



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

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

**Dydd Iau, 9 Mai 2013  
Thursday, 9 May 2013**

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

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

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Peter Black	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Christine Chapman	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Janet Finch-Saunders	Ceidwadwyr Cymreig Welsh Conservatives
Mike Hedges	Llafur Labour
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
Gwyn R. Price	Llafur Labour
Jenny Rathbone	Llafur Labour
Kenneth Skates	Llafur Labour
Rhodri Glyn Thomas	Plaid Cymru The Party of Wales
Lindsay Whittle	Plaid Cymru The Party of Wales

**Eraill yn bresennol  
Others in attendance**

Frank Cuthbert	Llywodraeth Cymru Welsh Government
Louise Gibson	Llywodraeth Cymru Welsh Government
Lesley Griffiths	Aelod Cynulliad, Llafur (y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth) Assembly Member, Labour (The Minister for Local Government and Government Business)

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

Bethan Davies	Clerc Clerk
Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Leanne Hatcher	Dirprwy Glerc Deputy Clerk

*Dechreuodd y cyfarfod am 9.15 a.m.  
The meeting began at 9.15 a.m.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon  
Introduction, Apologies and Substitutions**

[1] **Christine Chapman:** Bore da, and welcome to the Assembly's Communities, Equality and Local Government Committee. I remind Members that, if they have any mobile phones or BlackBerrys, they should switch them off. We have not had any apologies this morning.

**Bil Llywodraeth Leol (Democratiaeth) (Cymru)—Cyfnod 2: Ystyried y  
Gwelliannau  
Local Government (Democracy) (Wales) Bill—Stage 2: Consideration of  
Amendments**

[2] **Christine Chapman:** I welcome Lesley Griffiths, the Minister for Local Government and Government Business, Frank Cuthbert, head of the scrutiny, democracy and participation team, and Louise Gibson, a lawyer.

[3] In relation to this item, I remind Members that you should have before you a copy of the Bill, the marshalled list of amendments and a groupings list for debate. The order in which we shall consider amendments will be sections 1 to 70 and Schedules 1 to 3. You will see from the groupings list that amendments have been grouped to facilitate debate, but that the order in which they are called and moved for a decision is dictated by the marshalled list. There will be one debate on each group of amendments. I remind Members for the record that only committee members can move amendments; I will move the amendments tabled in the name of the Minister. Are you all content with how the process works? Are you happy with that? I see that you are. We will now move to the consideration of amendments under this item.

**Grŵp 1: Hyrwyddo a Gwrthwynebu Biliau Preifat (Gwelliannau 46, 60, 61, 62, 63, 64, 65 a 72)**

**Group 1: Promoting and Opposing Private Bills (Amendments 46, 60, 61, 62, 63, 64, 65 and 72)**

[4] **Christine Chapman:** The lead amendment in this group is amendment 46. Minister, would you like amendment 46 in your name to be moved?

[5] **The Minister for Local Government and Government Business (Lesley Griffiths):** Yes.

[6] **Christine Chapman:** I move amendment 46 in the Minister's name. I call on the Minister to speak to this amendment and the other amendments in this group.

[7] **Lesley Griffiths:** The National Assembly's Standing Orders provide for private Bills to be considered. Although it is rare for a local authority to sponsor a private Bill, existing legislation only enables local authorities in Wales to promote or oppose private Bills in Westminster. Amendments 60 and 64 would enable principal councils to promote, and local authorities, including community councils, to oppose, a private Bill in the Assembly. If we are to allow principal counties to promote, and local authorities to oppose, private Bills in the Assembly, it is important that there is a democratic and open process before a local authority can do this.

[8] Amendments 63 and 64 replicate the processes to be followed in relation to sponsorship of a parliamentary private Bill. This process requires the public to be informed of the issue under consideration, as well as ensuring that there is good notice before the council can make a decision.

[9] Amendment 65 is consequential to the other amendments in the group and it replicates parliamentary legislation in preventing a councillor from being paid to act as an agent of the council in promoting or opposing a private Bill. This amendment is necessary to ensure that there is no pecuniary gain for any councillor involved in the private Bill process. I ask members of the committee to support these amendments.

- [10] **Christine Chapman:** Do any other Members wish to speak?
- [11] **Peter Black:** May I ask the Minister a question?
- [12] **Christine Chapman:** Yes.
- [13] **Peter Black:** In amendment 63, you refer to a newspaper circulating in a council's area. Does that exclude a newspaper that is produced by the council itself and distributed to every house?
- [14] **Christine Chapman:** Are there any other Members who wish to speak before I bring the Minister back in?
- [15] **Lindsay Whittle:** Peter Black's question is very relevant, because in some boroughs there is no single newspaper that circulates throughout the entire borough, as they are so large. Eventually, if there is local government reorganisation, they could be larger still, so where would you advertise these things?
- [16] **Rhodri Glyn Thomas:** Rwy'n credu bod angen bod yn ofalus. Pe bai hyn yn cynnwys papurau sy'n cael eu cynhyrchu gan awdurdodau lleol, a phe bai modd cyfyngu hyn i bapurau sy'n cael eu cynhyrchu gan awdurdodau lleol, mae goblygiadau mawr i bapurau lleol yn yr ardaloedd hynny, sy'n ddibynnol ar y math hwn o hysbysebu. Mae gan hynny oblygiadau yn y pen draw i ddemocratiaeth leol a chraffu lleol, oherwydd mae'n galluogi awdurdodau lleol i reoli'r newyddion yn gyfan gwbl yn eu hardaloedd.
- Rhodri Glyn Thomas:** I think that we have to be careful. If this were to include papers that are produced by local authorities, and if it was possible to restrict this to papers that are produced by local authorities, there are big implications for local papers in those areas, which are dependent on this kind of advertising. That has implications ultimately for local democracy and scrutiny, because it enables local authorities to control the news entirely in their areas.
- [17] **Peter Black:** May I clarify? I do not want to exclude local council newspapers. I think that there is a precedent in an Act of Parliament on what newspaper can be used for this sort of notice. I am just trying to get some clarification as to whether or not a local council can use either a paid-for newspaper or its own newspaper in advertising this.
- [18] **Christine Chapman:** I will bring Mike in and then I will bring back the Minister.
- [19] **Mike Hedges:** My understanding is that, because it does not say 'excluding free newspapers', it includes them. There are a number of Acts, Peter, that say that things must be put into a paid-for newspaper. The Auditor General for Wales's report, for example, has to go into a paid-for newspaper, as do certain other adverts. This does not say that, so, by definition, it could go into a free newspaper.
- [20] **Lesley Griffiths:** The term 'newspaper' is not defined, but it does not exclude. For instance, council newspapers are used for planning notices, so it does not exclude them.
- [21] **Rhodri Glyn Thomas:** Y pwynt yw: a yw awdurdod lleol, felly, yn gallu cyfyngu ar hysbysebu i bapurau sy'n cael eu cynhyrchu gan yr awdurdod lleol? Os yw hynny'n wir, mae goblygiadau mawr i hynny.
- Rhodri Glyn Thomas:** The point is: will a local authority, therefore, be able to restrict the advertising to papers that are produced by the local authority? If that is the case, it has big implications.
- [22] **Lesley Griffiths:** No.

- [23] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 46?
- [24] **Lesley Griffiths:** Yes.
- [25] **Christine Chapman:** The question is that amendment 46 be agreed to. Does any Member object?
- [26] **Janet Finch-Saunders:** I object.
- [27] **Rhodri Glyn Thomas:** Sorry, Chair, but I have a problem here. May I ask Gwyn for his advice? What does
- [28] 'at least one newspaper circulating in its area'
- [29] mean? Could that mean a free paper circulated by the local authority?
- [30] **Christine Chapman:** Gwyn is not allowed to come in. Do you want to explain the procedure, Bethan?
- [31] **Rhodri Glyn Thomas:** It is a legal issue, and he is a legal adviser.
- [32] **Christine Chapman:** I know. I will ask the clerk to explain this.
- [33] **Ms Davies:** As an official, Gwyn is not permitted to speak at Stage 2. If you want to get clarification, perhaps you could go back to the Minister.
- [34] **Rhodri Glyn Thomas:** I will ask the Minister then. Does that mean that it could be confined to a free newspaper circulated by the local authority? You say 'at least one newspaper'. What is 'one newspaper', legally?
- [35] **Lesley Griffiths:** As I say, we have not defined the word 'newspaper'. It could be any newspaper.
- [36] **Christine Chapman:** We need to proceed with the vote, because we have started the procedure.

*Gwelliant 46: O blaid 6, Ymatal 0, Yn erbyn 4.*

*Amendment 46: For 6, Abstain 0, Against 4.*

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

Black, Peter  
Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

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

Finch-Saunders, Janet,  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

*Derbyniwyd gwelliant 46.*

*Amendment 46 agreed.*

- [37] **Christine Chapman:** We will return to vote on the remaining amendments in this group in accordance with the marshalled list.

**Grŵp 2: Presenoldeb o Bell mewn Cyfarfodydd Prif Gyngorau (Gwelliannau 47, 66 a 73)**  
**Group 2: Remote Attendance at Meetings of Principal Councils (Amendments 47, 66 and 73)**

[38] **Christine Chapman:** The lead amendment in this group is amendment 47. Minister, would you like amendment 47 in your name to be moved?

[39] **Lesley Griffiths:** Yes.

[40] **Christine Chapman:** I move amendment 47 in the name of the Minister.

[41] I call on the Minister to speak to the amendment and any others in this group. I remind Members that it takes a little time with this procedure, but we need to have the debate and then we need to move to the vote. Please bear that in mind.

[42] **Lesley Griffiths:** Remote attendance by councillors at council meetings was a reform included in the Local Government (Wales) Measure 2011, and is due to come into effect later this year. It is designed to help councillors who, for domestic, employment or mobility reasons, might not be able to attend a council meeting at the normal time and place. The provisions enable local authorities to draw up rules in their standing orders as to how remote attendance might operate, and the 2011 Measure currently stipulates that at least 50% of eligible councillors must be in the main meeting place. I would like to allow local authorities flexibility in their remote attendance arrangements, and consider that the reduction to 30% provided for in amendment 66, will alleviate the concerns raised by certain local authorities. In their standing orders, councillors will still be free to set a higher quorum for those required to be in attendance at the main meeting place, if they so wish.

[43] Co-opted members of local authorities were excluded from the remote attendance provisions in the 2011 Measure because the facility was intended to help councillors with domestic or employment difficulties with attending at the normal meeting place. This was part of the driving force behind the 2011 Measure: to improve conditions for non-executive councillors and make the role more attractive to a broader section of the population. Co-optees do not fall into the same category. They apply for their positions, or they are invited, and do not spend the same amount of time on their duties as would be normal for a councillor.

[44] Powys County Council has raised a problem, however: if it offers split-site meetings that a co-optee is entitled to attend, making them travel to Llandrindod Wells when they might live closer to the Brecon or Welshpool areas, where the remote meetings could be held, would make the provisions appear questionable. Amendment 73 therefore removes their exclusion from the provisions for remote attendance and provides greater flexibility for council members to attend meetings remotely. I ask committee to support these amendments.

[45] **Christine Chapman:** Are there any Members who want to speak?

[46] **Peter Black:** I am happy with amendment 73 in terms of co-opted members. It makes sense that a co-opted member should be able to participate in meetings remotely. I am not sure whether this section has been commenced yet as part of the local government Measure, but I am uneasy about reducing the quorum from 50% to 30% when we have not yet had any experience of these meetings taking place. It seems to me that there is a danger that you will have a small number of councillors in the actual meeting area, with a lot of councillors taking part remotely. Participating remotely could cause confusion, particularly with how decisions are taken. I would prefer the 50% to remain, at least until this section has been commenced and we have some experience of these sorts of meetings taking place. Members have taken part in remote meetings of the Assembly before, but normally it is just one Member who is

remote, with the vast majority in the room—that is just about manageable. If you have a situation where you have 30% in the room and another 30% in different remote locations, that could be very confusing indeed. It seems to me that this is a premature amendment until some experience is under our belt as to how these meetings will operate.

[47] **Jenny Rathbone:** I agree that it needs considerable thought, but it does not prevent local authorities from setting a 50% quorum if they so wish. There are certain circumstances under which I can see that it would enable councillors to attend—for example, if there was a planning meeting where there was only one item relating to their ward that they wished to speak about. Why should they have to travel long distances for one item, when they could be producing the information and making their representation remotely in a perfectly satisfactory way? It would be a very controlled situation. However, it is up to local authorities, surely, to deliberate on the circumstances in which it might be appropriate to retain a 30% quorum, or raise it to 50% or higher, if they so wish. It seems to me that it is up to local authorities to determine that, particularly depending on the rurality of the local authority.

