Technically, that is how it all works. Both parent committees have separate rights in relation to any document that we present. Diolch yn fawr. Thank you very much.

*Daeth y cyfarfod i ben am 8.59 a.m.
The meeting ended at 8.59 a.m.*