9.30 a.m.

[48] **Mike Hedges:** I think that this could almost be called the Powys amendment, in the sense that Powys would benefit most from this, because it has three different offices, and Powys is a very large county, and so it is difficult. I could quite see that 30% might be in Llandrindod Wells, but the other 70% would be attending at the other two council offices in order to avoid having to travel an hour and a half or two hours from Ystradgynlais, or an hour from Ystradgynlais, to vote on one planning item. If this goes through, what is needed to follow it is a technical advice note on how it is to be implemented, and I would hope that the Minister would give us that assurance.

[49] **Lindsay Whittle:** I would seek assurance that this system is not open to abuse. It is well known that there are many councillors who do not turn up at every meeting, for whatever reason. I am aware of some councillors who have property in Europe who spend two or three months living there; that is their good luck, but I think their job is representing the public in the council meetings. On the planning issue that Jenny referred to, if you are a member of the planning committee, you do not just represent your ward; you represent the council as a corporate body, and you should take responsibility on all planning decisions, not just those for your ward. I think that the 30% rule is dangerous, and is a charter for councillors of all parties to be lazy. I could tell you about councillors who have been right to the wire on the six-month rule for not turning up at meetings, and this will give them the excuse, in my opinion, to sit at home and perhaps just pop online once every six months, and say that therefore they have done their duty by taking part. However, they will still take the 12-month councillor allowance, and that I do not approve of.

[50] **Christine Chapman:** Jenny, did you want to come back on that?

[51] **Jenny Rathbone:** I agree that we need to move carefully on this, but I just want to clarify that I was not referring to people who are members of the planning committee; I was referring to people who want to make representations on behalf of their ward on an issue that is related to their ward. They are not a member of the planning committee, but they may wish to speak for or against the particular item.

[52] **Peter Black:** If they are not members of the committee, they will not be caught by this provision.

[53] **Jenny Rathbone:** They are councillors entitled to speak.

[54] **Christine Chapman:** I call on the Minister to reply.



[55] **Lesley Griffiths:** I really do believe that the possibility of successfully introducing remotely attended meetings could be a big step forward for local government. To answer a couple of specific points, Peter is right—the provisions of the 2011 Measure have not come in yet. That will be in the summer or autumn of this year. However, Jenny is completely right—it is up to the council; it can set a higher quorum than 30% if that is what it wishes. To reassure Mike Hedges, yes, guidance will be published in that area. Lindsay, guidance will allow standing orders to set rules for remote attendance.

[56] **Christine Chapman:** Minister, do you want to proceed to a vote on amendment 47?

[57] **Lesley Griffiths:** Yes.

[58] **Christine Chapman:** The question is that amendment 47 be agreed to. Does any Member object? I see there is no objection, and so amendment 47 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 47.  
Amendment 47 agreed.*

[59] **Christine Chapman:** We will return to vote on the remaining amendments in this group later in proceedings, in accordance with the marshalled list.

**Grŵp 3: Mynediad i Wybodaeth (Gwelliannau 48, 1, 2, 3, 4, 5, 17, 67 ac 8)  
Group 3: Access to Information (Amendments 48, 1, 2, 3, 4, 5, 17, 67 and 8)**

[60] **Christine Chapman:** The lead amendment is amendment 48. Minister, would you like this amendment in your name to be moved?

[61] **Lesley Griffiths:** Yes.

[62] **Christine Chapman:** I move amendment 48 in the name of the Minister and I call on the Minister to speak to amendment 48 and the other amendments in the group.

[63] **Lesley Griffiths:** I want to make clear from the start that I welcome recommendation 14 of this committee's report during Stage 1, which proposed that councils should be required to publish registers of members' interests online. I propose to speak to the amendments in my name in this group first and then to the other amendments.

[64] Members will be aware that the maintenance and publication of registers is governed by section 81 of the Local Government Act 2000. Amendment 67 in my name will insert a new section into the Bill, which, in turn, will amend section 81 of the 2000 Act. It provides that all authorities that are required to maintain a register of interests—that is, a principal council, a community council, a fire and rescue authority and a national park authority—must publish their registers online. This amendment also brings together the separate functions of maintaining and publishing a community council's register, thereby correcting an anomaly in the 2000 Act.

[65] Currently, the monitoring officer of the principal council for the area is formally responsible for maintaining the register of each community council, while the individual community councils must make their registers available for inspection. This does cause practical problems, particularly in areas with a large number of community councils. Amendment 67 regularises the practical arrangements that monitoring officers have already put in place to delegate maintenance of the registers to community council clerks.

[66] Government amendment 67 achieves the aim of Peter Black's amendment 2. Therefore, if Members are content with my amendment, I would urge Peter not to move his amendment today.

[67] Turning to the other amendments in the group, principal councils already operate websites that provide more information than the Bill would require of community councils. Therefore, the proposal in amendment 1 and in amendments 4 and 5, that the information requirements being placed on community councils should also be placed on principal councils, is unnecessary.

[68] Amendment 3 would seek to give the Welsh Ministers the power to prescribe, by way of regulations, additional information that community councils must then publish online. The requirements included in my amendments are deliberately modest—requiring all community councils to have a presence on the web is a big step for many of them, and I do not want them to feel that this is the first step towards a potentially much more onerous requirement that such regulations could bring about. The Bill clearly sets out the extent of the statutory obligation, which provides clarity from the beginning. I am sure that, once they have developed their websites, community councils will use them more and more, just as principal councils already do.

[69] Turning to amendment 17, I do not support the idea of providing facilities for anyone who wants to record a council meeting, as is proposed by Rhodri Glyn Thomas in his amendment. It is important that council meetings are accessible and that there is transparency in their proceedings. To support this, the Welsh Government has already provided significant funding in the last year to assist principal councils to start broadcasting their meetings. To get councils broadcasting their own meetings, like Cardiff Council and the Brecon Beacons National Park Authority, is what we really need, to allow the public to engage with local government more generally. I do agree that the new world of multimedia recording and downloading is one that we need to adapt to, but I do not think that this proposal is the way forward at this specific time.

[70] **Christine Chapman:** Thank you, Minister. Do other Members have comments?

[71] **Peter Black:** Chair, I accept that the Minister's amendment is reasonable and I am happy not to move amendments 1, 2, 4 and 5, as I think they are covered by the Minister's amendment. I thank her for listening to the committee and the report, and for the comments in Plenary on that, and for bringing these amendments forward, which I think are quite reasonable and practical.

[72] In relation to my amendment 3, which is in this group, with amendment 8 being consequential on it, it seems to me only common sense that, if you are going to prescribe a list in an Act as to what a council can and cannot do, the Minister should have some powers to amend that list. It is not a question of saying to councils, 'At some stage in the future, we are going to place more onerous duties on you', but it may well be that some of the things prescribed in the Act become out of date or unnecessary, and you may want to take things out. I think it reasonable to give the Minister that power, subject to the approval of the Assembly, via regulations as a means of updating the Act without having to bring primary legislation forward. Actually, I am quite astonished that the Minister had not thought of that herself, or at least that her predecessor did not think of it.

[73] As for amendment 17, I support it and the proposal to record meetings. I think that it is reasonable that we do not have to rely on a council to put out its own version of events, regardless of whether that is verbatim, edited or in whatever form. If a member of the public wants to come along and record, and likewise a member of the press, then I think that the amendment is quite modest in saying that they should provide reasonable facilities. I do not

think that it is saying that you have to do anything more than that. Providing facilities for a member of the public, a blogger or a member of the press to have that right is a perfectly reasonable way forward. I think that amendment 17 will add to the democratic process in Wales.

[74] **Rhodri Glyn Thomas:** Rwy'n gobeithio fy mod wedi geirio hwn mewn ffordd lle nad oes gofynion yn cael eu gosod ar awdurdodau lleol. Mae'r gwelliant wedi'i osod er mwyn galluogi aelodau'r cyhoedd yn gyffredinol i deimlo bod proses dryloyw yn digwydd. O wrthod y gwelliant hwn, rydym yn caniatáu awdurdodau lleol i gyfyngu ar hawl y cyhoedd i wybod beth yn union sy'n digwydd yn eu cyfarfodydd. Byddwn yn annog unrhyw un sy'n credu mewn democratiaeth a thryloywder mewn trafodaethau i gefnogi gwelliant 17.

**Rhodri Glyn Thomas:** I hope that I have worded this in such a way that no demands are placed on local authorities. The amendment has been put forward to enable members of the public in general to feel that a transparent process is at work. In rejecting this amendment, we allow local authorities to restrict the public's right to know exactly what happens in their meetings. I would encourage anyone who believes in democracy and transparency in discussions to support amendment 17.

[75] **Mike Hedges:** Amendment 17 sounds reasonable on paper, but I think it has unintended consequences. I can imagine, when there is an unpopular planning recommendation, every person who opposes it coming and saying, 'I have come along to record and report this'. Councils often have situations where they cannot get everybody into the council chamber or wherever the meeting is taking place. Consequently, the meeting would not take place. This would stop a lot of things happening. Certainly, a discussion on a Gypsy/Traveller site in my area, which may or may not be considered, would see several hundred people turn up, and, if they were all advised that a decision could not be made if they said that they had come in to record it, then I think that everybody would say, 'I have come in to record it, where is my place to record it?' I think Rhodri Glyn's intention is very good, but if there were some means of identifying those who are bona fide coming along to record it, rather than those who are using it as a method to cause something not to happen, I would have more sympathy with it. However, I can see people using this as a means of stopping things happening. I have been in enough council meetings where people have done their best to find reasons not to do things. Windfarms are an example of where people have spent time going to the ombudsman reporting anybody who they thought could have possibly done something wrong—they would not miss an opportunity like this.

[76] **Christine Chapman:** Before I bring Rhodri Glyn in, I want to clarify something—perhaps the Minister can pick this up. In terms of the access we have in the Senedd, filming is allowed, but not in an ad hoc way. The protocol we have here seems to work, so perhaps the Minister can comment on the intention of this. Before you come in, Minister, I will bring Rhodri Glyn in, and then Jenny.

[77] **Rhodri Glyn Thomas:** I think that is a very poor excuse to oppose democratic accountability. The fact of the matter is that it says 'reasonable facilities'. That does not mean that you build an extension to the gallery in county hall because you are expecting 100 people. As happens here, if you want to be in the gallery when there is something of great interest to a number of people being discussed, you have to book a place in the gallery. It would be the same process in a county council, and, when the gallery is full, the gallery is full. So, that is a very poor excuse. What we are doing here is ensuring that there is public accountability, and, quite honestly, if people oppose this amendment, they are opposing accountability in terms of local authorities.

[78] **Jenny Rathbone:** I used to work in current affairs television, and I think that you are going off on a side show on this one. The point is that it is really important not to allow just

anybody to film any aspect of the proceedings. You have to maintain the gravitas of the proceedings. If you allow anybody to film whatever they like, there is a real danger that they will use it to undermine the democratic process. They could film somebody sneezing or, God forbid, sleeping and use that film to undermine the process followed to make a serious decision. The recording of proceedings in any council or parliamentary body has to be rigorously controlled so that it is not used by one side or another of an argument. It has to be showing the person who is speaking plus general shots to make it edit properly. I absolutely oppose this amendment. I do not think that Rhodri Glyn has thought this through.

9.45 a.m.

[79] **Christine Chapman:** We will go to Mike first and then Janet.

[80] **Mike Hedges:** What Rhodri Glyn said in his response is not what is in this document. Anyone may attend a council meeting for the purpose of reporting it; anyone can claim that they are reporting it. Anyone can pop their mobile phone out and claim that they are reporting it. You may not like the argument that I put forward—and I do not think that anyone has put forward an argument against it—is what happens when you have person no. 101 attending and you only have enough room for 100 people? If that person says that they want to report the meeting, says that there must be a reasonable facility and that you are not providing that reasonable facility, they will go to a judicial review because the council has taken this decision and has not fulfilled what is written in the legislation. I do not disagree with what Rhodri Glyn Thomas is attempting to achieve, but what this amendment does is to make it very easy for people to object to decisions that they do not like.

[81] **Janet Finch-Saunders:** I fully support Rhodri Glyn Thomas on this particular amendment. Only the day before yesterday, the Minister, in discussing public service reform, referred to—and I am paraphrasing—openness, transparency and accountability weaving a thread throughout any future public service delivery. There is recording going on now, we have the media turning up and, of course, they will write the story as they see fit. People can come to observe everything that we do here, apart from when we go into private session in committee. They can also watch our proceedings on Senedd.tv or Democracy Live as they take place. We have already seen a heavy-handed approach in one local authority, where somebody who had an interest was arrested. When you refer to ‘these people’, these people are electors and these people are taxpayers; people have a right. The Welsh Conservatives’ line is that we should be opening up our local authorities to more scrutiny, not banning individuals who have a vested interest. This is quite a reasonable way of ensuring that we are all working towards the openness, the democratic accountability and the transparency that was mooted by the Minister for local government a few days ago. I would ask that we do not say one thing and do another. If we really want transparency within our local authorities, this is a good way of going about promoting some action.

[82] **Rhodri Glyn Thomas:** I think that the response from the Labour ranks is interesting. Jenny Rathbone talked about rigorous control at the same time as talking about openness. Rigorous control means that you control the proceedings, and that is what you are arguing for. You are arguing for local authorities to control the proceedings and you are arguing against democratic accountability and transparency. Mike Hedges was saying that there are certain people who should not be allowed to have access.

[83] **Mike Hedges:** No, I was not.

[84] **Rhodri Glyn Thomas:** That is what you said—you have to create a situation where certain people are not allowed to film. Those were your words. This is about democratic accountability. Having reasonable facilities means that you have a reasonable amount of space for people to attend. When that space is full, then it is reasonable to say that people

cannot get access. In the same way, for something where you expect a lot of people to be there, you have to book beforehand and, if you are too late, you cannot attend. That is reasonable. If the county council wants to record and film its own proceedings, that is a reasonable facility. People are able to see that. We are talking about a reasonable way, and you cannot word this in any way that is more reasonable than the wording of this amendment. If you wish to oppose it, just be honest and say that you do not want democratic accountability and that you do not want people to have the right to record proceedings in local authorities.

[85] **Christine Chapman:** I have a number of Members who wish to come in, so I ask for new information or views.

[86] **Peter Black:** I just want to challenge Mike Hedges on his reading of this amendment. What he said was that this amendment says that meetings should be open to any person to attend and to record. That is not what the amendment says at all; it says that where a meeting is open to the public, the council should provide reasonable facilities for any member of the public to take a record. That is all it says. The words ‘reasonable facilities’ are the key to this amendment. Obviously, there will be meetings where there is a big demand from people wishing to go to that meeting. At the end of the day, the council can do only what is reasonable. I think that it is reasonable to allow members of the public who attend the meeting to take their own record of it, whether that is written, through Twitter reports, or using a mobile phone to record orally or visually.

[87] **Kenneth Skates:** Who would define what ‘reasonable facilities’ are?

[88] **Mike Hedges:** A court.

[89] **Kenneth Skates:** So, we are potentially opening the path to a massive number of judicial reviews on what would be reasonable, are we not?

[90] **Peter Black:** No. ‘Reasonable’ is a well-established phrase in most legislation.

[91] **Rhodri Glyn Thomas:** Yes. You have ‘reasonable access’ here.

[92] **Christine Chapman:** Mike, do you want to come back on that?

[93] **Mike Hedges:** It says ‘reasonable facilities’ for anyone attending. So, if anyone turns up and does not have those reasonable facilities—

[94] **Peter Black:** It does not say that, at all.

[95] **Mike Hedges:** It says ‘reasonable facilities provided for anyone attending’.

[96] **Peter Black:** It does not say that.

[97] **Mike Hedges:** What does it say?

[98] **Peter Black:** It says ‘reasonable facilities for taking their report’.

[99] **Mike Hedges:** All right—‘reasonable facilities for taking their report’. That means that anyone attending must have those reasonable facilities.

[100] **Rhodri Glyn Thomas:** It does not.

[101] **Peter Black:** Anyone who is in the meeting; yes.

[102] **Mike Hedges:** Yes. So, I cannot get into the meeting, and therefore I am not given those reasonable facilities.

[103] **Rhodri Glyn Thomas:** No, it does not say that. Read the amendment; it does not say that.

[104] **Christine Chapman:** Rhodri, can you—

[105] **Mike Hedges:** I think that the key thing here is that if it only tells us one thing, this will end up in court very quickly. You have a number of different views on it—

[106] **Rhodri Glyn Thomas:** You say that about anything.

[107] **Mike Hedges:** No, I do not say that about anything. There are a number of views on it and I think that the idea behind it is very good, but it has been badly constructed. I hope that Rhodri gives further thought to it before the next stage and comes through with something that shows how people can be identified as—

[108] **Christine Chapman:** I have Jenny next, then Mark, and then we will have to ask the Minister to reply.

[109] **Jenny Rathbone:** I am absolutely in favour of shining a light on the dark corners of the democratic process, so I think that you completely misheard what I said. I am not in favour of making council meetings into a theatre show. The media that is present recording the Senedd or council proceedings are subject to the Broadcasting Act 1990, which means that they have to give fair and balanced representation. If you allow any member of the public to record a council's proceedings, they will do with it what they want and they might well come in with a very critical slant on everything that the council does and use it to undermine the process by which you have arrived at your decision. You are in danger of undermining the democratic process with this, by not having thought it through. The Presiding Officer deliberates on whether or not to allow people into the Chamber to take photographs and lets us know about it. That is because it is the Presiding Officer's decision as to whether additional people, other than those who have the right to broadcast the proceedings of the Senedd, are allowed in.

[110] **Christine Chapman:** Okay. Mark is next and then I will go back to the Minister, before we take a vote.

[111] **Mark Isherwood:** I am endorsing what Peter said, in that the test of reasonableness and the term 'reasonable' are regularly and commonly used legal phrases within legislation, not least, for example, in evolving equalities legislation. 'Reasonable' is fully understood in law and practice, and I suspect that it would be rarely challenged, but it would be openly challenged, as it would be in any other legislation, where such democratising and equalising terms are included.

[112] In terms of having photographs of us sneezing, or whatever, being used against us, I suspect that none of us who are regularly filmed in the Chamber, in committee and when attending fringe meetings, do not consider what we may or may not say in our representative roles because somebody might use one of the photographs that they have taken of us that is less than flattering. I think that that is a somewhat weak argument. Finally, the public will judge this simply on the support, or lack of it, for reasonableness, transparency and accountability, to ensure, in future, that no poor member of the public is faced with the humiliation of ejection, or the cost and damage to their reputation of prosecution for simply exercising their rights as a citizen of this land.

[113] **Christine Chapman:** I will now bring in the Minister and then we will move to a vote, if necessary.

[114] **Lesley Griffiths:** Thank you, Chair. I think that Jenny touched on this, so it is not only the Tories who are for openness, transparency and accountability; I certainly am and I am sure that everyone in this room is. My predecessor gave this funding to local authorities to help them broadcast their meetings because we want openness, transparency and accountability, not just in local government, but through all politics. The issue is that there is a discrepancy as regards what the word 'reasonable' means. That is the difficulty and it would be open to judicial review. *[Interruption.]*

[115] **Christine Chapman:** Before you continue, Minister, may I ask the Members to listen to what the Minister is saying? We need Members to show that courtesy, so please listen to the Minister's reply.

[116] **Lesley Griffiths:** Thank you, Chair. This would be open to judicial review. Many councils are planning to broadcast their meetings—I mentioned that Carl Sargeant gave this funding—but I do not think that local governments would want a load of mobile phones filming them. We do not have that in the Chamber. That is not allowed in the public gallery here; we are not allowed to be filmed by mobile phones. I would like to avoid that for local government, too. I think that councils that broadcast their meetings voluntarily will raise the bar considerably in relation to public engagement. It would then be less likely that people would want to film on their mobile phones.

[117] **Christine Chapman:** I am going to ask whether you want to move to a vote. We have had a lot of debate, so I want to move on.

[118] **Rhodri Glyn Thomas:** The Minister is not correct. The term 'reasonable' is a term that is used in every legal clause—reasonable and practicable. It allows a situation that is reasonable and if there is an unreasonable situation, the council can challenge it. That is why it is there. To say that using the word 'reasonable' opens it out to all manners of misuse is total nonsense. Every piece of legislation that you move as a Government includes a clause with the word 'reasonable'.

[119] **Lesley Griffiths:** It is, but it is open to judicial review. It is open to challenge.

[120] **Christine Chapman:** We have had a discussion on this and we will move on.

[121] Minister, do you wish to proceed to a vote on amendment 48?

[122] **Lesley Griffiths:** Yes, I do.

[123] **Christine Chapman:** The question is that amendment 48 be agreed to. Does any Member object? I see that there is objection. We will therefore move to a vote on amendment 48.

*Gwelliant 48: O blaid 5, Ymatal 0, Yn erbyn 5.*

*Amendment 48: For 5, Abstain 0, Against 5.*

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark

Rathbone, Jenny  
Skates, Kenneth

Thomas, Rhodri Glyn  
Whittle, Lindsay

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 48.*

*Amendment 48 not agreed.*

[124] **Christine Chapman:** We will return to vote on the remaining amendments in this group later in proceedings in accordance with the marshalled list.

**Grŵp 4: Materion Pwyllgor (Gwelliannau 49 a 68)**  
**Group 4: Committee Matters (Amendments 49 and 68)**

[125] **Christine Chapman:** The lead amendment is amendment 49. Minister, would you like this amendment in your name to be moved?

[126] **Lesley Griffiths:** Yes.

[127] **Christine Chapman:** I move amendment 49 in the name of the Minister and call on her to speak to this and the other amendment in the group.

[128] **Lesley Griffiths:** Amendment 68 responds to this committee's recommendation at Stage 1 that an authority should be able to refer a standards issue to another authority's standards committee. It amends the relevant provisions in sections 73 and 81 of the Local Government Act 2000, which deal with reports on alleged breaches of the code of conduct and member requests for dispensations under the code. I ask Members to support these amendments.

[129] **Christine Chapman:** I see that no Members wish to speak to this group. Do you wish to proceed to a vote on amendment 49, Minister?

[130] **Lesley Griffiths:** Yes, I do.

[131] **Christine Chapman:** The question is that amendment 49 be agreed to. Does any Member object? There are no objections. Amendment 49 has therefore been agreed to in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 49.*

*Amendment 49 agreed.*

[132] **Christine Chapman:** We will return to vote on the remaining amendment in this group later in proceedings in accordance with the marshalled list.

**Grŵp 5: Aelodau o'r Comisiwn Ffiniau (Gwelliant 9)**  
**Group 5: Members of the Boundary Commission (Amendment 9)**

[133] **Christine Chapman:** The lead and only amendment is amendment 9, and I call on Rhodri Glyn Thomas to move and speak to the amendment.

10.00 a.m.



[134] **Rhodri Glyn Thomas:** Cynigiau welliant 9 yn fy enw i a chydag enw Peter Black yn ei gefnogi.

**Rhodri Glyn Thomas:** I move amendment 9 in my name and with the name of Peter Black in support.

[135] Rwy'n credu bod hwn yn welliant sy'n weddol syml. Mae'n deillio o'n trafodaethau yn ystod Cyfnod 1, pan gafodd gefnogaeth gyffredinol. Os cofiaf yn gywir, roedd y comisiwn ffiniau hefyd yn teimlo bod angen cymal yn y ddeddfwriaeth sy'n cyfeirio at yr angen i gael o leiaf un aelod o'r comisiwn â'r gallu i gyfathrebu trwy gyfrwng y Gymraeg. Rwy'n derbyn bod cynllun iaith a safonau'r Llywodraeth yn ymwneud â'r mater hwn, ond rwy'n credu ei fod yn bwysig bod y Bil, a'r ddeddfwriaeth yn y pen draw, yn nodi'n gwbl benodol bod gallu gan y comisiwn i gyfathrebu trwy gyfrwng y Gymraeg. Golyga hynny ei fod yn gallu ymwneud â phawb—unigolion ac awdurdodau—yn Gymraeg.

I think that this is quite a straightforward amendment. It arises from our discussions in Stage 1, when it received general support. If I remember correctly, the boundary commission also felt that there was a need to include a clause in the legislation that refers to the need for at least one member of the commission to be able to communicate through the medium of Welsh. I accept that the language scheme and the Government's standards address this matter, but I think that it is important that the Bill, and ultimately the legislation, states specifically that the commission has the ability to communicate in Welsh. That means that it can deal with everyone—individuals and authorities—in Welsh.

[136] **Christine Chapman:** I call the Minister—sorry, are there other Members who wish to speak? Peter?

[137] **Peter Black:** Thank you, Chair. I am happy to support this amendment. In giving evidence to the committee, the boundary commission was clear that there were advantages to ensuring that a member of the commission is a Welsh speaker, particularly in terms of dealing with community names and with members of the public. As I understand it, the Local Government 1972 Act already contains a provision that ensures that a member of the commission is a Welsh speaker. My concern is that, in relying on the Welsh language Measure to cover this aspect, we are effectively creating a hiatus, because that Measure is unlikely to commence for at least a year or more, and there will be a period of transition before the schemes are in place for each body as a result of that. So, if you pass this Bill now and rely on the Measure, you will have a period of two or three years before the Measure applies to this body. As a result of that, you will have a situation where there is no requirement on the boundary commission to have a Welsh-speaking member, and no provision that forces it to deal with matters through the medium of Welsh, other than the existing scheme, which will be out of date, because the 1972 Act will not apply. So, it is only reasonable that we have this provision and retain the provision within the 1972 Act, so that the boundary commission can better reflect the communities that it is seeking to change.

[138] **Christine Chapman:** Are there any other Members who wish to speak? I see that there are not, and therefore I call on the Minister.

[139] **Lesley Griffiths:** Thank you, Chair. I have listened very carefully to Rhodri Glyn Thomas and Peter Black, but I cannot support this amendment, because it places the ability to speak Welsh on a level above any other characteristic, which would go against this policy provision. As introduced, the Bill seeks to enhance the appointment process for members of the commission, so that merit is the overriding qualification for appointment. Obviously, the appointment will be subject to the public appointments scheme, which is covered by the Welsh Government's Welsh language scheme. When making the appointment, Welsh Ministers will take account of the desirability to appoint Welsh-speaking members. The scheme makes very clear that members of public bodies should be representative of the communities that they serve and I am satisfied that the appointment process will provide

sufficient protection of the Welsh language. So, I would ask Members to resist this amendment.

[140] **Christine Chapman:** Thank you. I call on Rhodri Glyn to reply.

[141] **Rhodri Glyn Thomas:** Mae'r gallu i siarad yr iaith Gymraeg yn sgil, a chaiff ei ystyried felly. Yr hyn yr wyf yn ei ofyn yw bod o leiaf un aelod yn medru cyfathrebu trwy gyfrwng y Gymraeg. Mae'r Gweinidog mewn perygl o greu sefyllfa lle na fydd y comisiwn ffiniau yn gallu cysylltu trwy gyfrwng y Gymraeg â chynghorau sir, megis Cyngor Gwynedd, sy'n cael ei weinyddu trwy gyfrwng y Gymraeg. Mae nifer o gynghorau tref a chymuned hefyd yn cael eu gweinyddu trwy gyfrwng y Gymraeg. Ni fyddai yr un person, o bosibl, ar y comisiwn ffiniau a fyddai'n medru cynrychioli'r comisiwn mewn trafodaeth trwy gyfrwng y Gymraeg. Mae hynny'n gwbl annerbyniol.

**Rhodri Glyn Thomas:** The ability to speak Welsh is a skill and it would be considered in that regard. What I am asking is that at least one member is able to communicate through the medium of Welsh. The Minister is in danger of creating a situation where the boundary commission is unable to communicate through the medium of Welsh with county councils, such as Gwynedd Council, which is administered through the medium of Welsh. A number of town and community councils are also administered through the medium of Welsh. There would not be one person, potentially, on the boundary commission, who would be able to represent the commission in discussions through the medium of Welsh. That is entirely unacceptable.

[142] **Christine Chapman:** Thank you. Rhodri, do you wish to proceed to a vote on amendment 9?

[143] **Rhodri Glyn Thomas:** Ydw.

**Rhodri Glyn Thomas:** Yes.

[144] **Christine Chapman:** The question is that amendment 9 be agreed to. Does any Member object? I see that there is objection, and therefore I call for a vote.

*Gwelliant 9: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 9: For 5, Against 5, Abstain 0.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheolau Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Orders No. 6.20(ii).*

*Gwrthodwyd gwelliant 9.  
Amendment 9 not agreed.*

[145] **Christine Chapman:** We have disposed of all amendments in group 5, and we now move on to group 6.

**Grŵp 6: Dyletswyddau ar Brif Gyngor (Gwelliannau 23, 50, 24 a 25)**  
**Group 6: Duties on a Principal Council (Amendments 23, 50, 24 and 25)**

[146] **Christine Chapman:** The lead amendment in this group is amendment 23. Minister, would you like amendment 23 in your name to be moved?

[147] **Lesley Griffiths:** Yes.

[148] **Christine Chapman:** I move amendment 23 in the name of the Minister. I call on the Minister to speak to amendment 23 and the other amendments in the group.

[149] **Lesley Griffiths:** I have considered the points raised with me by the boundary commission that the differing cycles for community reviews and electoral reviews of principal councils is unhelpful. Requiring principal councils to have regard to the commission's timetable for electoral reviews of principal areas, as required by amendment 23, should ensure that the reviews of community areas are conducted before an electoral review of principal areas begins. Community areas form the building blocks on which electoral wards of principal areas are built. So, reviewing the communities first would make sense.

[150] Bringing the two cycles together, with each principal area to have its communities and electoral arrangements reviewed every 10 years, as proposed in amendment 24, should allow the system to work smoothly and enable the communities to be reviewed in advance of the electoral review. It is also sensible for the commission to be able to request information from principal councils. I am sure that councils would usually provide the commission with what it needs as a matter of course, but amendment 50 places a duty on a principal council to provide reasonable information to the commission so that it has all of the information that it needs to conduct its review. Therefore, I would ask Members to support these amendments.

[151] **Christine Chapman:** Are there any other Members who would like to speak to this amendment? I see that there are not.

[152] Minister, do you wish to proceed to a vote on amendment 23?

[153] **Lesley Griffiths:** Yes.

[154] **Christine Chapman:** The question is that amendment 23 be agreed to. Does any Member object? I see that there is no objection. Amendment 23 is therefore agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 23.*  
*Amendment 23 agreed.*

[155] **Christine Chapman:** Minister, would you like amendment 50 in your name to be moved?

[156] **Lesley Griffiths:** Yes.

[157] **Christine Chapman:** I move amendment 50 in the name of the Minister.

[158] The question is that amendment 50 be agreed to. Does any Member object? I see that there is no objection. Amendment 50 is therefore agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 50.*

*Amendment 50 agreed.*

[159] **Christine Chapman:** Minister, would you like amendment 24 in your name to be moved?

[160] **Lesley Griffiths:** Yes.

[161] **Christine Chapman:** I move amendment 24 in the name of the Minister.

[162] The question is that amendment 24 be agreed to. Does any Member object? I see that there is no objection. Amendment 24 is therefore agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 24.  
Amendment 24 agreed.*

[163] **Christine Chapman:** Minister, would you like amendment 25 in your name to be moved?

[164] **Lesley Griffiths:** Yes.

[165] **Christine Chapman:** I move amendment 25 in the name of the Minister.

[166] The question is that amendment 25 be agreed to. Does any Member object? I see that there is no objection. Amendment 25 is therefore agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 25.  
Amendment 25 agreed.*

[167] **Christine Chapman:** We have disposed of all amendments in group 6, and we now move on to group 7.

**Grŵp 7: Adolygu Ffiniau Cymuned gan Brif Gyngor (Gwelliannau 51, 52 a 53)  
Group 7: Review of Community Boundaries by Principal Council (Amendments 51, 52 and 53)**

[168] **Christine Chapman:** The lead amendment in this group is amendment 51. Minister, would you like amendment 51 in your name to be moved?

[169] **Lesley Griffiths:** Yes.

[170] **Christine Chapman:** I move amendment 51 in the name of the Minister. I call on the Minister to speak to amendment 51 and the other amendments in the group.

[171] **Lesley Griffiths:** These amendments respond to recommendation 2 of the committee's report at Stage 1, which identified that the Bill did not allow anyone other than the Welsh Ministers to make an Order to change electoral wards of principal areas in consequence of a community review. The amendments enable a principal council, or the commission, to make proposals in relation to electoral wards of principal areas in consequence of a community review.

[172] Amendment 57, which will be considered later, as part of group 9, will deal with the implementation process, and will include a need to obtain the consent of Welsh Ministers before an Order to change the electoral arrangements of the principal area can be made. I ask

Members to support these amendments.

[173] **Christine Chapman:** Do any Members wish to speak in this debate? I see that none do. Minister, do you wish to proceed to a vote on amendment 51?

[174] **Lesley Griffiths:** Yes.

[175] **Christine Chapman:** The question is that amendment 51 be agreed to. Does any Member object? I see that no Member does, therefore amendment 51 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 51.  
Amendment 51 agreed.*

[176] **Christine Chapman:** Minister, would you like amendment 52 in your name to be moved?

[177] **Lesley Griffiths:** Yes.

[178] **Christine Chapman:** I move amendment 52 in the name of the Minister.

[179] The question is that amendment 52 be agreed to. Does any Member object? I see that no Member does, therefore amendment 52 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 52.  
Amendment 52 agreed.*

[180] **Christine Chapman:** Minister, would you like amendment 53 in your name to be moved?

[181] **Lesley Griffiths:** Yes.

[182] **Christine Chapman:** I move amendment 53 in the name of the Minister.

[183] The question is that amendment 53 be agreed to. Does any Member object? I see that no Member does, therefore amendment 53 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 53.  
Amendment 53 agreed.*

[184] **Christine Chapman:** We have now disposed of all the amendments in group 7, and we will move on to group 8.

**Grŵp 8: Adolygu Trefniadau Etholiadol ar gyfer Prif Ardal (Gwelliannau 26, 27, 28, 29, 31, 30, 32, 33, 10, 11 a 12)**  
**Group 8: Review of Electoral Arrangements for Principal Area (Amendments 26, 27, 28, 29, 31, 30, 32, 33, 10, 11 and 12)**

[185] **Christine Chapman:** The lead amendment is amendment 26. Minister, would you like this amendment in your name to be moved?

[186] **Lesley Griffiths:** Yes.

[187] **Christine Chapman:** I move amendment 26 in the name of the Minister, and I call on the Minister to speak to amendment 26 and the other amendments in the group.

[188] **Lesley Griffiths:** I have considered recommendation 5 of the committee's report and agree that there is no need to give the commission time before starting its first electoral review cycle under the new procedures introduced by this Bill. It is pleasing to learn that the commission is well prepared for the task ahead and it is important that we respond positively to this state of readiness. Amendment 26 will allow the commission to begin its first electoral cycle on Royal Assent.

[189] Amendment 27 will strengthen the provision in section 29 of the Bill requiring the commission to have a timetable of electoral reviews. The amendment will require it to publish, not simply to prepare a timetable. This is necessary, as we want principal councils to have regard to it when they are planning their community reviews.

[190] I have also considered recommendation 6 of the committee's Stage 1 report and agree that it is not necessary to stop the commission from doing all work on its electoral reviews in the build-up to local elections. What would be harmful would be to allow the commission to publish a report during that period. If it did, it would be too late for it to take effect before the elections, but could set hares running because candidates could see, for instance, whether their seats might disappear at the following election. There is no problem with the review process of evidence gathering and technical work taking place, so long as draft or final reports are not published. Amendment 30 enables that.

[191] I listened carefully to Members' contributions during the general principles debate, and I have written to party leaders and party business managers about my intentions regarding electoral wards. I want to set out my intentions about that now. Subject to officials' advice, it is my intention to bring forward amendments at Stage 3 that will replace the terms 'electoral area' with the more commonly used and understood 'electoral ward'. That is the term that everyone uses and understands and I think, on reflection, that we should adopt that wording. Amendments 10, 11 and 12 would achieve this in relation to section 29, but, as I have set out, I wish to achieve this in relation to the Bill as a whole, not just this section. I hope, therefore, given my commitment to you today, that Peter Black will consider withdrawing his amendments, so as to allow me to bring forward amendments at Stage 3—

[192] **Peter Black:** They are Rhodri's.

[193] **Lesley Griffiths:** I am sorry, Rhodri.

[194] **Rhodri Glyn Thomas:** Rwy'n hapus i beidio â chynnig gwelliannau 10, 11 a 12 yn fy enw i gan fod y Gweinidog wedi rhoi addewid y bydd yn cyflwyno gwelliannau i'r Bil yn ei gyfanrwydd yng Nghyfnod 3. **Rhodri Glyn Thomas:** I am happy not to move amendments 10, 11 and 12 in my name, given that the Minister has promised that she will bring forward amendments to the Bill in its entirety at Stage 3.

[195] **Christine Chapman:** Do any other Members wish to speak?

[196] **Peter Black:** I want to welcome the Minister's willingness to meet us halfway in terms of the review period in terms of amendment 30. It is important that the commission is allowed to carry on with its work. The committee felt that six months was a reasonable period, but I will not quibble over three months, when the commission will be allowed to carry out its work in terms of publication. I very much welcome the Minister seeing common sense on the naming of electoral wards as well.

10.15 a.m.

[197] **Mike Hedges:** I am going to say something that I do not often say—I concur with Peter Black. One of the silliest things is that everybody calls them wards apart from the legislation. It is important that legislation comes around to what we all call them. I have never known anybody describe themselves as an electoral division councillor or an electoral area councillor. I represented Morryston ward on the council and Peter Black represents Cwmbwrla ward—I have never heard him say ‘Cwmbwrla electoral division’ or ‘Cwmbwrla electoral area’. This is about bringing into the Bill what is in common usage, and I welcome it.

[198] **Lesley Griffiths:** I am very pleased that Members welcome common sense.

[199] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 26?

[200] **Lesley Griffiths:** Yes, I do.

[201] **Christine Chapman:** The question is that amendment 26 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 26 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 26.  
Amendment 26 agreed.*

[202] **Christine Chapman:** Minister, would you like amendment 27 in your name to be moved?

[203] **Lesley Griffiths:** Yes, I would.

[204] **Christine Chapman:** I move amendment 27 in the name of the Minister.

[205] The question is that amendment 27 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 27 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 27.  
Amendment 27 agreed.*

[206] **Christine Chapman:** Minister, would you like amendment 28 in your name to be moved?

[207] **Lesley Griffiths:** Yes.

[208] **Christine Chapman:** I move amendment 28 in the name of the Minister.

[209] The question is that amendment 28 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 28 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 28.  
Amendment 28 agreed.*

[210] **Christine Chapman:** Minister, would you like amendment 29 in your name to be moved?

[211] **Lesley Griffiths:** Yes.

[212] **Christine Chapman:** I move amendment 29 in the name of the Minister.

[213] The question is that amendment 29 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 29 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 29.  
Amendment 29 agreed.*

[214] **Christine Chapman:** Minister, would you like amendment 31 in your name to be moved?

[215] **Lesley Griffiths:** Yes.

[216] **Christine Chapman:** I move amendment 31 in the name of the Minister.

[217] The question is that amendment 31 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 31 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 31.  
Amendment 31 agreed.*

[218] **Christine Chapman:** Minister, would you like amendment 30 in your name to be moved?

[219] **Lesley Griffiths:** Yes.

[220] **Christine Chapman:** I move amendment 30 in the name of the Minister.

[221] The question is that amendment 30 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 30 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 30.  
Amendment 30 agreed.*

[222] **Christine Chapman:** Minister, would you like amendment 32 in your name to be moved?

[223] **Lesley Griffiths:** Yes.

[224] **Christine Chapman:** I move amendment 32 in the name of the Minister.

[225] The question is that amendment 32 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 32 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 32.  
Amendment 32 agreed.*

[226] **Christine Chapman:** Minister, would you like amendment 33 in your name to be moved?

[227] **Lesley Griffiths:** Yes.



[228] **Christine Chapman:** I move amendment 33 in the name of the Minister.

[229] The question is that amendment 33 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 33 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 33.  
Amendment 33 agreed.*

[230] **Christine Chapman:** Rhodri Glyn Thomas has indicated that he does not wish to move amendment 10. Does any Member object? I see that there are no objections.

*Ni chynigiwyd gwelliant 10.  
Amendment 10 not moved.*

[231] **Christine Chapman:** Rhodri has also indicated that he does not wish to move amendment 11. Does any Member object? I see that there are no objections.

*Ni chynigiwyd gwelliant 11.  
Amendment 11 not moved.*

[232] **Christine Chapman:** Rhodri Glyn has also indicated that he does not wish to move amendment 12. Are Members content with that? I see that Members are content.

*Ni chynigiwyd gwelliant 12.  
Amendment 12 not moved.*

[233] We have now disposed of all of the amendments in group 8. We will now close the meeting for a short break.

*Gohiriwyd y cyfarfod rhwng 10.19 a.m. a 10.32 a.m.  
The meeting adjourned between 10.19 a.m. and 10.32 a.m.*

**Grŵp 9: Gweithredu yn Dilyn Adolygiad (Gwelliannau 54, 55, 56, 57, 58, 38 a 39)  
Group 9: Implementation Following a Review (Amendments 54, 55, 56, 57, 58, 38 and 39)**

[234] **Christine Chapman:** The lead amendment in this group is amendment 54. Minister, would you like amendment 54 in your name to be moved?

[235] **Lesley Griffiths:** Yes.

[236] **Christine Chapman:** I move amendment 54 in the name of the Minister. I call on the Minister to speak to amendment 54 and the other amendments in the group.

[237] **Lesley Griffiths:** Amendments 54, 55, 56, 57 and 58 in this group respond to recommendations 2 and 3 of this committee's Stage 1 report. The amendments enable principal councils or the commission to implement changes to electoral wards of principal areas as a consequence of a community boundary review. However, the proposed amendments mean that this can be done only with Welsh Ministers' consent. Allowing for these consequential changes to be made will prevent the necessity of making a separate Order for consequential changes to electoral wards every time there is a logical consequence to a community review. A single Order by a principal council or the commission could deal with changes to community electoral arrangements and any consequential changes to electoral

wards of principal areas, but not, in the latter case, without first getting the consent of Welsh Ministers.

[238] **Amendment 38** is a technical amendment to better reflect the way in which the Local Government Act 1972 operates.

[239] **Amendment 39** addresses a concern raised in recommendation 1 of the Constitutional and Legislative Affairs Committee. It makes it clear that any Order made under sections 37, 38 or 39 of the Bill that revokes or varies previous Orders can be made only by the same body that made the previous Order. The exception to this is where a previous Order was made by a council that no longer exists. In such a case, the power to vary or revoke an Order will fall to the successor authority covering that area. So, I ask the committee to support these amendments.

[240] **Christine Chapman:** Do any other Members wish to speak on this group? I see that no-one does. Therefore, Minister, do you wish to proceed to a vote on amendment 54?

[241] **Lesley Griffiths:** Yes.

[242] **Christine Chapman:** The question is that amendment 54 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 54 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 54.  
Amendment 54 agreed.*

[243] **Christine Chapman:** Minister, would you like amendment 55 in your name to be moved?

[244] **Lesley Griffiths:** Yes.

[245] **Christine Chapman:** I move amendment 55 in the name of the Minister.

[246] The question is that amendment 55 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 55 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 55.  
Amendment 55 agreed.*

[247] **Christine Chapman:** Minister, would you like amendment 56 in your name to be moved?

[248] **Lesley Griffiths:** Yes.

[249] **Christine Chapman:** I move amendment 56 in the name of the Minister.

[250] The question is that amendment 56 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 56 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 56  
Amendment 56 agreed.*

[251] **Christine Chapman:** We will return to vote on the remaining amendments in this

group later in proceedings in accordance with the marshalled list.

**Grŵp 10: Y Weithdrefn ar gyfer Adolygiadau Llywodraeth Leol  
(Gwelliannau 34, 35, 36 a 37)**

**Group 10: Procedure for Local Government Reviews (Amendments 34, 35, 36 and 37)**

[252] **Christine Chapman:** The lead amendment is amendment 34. Minister, would you like this amendment in your name to be moved?

[253] **Lesley Griffiths:** Yes.

[254] **Christine Chapman:** I move amendment 34 in the name of the Minister.

[255] I call on the Minister to speak to amendment 34 and the other amendments in the group.

[256] **Lesley Griffiths:** Amendment 34, and its consequential amendments 36 and 37, fills a current omission from the Bill. It places a duty on principal councils to require the commission to be a mandatory consultee in reviews conducted by those councils. It is common sense if a principal council is conducting its own review of communities that the commission should be included in any consultation connected to it. The mandatory consultees already listed in the Bill are local authorities, police and crime commissioners, trade unions of affected bodies and anyone else specified in an Order by Welsh Ministers. It is clear that the commission should be included where it is not reviewing the body, which is why I have now brought forward this amendment.

[257] Amendment 35 concerns the situation that can arise if the commission rejects proposals from a principal council following a community review by the council and has failed to persuade it to change them. In such a case, the commission takes over the review and forwards amended proposals to Welsh Ministers. The effect of amendment 35 is to make clear that the commission does not need to conduct a fresh consultation in these circumstances, as this will have already been carried out by the principal council. Amendment 35 does not change the position of the commission still having to publish its report and circulate it, and there will still be the mandatory six-week gap before an Order can be made. I ask Members to support these amendments.

[258] **Christine Chapman:** Do any other Members wish to speak? I see that no-one does. Minister, do you wish to proceed to a vote on amendment 34?

[259] **Lesley Griffiths:** Yes.

[260] **Christine Chapman:** The question is that amendment 34 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 34 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 34.  
Amendment 34 agreed.*

[261] **Christine Chapman:** Minister, would you like amendment 35 in your name to be moved?

[262] **Lesley Griffiths:** Yes.

[263] **Christine Chapman:** I move amendment 35 in the name of the Minister.

[264] The question is that amendment 35 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 35 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 35.  
Amendment 35 agreed.*

[265] **Christine Chapman:** Minister, would you like amendment 36 in your name to be moved?

[266] **Lesley Griffiths:** Yes.

[267] **Christine Chapman:** I move amendment 36 in the name of the Minister.

[268] The question is that amendment 36 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 36 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 36.  
Amendment 36 agreed.*

[269] **Christine Chapman:** Minister, would you like amendment 37 in your name to be moved?

[270] **Lesley Griffiths:** Yes.

[271] **Christine Chapman:** I move amendment 37 in the name of the Minister.

[272] The question is that amendment 37 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 37 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 37.  
Amendment 37 agreed.*

[273] **Christine Chapman:** We have now disposed of all the amendments in group 10. In accordance with the marshalled list, we now move to dispose of the remaining amendments that were debated in group 9. Minister, would you like amendment 57 in your name to be moved?

[274] **Lesley Griffiths:** Yes.

[275] **Christine Chapman:** I move amendment 57 in the name of the Minister.

[276] The question is that amendment 57 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 57 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 57.  
Amendment 57 agreed.*

[277] **Christine Chapman:** Minister, would you like amendment 58 in your name to be moved?

[278] **Lesley Griffiths:** Yes.

[279] **Christine Chapman:** I move amendment 58 in the name of the Minister.

[280] The question is that amendment 58 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 58 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 58.  
Amendment 58 agreed.*

[281] **Christine Chapman:** Minister, would you like amendment 38 in your name to be moved?

[282] **Lesley Griffiths:** Yes.

[283] **Christine Chapman:** I move amendment 38 in the name of the Minister.

[284] The question is that amendment 38 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 38 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 38.  
Amendment 38 agreed.*

[285] **Christine Chapman:** Minister, would you like amendment 39 in your name to be moved?

[286] **Lesley Griffiths:** Yes.

[287] **Christine Chapman:** I move amendment 39 in the name of the Minister.

[288] The question is that amendment 39 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 39 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 39.  
Amendment 39 agreed.*

[289] **Christine Chapman:** We have now disposed of all the amendments in group 9.

**Grŵp 11: Darpariaethau Eraill sy'n Berthnasol i Ffiniau Awdurdodau Lleol (Gwelliant 59)**

**Group 11: Other Provisions Relevant to Local Authority Boundaries (Amendment 59)**

[290] **Christine Chapman:** The lead and only amendment in this group is amendment 59. Minister, would you like this amendment in your name to be moved?

[291] **Lesley Griffiths:** Yes.

[292] **Christine Chapman:** I move amendment 59 in the name of the Minister. I call on the Minister to speak to the amendment.

[293] **Lesley Griffiths:** Where the commission conducts a review of one or more principal areas under section 23, there is currently a statutory minimum period of six weeks between the final proposals being made following the review and an Order being made. The sole

amendment in this group is required to reinstate the same minimum period in relation to police areas. Such changes to police areas can only be made by the Secretary of State. I said 'reinstate' because this is an existing provision under the Local Government Act 1972, and we wish the Bill to continue to reflect that position. The six-week period is important, as it allows the decision-making body time to reflect and consider any representations before making its decisions. I ask committee to support this amendment.

[294] **Christine Chapman:** Do any other Members wish to speak? I see that nobody does. Minister, do you wish to proceed to a vote?

[295] **Lesley Griffiths:** Yes.

[296] **Christine Chapman:** The question is that amendment 59 be agreed to. Does any Member object? I see that there are no objections. Amendment 59 is therefore agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 59.  
Amendment 59 agreed.*

[297] **Christine Chapman:** We have now disposed of the only amendment in group 11.

**Grŵp 12: Technegol (Gwelliannau 40, 41, 42, 43, 44 a 45)  
Group 12: Technical (Amendments 40, 41, 42, 43, 44 and 45)**

[298] **Christine Chapman:** The lead amendment in this group is amendment 40. Minister, would you like this amendment in your name to be moved?

[299] **Lesley Griffiths:** Yes.

[300] **Christine Chapman:** I move amendment 40 in the name of the Minister. I call on the Minister to speak to amendment 40 and the other amendments in this group.

[301] **Lesley Griffiths:** This group of amendments are technical in nature. I want to focus on amendment 41. In the previous group, we discussed amendments associated with an Order made by the Secretary of State if a change to a police area is required. This amendment makes clear that the Order would not be subject to an Assembly procedure, but to a parliamentary one. This is an obvious, but important, correction, and I thank the Constitutional and Legislative Affairs Committee for identifying the need for this amendment in its report. The other amendments in this group update cross-references in the Bill, ensure that defined terms are interpreted correctly and remove textual changes that are no longer required. I ask Members to support these amendments.

[302] **Christine Chapman:** Do any other Members wish to speak? I see that nobody does. Minister, do you wish to proceed to a vote on amendment 40?

[303] **Lesley Griffiths:** Yes.

[304] **Christine Chapman:** The question is that amendment 40 be agreed to. Does any Member object? I see that there are no objections. Amendment 40 is therefore agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 40.  
Amendment 40 agreed.*

[305] **Christine Chapman:** We will vote on the remaining amendments in this group later

in proceedings, in accordance with the marshalled list.

**Grŵp 13: Adolygiadau o Gyrrff Cyhoeddus Cymwys (Gwelliannau 13, 14, 15, 16 a 22)**  
**Group 13: Reviews of Qualifying Bodies (Amendments 13, 14, 15, 16 and 22)**

[306] **Christine Chapman:** The lead amendment in this group is amendment 13, and I call on Rhodri Glyn Thomas to move and speak to amendment 13 and the other amendments in the group.

[307] **Rhodri Glyn Thomas:** Cynigiau welliant 13 yn fy enw i a chydag enw Peter Black yn ei gefnogi. **Rhodri Glyn Thomas:** I move amendment 13 in my name and with the name of Peter Black in support.

[308] Mae gwelliannau 13, 14, 15 ac 16 yn ddibynnol, i raddau helaeth, ar welliant 22, ac mae'n ymwneud ag adolygiadau o gyrrff cymwys a'r pŵer o ran gwneud Gorchmynion. Rwy'n gobeithio y bydd y gwelliannau hyn yn dderbyniol i weddill y pwyllgor. Maent yn gwneud y Bil yn llawer mwy tryloyw. Amendments 13, 14, 15 and 16 are dependent, to a great extent, on amendment 22, and it relates to the reviews of qualifying bodies and the power to make Orders. I hope that these amendments will be acceptable to the rest of the committee. They make the Bill much more transparent.

[309] **Christine Chapman:** Do any other members of the committee wish to speak? I see that nobody does. I call the Minister to respond.

[310] **Lesley Griffiths:** Section 50 of the Bill provides that Welsh Ministers can direct the boundary commission to review membership of a public body and report back to Welsh Ministers. Before making such a direction, section 50(4) of the Bill requires Welsh Ministers to consult with stakeholders, and that is an important safeguard, as it ensures that Welsh Ministers have the views of those potentially affected by the review available to them before deciding to direct the commission. Once the commission reports back, Welsh Ministers are able to decide whether to accept its proposals or not. So, it is unnecessary to replace the power of direction with an Order-making power as proposed in amendments 13, 14 and 15 and for the Order to be subject to the affirmative procedure, as proposed by amendment 22. The approach suggested by these amendments of an Order-making power appears to be disproportionate to the decision being made—a decision that it is appropriate for Welsh Ministers to make, rather than the Assembly, and therefore, appropriately made by way of directions. I have listened carefully to what Rhodri Glyn Thomas has said, but I remain of the view that directing the review is merely the start of the process and the substantive issue is what happens once that review has been concluded. For these reasons, I would ask Members not to support the amendments in this group.

10.45 a.m.

[311] **Christine Chapman:** I call on Rhodri Glyn to reply.

[312] **Rhodri Glyn Thomas:** Yn amlwg, nid wyf yn derbyn yr hyn mae'r Gweinidog yn ei ddweud. Credaf mai mater i'r Cynulliad yw hyn a bod y gwelliannau'n sicrhau atebolrwydd democrataidd a gwleidyddol. **Rhodri Glyn Thomas:** Obviously, I do not accept what the Minister has said. I believe that this is a matter for the Assembly and that the amendments ensure democratic and political accountability.

[313] **Christine Chapman:** Rhodri, do you wish to proceed to a vote on amendment 13?

[314] **Rhodri Glyn Thomas:** Ydw. **Rhodri Glyn Thomas:** Yes.

[315] **Christine Chapman:** The question is that amendment 13 be agreed to. Does any Member object? I see that there is objection, so I will take a vote.

*Gwelliant 13: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 13: For 5, Against 5, Abstain 0.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 13.  
Amendment 13 not agreed.*

[316] **Christine Chapman:** Rhodri, would you like to move amendment 14?

[317] **Rhodri Glyn Thomas:** Cynigiaf **Rhodri Glyn Thomas:** I move amendment welliant 14 yn fy enw i a chydag enw Peter 14 in my name and with the name of Peter Black yn ei gefnogi. Black in support.

[318] **Christine Chapman:** The question is that amendment 14 be agreed to. Does any Member object? I see that there is objection, so I will take a vote.

*Gwelliant 14: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 14: For 5, Against 5, Abstain 0.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 14.  
Amendment 14 not agreed.*

[319] **Christine Chapman:** Rhodri, would you like to move amendment 15?

[320] **Rhodri Glyn Thomas:** Cynigiaf **Rhodri Glyn Thomas:** I move amendment welliant 15 yn fy enw i a chydag enw Peter 15 in my name and with the name of Peter Black yn ei gefnogi. Black in support.



[321] **Christine Chapman:** The question is that amendment 15 be agreed to. Does any Member object? I see that there is objection, so I will take a vote.

*Gwelliant 15: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 15: For 5, Against 5, Abstain 0.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheolau Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Orders No. 6.20(ii).*

*Gwrthodwyd gwelliant 15.  
Amendment 15 not agreed.*

[322] **Christine Chapman:** Rhodri, would you like to move amendment 16?

[323] **Rhodri Glyn Thomas:** Cynigiau **Rhodri Glyn Thomas:** I move amendment welliant 16 yn fy enw i a chydag enw Peter 16 in my name and with the name of Peter Black yn ei gefnogi. Black in support.

[324] **Christine Chapman:** The question is that amendment 16 be agreed to. Does any Member object? I see that there is objection, so I will take a vote.

*Gwelliant 16: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 16: For 5, Against 5, Abstain 0.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 16.  
Amendment 16 not agreed.*

[325] **Christine Chapman:** We will return to vote on the remaining amendments in this group later in proceedings, in accordance with the marshalled list.

**Grŵp 14: Cydnabyddiaeth Ariannol y Cyngor (Gwelliannau 74, 18A, 18 a 7)**  
**Group 14: Council Remuneration (Amendments 74, 18A, 18 and 7)**

[326] **Christine Chapman:** The lead amendment in this group is amendment 74 and I call on Janet Finch-Saunders to move and speak to amendment 74 and the other amendments in the group.

[327] **Janet Finch-Saunders:** I move amendment 74 in my name.

[328] Throughout consideration of this Bill, we have all stressed the vital nature of transparency and accountability being embedded within the spirit of this Bill. The amendments introduced in group 14 today reflect this desire.

[329] My lead amendment is introduced with a view to weave a thread of accountability into the Bill. As the presiding member will be subsuming some of the functions that would otherwise be the chairman's responsibility, they will receive the set level of remuneration to meet the expenses associated with that position. This will be taken by way of a deduction of the level that would have previously been awarded to the chair. This amendment is about accountability, transparency and fairness. It demonstrates that pay awarded to various members of principal councils reflects the work that they will be required to do.

[330] Amendment 18A seeks to ensure that the pay award for senior officers never exceeds the level set by the recommendations of the panel. We all know that, in this period of tightening budgets, it is vital and important that our citizens do not become disillusioned by the workings of local government. I think that, over the last 12 months, in particular, we have all seen many examples of where this has not been the case. When stories appear in the press about senior officers in local authorities receiving exorbitant pay packets, it only serves to exacerbate this. This amendment is introduced with an eye to ensure that, where local authorities deem that a senior officer's pay warrants passing the recommended level of the panel, they must justify that decision to Welsh Ministers. This is not an attempt to claw back control of local authority budgets, rather a way of ensuring that a thread of transparency, accountability and fairness is woven into senior officer pay.

[331] Amendment 18 establishes the process through which senior officers' pay is established. For the beginning of each new financial year, the panel will recommend a maximum amount to be paid to a senior officer, which includes salary, pension contributions and other forms of remuneration. These recommendations must then be paid sufficient heed when employing senior officers.

[332] Amendment 7 removes the date of 28 February to allow the meeting of the panel to correlate with the new financial year. So, in summary, amendments 74, 18A, 18 and 7 are intended to put in place firm but fair restrictions on the ability of local authorities to provide pay in excess of guidelines set out by the panel.

[333] **Peter Black:** In terms of the four amendments in this section, I will not be supporting amendments 74 and 18A. In relation to amendment 74, there are already arrangements to determine the salary of senior councillors, including the presiding officer, through the remuneration panel for councillors for local government in Wales. Therefore, I think that this amendment is unnecessary. They will be able to take account of issues as to whether or not a presiding officer has a substantial role in determining what salary that person is paid.

[334] In relation to amendment 18A, although I understand the reasoning behind it, I think that amendment 18 is stronger; I am happy to support amendment 18. I am unhappy about bringing Welsh Ministers into taking decisions on behalf of local councils in relation to the pay of senior officers. Councillors, of course, are accountable to their electorates for these

sorts of decisions, and that is how it should be. However, I do think that it is reasonable that, if councillors are subject to a Welsh board on determining salary, there should be some uniformity across Wales as to how we determine the salary of chief officers, and senior officers in particular. I think that that is best done by the board in relation to amendment 18. That is why I think that amendment 18 is stronger and worth supporting.

[335] Finally, in relation to amendment 7, which is in my name, a very strong case was made to us in evidence that the independent remuneration panel should continue to publish its annual report by the end of December, rather than change that date simply because it enables councils to take their considerations into account for budgeting purposes. I think that we need to revert back to the status quo on that particular aspect.

[336] **Mike Hedges:** I have two major points to make. First, I do not think that anyone should fetter the decisions of the independent remuneration panel. I do not think that we should be giving it guidelines on one area, because, once you do that, people will want to move it to many other areas as well. I believe that having a presiding officer is worthwhile. I think that it saves a council money to have a presiding officer who can do the job properly, as opposed to councillors having Buggins's turn at being lord mayor, some of whom are very good and some of whom are not—they may be very good at being councillors but not very good at chairing council meetings.

[337] On senior salaries, I remember when a Conservative Government did away with the old situation where we had a chief-executive pay level set in England and Wales; the chief executive was paid at a level that depended on the size of the council. I think it would create problems if we had a Welsh version of that, especially where we have porosity of borders in north-east Wales and south-east Wales and a danger of movement across those borders. I think that something needs to be done; I would hope that it would be done on an England-and-Wales basis. We need to go back to the old system, because what happened was that the Conservatives said, 'If we offer these very large salaries to chief executives and chief officers, all of these people from the private sector will come and do these jobs wonderfully well'. We have ended up with the same people who would have got the jobs in the first place earning a lot more money.

[338] Something needs to be done to address this. I do not think that any of these amendments take this matter on. I hope that the Minister is listening to what I am saying and that she will talk to her equivalent in London about it. I hope that she takes cognisance of the fact that something needs to be done. Senior salaries are ratcheted up in England and Wales, and this has been caused by the removal of the old senior-salary pay points. I understand that, in England and Wales, senior civil servants are paid exactly the same on senior salary points that are agreed between England and Wales. I ask the Minister whether she will go away and talk to people in London to see whether we can come to some agreement on re-inserting the senior-salary position. It is not just a Welsh problem—it happens in England as well for exactly the same reason.

[339] **Rhodri Glyn Thomas:** Nid wyf yn deall y ddadl hon fod angen gwneud rhywbeth ond na ddylem ei wneud yn awr, yng nghyd-destun y Bil hwn. Mae dweud bod yr un broblem yn bodoli yn Lloegr yn gwbl amherthnasol. Nid oes gennym gyfrifoldeb dros yr hyn sy'n digwydd yn Lloegr; ein cyfrifoldeb ni yw'r hyn sy'n digwydd yng Nghymru. Mae gwelliant 18 yn caniatáu i ni fynd i'r afael â'r broblem hon mewn ffordd annibynnol a gwrthrychol sy'n sicrhau bod y

**Rhodri Glyn Thomas:** I do not understand this argument that there is a need to do something but not to do it now, in the context of this Bill. To say that the same problem exists in England is totally irrelevant. We do not have a responsibility for what is happening in England; our responsibility is for what is happening in Wales. Amendment 18 allows us to get to grips with this problem in an independent and objective way that ensures that these salaries are set by a board

cyflogau hyn yn cael eu pennu gan fwrdd nad yw'n ystyried unrhyw beth ond ansawdd y gwaith a chyfrifoldebau'r swyddog penodol. Buaswn yn gobeithio, felly, y byddai modd i bawb gytuno ar welliant 18 a'i gefnogi.

that does not consider anything other than the quality of the work and the responsibilities of the specific officer. I would, therefore, hope that it would be possible for everyone to agree to, and support, amendment 18.

[340] Nid wyf yn mynd i gefnogi gwelliannau 74 a 18A, am y rhesymau y mae Peter Black wedi'u rhoi. Credaf fod Janet Finch-Saunders a minnau'n ceisio mynd i'r afael â'r un broblem, ac rwy'n meddwl mai'r un rhesymau sydd gennym am wneud hynny. Fodd bynnag, rwy'n credu bod gwelliant 18 yn gwneud hynny mewn ffordd lawer iawn cryfach. Byddaf hefyd yn cefnogi gwelliant 7 yn enw Peter Black.

I am not going to support amendments 74 and 18A, for the reasons that Peter Black has outlined. I believe that Janet Finch-Saunders and I are trying to address the same problem, and I think that we have the same reasons for doing so. However, I believe that amendment 18 does that in a far stronger way. I will also be supporting amendment 7 in the name of Peter Black.

[341] **Kenneth Skates:** I believe that what happens over the border is relevant. As Mike said, we have a porous border. I think that this issue should be addressed nationwide. I do not think that we can make a decision here unilaterally and then just expect England to follow. It is something that the Minister would do well to speak to equivalents in London about.

[342] **Christine Chapman:** If no other Members wish to contribute, I will call the Minister to speak and then Janet to reply.

[343] **Lesley Griffiths:** Looking at the point about senior officers' pay, I agree with Rhodri Glyn Thomas—I do not think that this is the place to make these changes. However, it is something that I am going to have to look at. Janet Finch-Saunders said that we all have many examples of such things happening. I cannot think of many examples, but there have certainly been areas where we have all been concerned about this happening. So, I will look at it.

[344] Section 38 of the Localism Act 2011 provides that local authorities are to prepare a pay policy statement, and this includes decisions made by local authorities regarding remuneration. Chief-officer pay must follow the pay policy statement. The parameters of pay are set by the full council. Local authorities must comply with the pay policy statement for the financial year when that determination is made. Welsh Ministers have issued guidance on this.

[345] Turning to amendment 47 tabled by Janet, the independent remuneration panel for Wales has the responsibility for deciding how much councillors—

11.00 a.m.

[346] **Rhodri Glyn Thomas:** It is 74, not 47.

[347] **Lesley Griffiths:** Sorry, did I say 47? I meant 74.

[348] The independent remuneration panel for Wales has the responsibility for deciding how much councillors, including civic chairs or mayors, should be paid. In making its decisions, it needs to consider what, if any, payment should be made to presiding members. In any case, the amount a mayor or civic chair receives is related primarily to their civic and ceremonial functions, not to charring meetings. So, it may not be appropriate to reduce a mayor's or a chair's remuneration, as suggested by this amendment. In any case, to place such a matter in the Bill would be to intrude on the responsibilities of the panel to decide on appropriate payments to councillors. It was established so councillors would no longer have

to decide their own pay, in the same way that we, as Assembly Members, and Members of Parliament, also have independent bodies to decide on these issues.

[349] The panel—and this is really important—is not equipped to negotiate with trade unions on employment in local authorities. So, I do not think that the panel is the appropriate body to deal with local authority officers' pay. That should be a matter for local authorities. Very importantly, and Janet did refer to this, it should be done in an open and transparent manner. It should be open to scrutiny by the public. Just as I do not consider this to be a role for the remuneration panel, neither do I support the proposal to make Welsh Ministers the final arbiter on this. It is for those reasons that the Government does not support amendments 18 or 18A.

[350] Moving to Peter Black's amendment 7, relating to the data publication of the panel's annual report, I advise members of this committee that it was the panel who requested this change in data in order to help local government and not to hinder it. The panel makes determinations in its annual report that take effect at the start of the municipal year, to fit in with local government's convenience. However, it needs to start drafting its annual report only a few weeks after that, because it needs to be translated and consulted on for two months before it is redrafted as the final report, reformatted and translated again by Christmas. Changes from the draft to the final report could be expensive, and disturbing budget planning is unrealistic given how small a budget is spent on councillors' allowances. Local authorities are already familiar with budgeting for staff pay rises, which are often decided in the summer. On that basis, I ask Members to resist amendment 7.

[351] **Christine Chapman:** I call Janet to reply.

[352] **Janet Finch-Saunders:** The reason we tabled amendment 74 is because, currently, the presiding member is also the chairman of a council, and, if you were to split that role, the current special responsibility allowance accompanying that role should also be split, or there should be some mechanism in place. Currently, because of human nature and the way in which we have seen special responsibility allowances across local authorities balloon and inflate over the years—many residents have made representations to me about the size of some SRAs—if you were to split that role into two separate functions and expect another person to do half the role, it would just not work for one person to receive the current SRA and the other person to do half that work for nothing. However, if you were to award the same amount of SRA, of, say, around £7,000 or £8,000 to that secondary role, and times that by 22, that is another hit for council tax payers in Wales.

[353] The Minister, in talking about senior officer pay, referred to 'not many' local authorities. Around 11 local authorities in Wales pay well over the £143,000 that the Prime Minister earns. Pembrokeshire is a fine example at £195,000 a year. We have all raised concerns about the levels of senior officer pay. Some responsibility should be placed on the Welsh Minister if pay levels reach silly amounts. Too often, in the Siambr, I have heard the response, 'This is a matter for local authorities'. This would be one way of putting some democratic accountability into the role of the Welsh Minister for local government. At the end of the day, you have some responsibility to ensure that there is fairness and equity across Wales as regards the level of pay in senior appointments. Finally, on the presiding role amendment, in addition to the remuneration board for the councils, a local authority can currently write in and make a special case for any additional special responsibility allowances. When this becomes an Act and becomes relevant, you will probably be receiving 22 special discretionary requests for extra salaries. In these times of austerity, when everybody else is tightening their belts, local authorities have very little scope to provide services with ever-tightening budgets, and I think that we should be looking to ensure that council tax payers do not take another hit.

[354] **Christine Chapman:** Do you wish to proceed to a vote on amendment 74?

[355] **Janet Finch-Saunders:** Yes, please.

[356] **Christine Chapman:** The question is that amendment 74 be agreed to. Does any Member object? I see that there is objection, so we will move to a vote on amendment 74.

*Gwelliant 74: O blaid 2, Ymatal 0, Yn erbyn 8.  
Amendment 74: For 2, Abstain 0, Against 8.*

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

Finch-Saunders, Janet  
Isherwood, Mark

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

Black, Peter  
Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth  
Thomas, Rhodri Glyn  
Whittle, Lindsay

*Gwrthodwyd gwelliant 74.  
Amendment 74 not agreed.*

[357] **Christine Chapman:** We will return to vote on the remaining amendments in the group later in proceedings in accordance with the marshalled list.

[358] In accordance with the marshalled list, we now move to dispose of amendments 60 to 64, which were debated in group 1. Minister, would you like amendment 60 in your name to be moved?

[359] **Lesley Griffiths:** Yes.

[360] **Christine Chapman:** I move amendment 60 in the name of the Minister.

[361] The question is that amendment 60 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 60 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 60.  
Amendment 60 agreed.*

[362] **Christine Chapman:** Minister, would you like amendment 61 in your name to be moved?

[363] **Lesley Griffiths:** Yes.

[364] **Christine Chapman:** I move amendment 61 in the name of the Minister.

[365] The question is that amendment 61 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 61 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 61.  
Amendment 61 agreed.*

[366] **Christine Chapman:** Minister, would you like amendment 62 in your name to be moved?

[367] **Lesley Griffiths:** Yes.

[368] **Christine Chapman:** I move amendment 62 in the name of the Minister.

[369] The question is that amendment 62 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 62 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 62.  
Amendment 62 agreed.*

[370] **Christine Chapman:** Minister, would you like amendment 63 in your name to be moved?

[371] **Lesley Griffiths:** Yes.

[372] **Christine Chapman:** I move amendment 63 in the name of the Minister.

[373] The question is that amendment 63 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 63 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 63.  
Amendment 63 agreed.*

[374] **Christine Chapman:** Minister, would you like amendment 64 in your name to be moved?

[375] **Lesley Griffiths:** Yes.

[376] **Christine Chapman:** I move amendment 64 in the name of the Minister.

[377] The question is that amendment 64 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 64 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 64.  
Amendment 64 agreed.*

[378] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendments 1 to 5, which were debated in group 3.

[379] Peter, do you wish to move amendment 1?

[380] **Peter Black:** No, I am not moving it.

[381] **Christine Chapman:** Does any Member wish to move amendment 1 in accordance with Standing Order No. 26.65? I see that they do not, and therefore the amendment is not moved.

*Ni chynigiwyd gwelliant 1.  
Amendment 1 not moved.*

[382] **Christine Chapman:** Peter, do you wish to move amendment 2?

[383] **Peter Black:** No.

[384] **Christine Chapman:** Does any Member wish to move amendment 2? I see that no-one does.

*Ni chynigiwyd gwelliant 2.  
Amendment 2 not moved.*

[385] **Christine Chapman:** Peter, would you like to move amendment 3?

[386] **Peter Black:** I move amendment 3 in my name and with the name of Rhodri Glyn Thomas in support.

[387] **Christine Chapman:** The question is that amendment 3 be agreed to. Does any Member object? I see that there is objection, so we will move to a vote.

*Gwelliant 3: O blaid 5, Ymatal 0, Yn erbyn 5.  
Amendment 3: For 5, Abstain 0, Against 5.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).  
As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 3.  
Amendment 3 not agreed.*

[388] **Christine Chapman:** Peter, would you like to move amendment 4?

[389] **Peter Black:** No, I am not going to move it.

[390] **Christine Chapman:** Right, okay. Does any Member wish to move amendment 4? I see that no-one does.

*Ni chynigiwyd gwelliant 4.  
Amendment 4 not moved.*

[391] **Christine Chapman:** Peter, would you like to move amendment 5?

[392] **Peter Black:** No, I am not going to move it.

[393] **Christine Chapman:** Does any Member wish to move amendment 5? I see that no-one does.



*Ni chynigiwyd gwelliant 5.  
Amendment 5 not moved.*

[394] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendment 65, which was debated in group 1. Minister, would you like amendment 65 in your name to be moved?

[395] **Lesley Griffiths:** Yes.

[396] **Christine Chapman:** I move amendment 65 in the name of the Minister.

[397] The question is that amendment 65 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 65 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 65  
Amendment 65 agreed.*

[398] In accordance with the marshalled list, we now move to dispose of amendments 17 and 67, which were debated in group 3. Rhodri, would you like to move amendment 17?

[399] **Rhodri Glyn Thomas:** Cynigiaf **Rhodri Glyn Thomas:** I move amendment welliant 17 yn fy enw i a chydag enw Peter 17 in my name and with the name of Peter Black yn ei gefnogi. Black in support.

[400] **Christine Chapman:** The question is that amendment 17 be agreed to. Does any Member object? I see that there is objection. I therefore call for a vote.

*Gwelliant 17: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 17: For 5, Against 5, Abstain 0.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 17.  
Amendment 17 not agreed.*

[401] **Christine Chapman:** Minister, would you like amendment 67 in your name to be moved?

[402] **Lesley Griffiths:** Yes.

[403] **Christine Chapman:** I move amendment 67 in the name of the Minister.

[404] The question is that amendment 67 be agreed to. Does any Member object? I see that

there is no objection. Therefore, amendment 67 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 67.  
Amendment 67 agreed.*

[405] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendment 66, which was debated in group 2. Minister, would you like amendment 66 in your name to be moved?

[406] **Lesley Griffiths:** Yes.

[407] **Christine Chapman:** I move amendment 66 in the name of the Minister. The question is that amendment 66 be agreed to. Does any Member object? I see that there is objection. I therefore call for a vote.

*Gwelliant 66: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 66: For 5, Against 5, Abstain 0.*

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).  
As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 66.  
Amendment 66 not agreed.*

#### **Grŵp 15: Gwasanaethau Democrataidd (Gwelliant 6) Group 15: Democratic Services (Amendment 6)**

[408] **Christine Chapman:** The lead and only amendment in this group is amendment 6. I call on Peter Black to move and speak to amendment 6 in his name.

[409] **Peter Black:** I move amendment 6 in my name and with the name of Rhodri Glyn Thomas in support.

[410] The current provision in the Bill is that, if a review of the democratic services committee is requested, that has to be done at the request of the authority as a whole. The argument that was put by the committee in its report was that that would effectively enable the ruling group to determine when such a review should be undertaken. The amendment states that a review should be carried out at the request of 10% of the council's membership; that does not mean, of course, that that review has to be accepted. Once that review has been carried out, it would then go to the full council for it to determine. It seems reasonable to me that, if an opposition group or a group of backbenchers in the ruling group felt that a procedure was particularly wrong or misjudged, they should be able to ask for a review, and ask the democratic services committee to carry out that review, so that the council could consider whether the outcome of that review had merit or not. That is the intent and purpose

of this amendment—to give more power to backbenchers and opposition parties to request that the democratic services committee carry out such reviews as and when they consider them necessary. Therefore I hope that the committee will be able to support that in line with the report, which, at the time, had unanimous support.

[411] **Christine Chapman:** Other Members wish to speak to this amendment. Mike has indicated that he wants to speak.

11.15 a.m.

[412] **Mike Hedges:** I suppose that in Anglesey, 10% of the membership means three people. That is the problem. I understand what Peter Black is trying to put forward and I do not disagree with what he is attempting to achieve, but you do not want to be stifled by the ruling group that may have a majority of one and which could then stifle anything going on there. You also do not want to get it down to a very small group of people, which in Anglesey would be three people, or four people in some other councils. I hope that the Minister understands what we are saying here today and goes back and, at Stage 3, comes up with some type of recommendation of somewhere between a very small number and a majority, perhaps a quarter of the council or a de minimis of 10—so that you could ensure that it was not a small group trying to make trouble and that it had legitimate local support. I will vote against Peter Black's amendment, but I hope that the Minister will take these thoughts away and come back at Stage 3 with some form of recommendation that means that any ruling group cannot stifle in this regard.

[413] **Christine Chapman:** Do any other Members wish to speak? I see not. I call on the Minister to reply.

[414] **Lesley Griffiths:** I listened carefully to what Peter said, but I cannot support this amendment. Section 56 of the Bill gives the democratic services committee greater flexibility to undertake its tasks. As Mike Hedges said, amendment 6 allows just 10% of an authority's members, rather than a majority, to task the committee, even if the majority of council members disagreed. As Mike said, in Anglesey, for instance, with a council of 30 that would just be three members. I do not think that this is necessary, and I do not think that it is in keeping with our policy intent to provide greater flexibility to the DSCs, so I ask Members to resist the amendment.

[415] **Christine Chapman:** I call on Peter to reply.

[416] **Peter Black:** This is not about imposing a will on anyone, and I think that the flexibility is still there. I think that the democratic services committee should be serving the council as a whole, and not necessarily the majority of the council, which means that minorities should have the right to ask for reviews such as this. As I said, you cannot impose the outcome of a review on the council—that will have to be determined by a majority vote. I understand Mike Hedges's point, and if this amendment is rejected we might come back with a figure of 25% at Stage 3. However, if a minority of the council decides that something is unjust, unreasonable or if it feels that something needs to be looked at. For instance, there is only one cabinet scrutiny committee in Swansea, and councillors may feel that there should be two or three such committees and so they could ask the democratic services committee to review how that is operating. Why should they not be able to do that? Why should we have to rely on the majority of the council to vote for that particular thing to happen? This is about giving more rights to backbenchers and opposition members, and enabling them to take advantage of the flexibility that the Minister seeks to introduce.

[417] **Christine Chapman:** Thank you, Peter. Do you wish to proceed to a vote on amendment 6?

[418] **Peter Black:** Yes, I do.

[419] **Christine Chapman:** The question is that amendment 6 be agreed to. Does any Member object? I see that there is objection. I therefore call for a vote.

*Gwelliant 6: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 6: For 5, Against 5, Abstain 0.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 6.  
Amendment 6 not agreed.*

[420] **Christine Chapman:** We have now disposed of the only amendment in group 15. In accordance with the marshalled list, we now move to dispose of the remaining amendments that were debated in group 14. Janet, would you like to move amendment 18A?

[421] **Janet Finch-Saunders:** I move amendment 18A in my name.

[422] **Christine Chapman:** The question is that amendment 18A be agreed to. Does any Member object? I see that there is objection. I therefore call for a vote.

*Gwelliant 18A: O blaid 2, Yn erbyn 8, Ymatal 0.  
Amendment 18A: For 2, Against 8, Abstain 0.*

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

Finch-Saunders, Janet  
Isherwood, Mark

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

Black, Peter  
Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth  
Thomas, Rhodri Glyn  
Whittle, Lindsay

*Gwrthodwyd gwelliant 18A.  
Amendment 18A not agreed.*

[423] **Christine Chapman:** Rhodri, would you like to move amendment 18?

[424] **Rhodri Glyn Thomas:** Cynigiaf welliant 18 yn fy enw i a chydag enwau Peter Black a Janet Finch-Saunders yn ei gefnogi. **Rhodri Glyn Thomas:** I move amendment 18 in my name and with the names of Peter Black and Janet Finch-Saunders in support.

[425] **Christine Chapman:** The question is that amendment 18 be agreed to. Does any Member object? I see that there is objection. I therefore call for a vote.

*Gwelliant 18: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 18: For 5, Against 5, Abstain 0.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 18.  
Amendment 18 not agreed.*

[426] **Christine Chapman:** Peter, would you like to move amendment 7?

[427] **Peter Black:** I move amendment 7 in my name and with the name of Rhodri Glyn Thomas in support.

[428] **Christine Chapman:** The question is that amendment 7 be agreed to. Does any Member object? I see that there is objection. I therefore call for a vote.

*Gwelliant 7: O blaid 5, Yn erbyn 5, Ymatal 0.  
Amendment 7: For 5, Against 5, Abstain 0.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 7.  
Amendment 7 not agreed.*

**Grŵp 16: Etholiadau Awdurdodau Lleol (Gwelliannau 19, 20 ac 21)  
Group 16: Local Authority Elections (Amendments 19, 20 and 21)**

[429] **Christine Chapman:** Having disposed of the amendments in group 14, we now move on to group 16. The lead amendment is amendment 19, and I call on Rhodri Glyn Thomas to move amendment 19 and speak to the other amendments in the group.

[430] **Rhodri Glyn Thomas:** Cynigiau welliant 19 yn fy enw i a chydag enw Peter Black yn ei gefnogi.

**Rhodri Glyn Thomas:** I move amendment 19 in my name and with the name of Peter Black in support.

[431] Mae gwelliant 19 yn ymwneud â chyflwyno system o bleidleisio ar sail y bleidlais sengl drosglwyddadwy i etholiadau lleol. Mae gwelliant 20 yn ymwneud â'r newidiadau y byddai'n rhaid eu cyflwyno i alluogi hynny, ac mae gwelliant 21 yn ymwneud â phwnc swyddogion etholiad sy'n derbyn tâl ychwanegol. Yn hynny o beth, rydym yn edrych ar y system sy'n bodoli yn Abertawe—hwyrach ei bod yn bodoli rhywle arall. Nid fi yw'r aelod o'r pwyllgor sy'n cyfeirio at Abertawe fel rheol, er ei bod yn codi yn aml yn ein cyfarfodydd. Ar y mater hwn, mae awdurdod lleol dinas Abertawe yn sicrhau nad yw'r swyddog etholiad yn derbyn tâl ychwanegol am fod y rôl hon yn un o'i gyfrifoldebau fel uwch swyddog.

Amendment 19 concerns the introduction of a new voting system based on the single transferrable vote for local elections. Amendment 20 relates to the changes that would have to be introduced to enable that to happen, and amendment 21 relates to the subject of returning officers who receive additional payment. In that regard, we are looking at the system that is in place in Swansea—it may exist elsewhere. I am not the member of this committee who refers to Swansea as a rule, even though the subject often crops up in our meetings. On this matter, the local authority and the city of Swansea ensures that the returning officer does not receive additional payment given that this role is one of his or her responsibilities as a senior official.

[432] Rwy'n mawr obeithio y bydd cefnogaeth i hyn oherwydd nid yn unig y mae'r taliadau ychwanegol hyn am y gwaith hwn yn anomaledd, maent yn creu system lle mae'n anodd iawn bod yn atebol i'r cyhoedd—mae'r taliadau hyn yn cael eu gwneud, ond mae sicrhau archwiliad llawn o'r arian hwnnw yn anodd iawn.

I greatly hope that there will be support for this, because not only are these additional payments for this work an anomaly, they create a system in which it is very difficult to ensure public accountability—these payments are made, but ensuring a full audit of this money is very difficult.

[433] O ran y system bleidleisio, rydym wedi sicrhau modd cynnal wardiau un aelod, petai hynny'n digwydd. Felly, nid ydym yn gorfodi symud tuag at wardiau aml-aelod.

With regard to the voting system, we have ensured a means of supporting single-member wards, should they arise. So, we are not enforcing a move towards multimember wards.

[434] **Mike Hedges:** There are two things on this. I am glad that Swansea has again had an honourable mention. It is important that local authorities have the right to appoint people to whatever grades they want, but what is really being looked at here is an advice note from the Minister regarding chief executives and that that should be considered normally to be part of a chief executive's role. I think that it is much more of an advice note situation, rather than being put in here as legislation.

[435] On STV, can I remind people that we had a vote a few years ago, and people in Wales and in Britain voted overwhelmingly against the proportional representation system? I do not believe that we have the power to bring in STV—Simon Thomas and I engaged in a substantial argument over this, because he believes that we do have the powers. I do not believe that we have the powers. More importantly, however, if we did have the powers, I would still oppose it. If people are going to change the voting system, can we let the people choose?

[436] **Rhodri Glyn Thomas:** How are they going to vote for it?

[437] **Mike Hedges:** By having a referendum—by putting a cross against ‘yes’ or ‘no’ if they want to change the system. I think that the majority of people would again say ‘no’, and that they like the current system. I would like to make one final point on this. We voted against the alternative vote system, but, for the next election we had, which was to elect police commissioners, it was brought in. The public is not being listened to. People like the first-past-the-post system; they understand it and they think that it is fair and just. If you want to try to convince the public, it should not be brought in through the back door, with politicians passing it. It is another case of ‘jobs for everybody’ and almost of prizes in politics. I am against that. You should stand or fall.

[438] **Peter Black:** As Mike said, we voted against the alternative vote system, not the single transferable vote. They are rather different systems. In fact, I am not convinced that the public voted on the AV system; people voted for many other reasons, including protesting against the Government. However, that is irrelevant, because what we are being asked to do here is to introduce a fair voting system for local councils in Wales in line with similar systems that have already been introduced in Scotland and Northern Ireland, where they work very well.

[439] **Mike Hedges:** They do not.

[440] **Peter Black:** They do.

[441] Where you have a fair voting system, which works very well in Scotland and Northern Ireland, you have a system where a council is more representative of the way that people vote. As a result of that, it is more responsive to local people, more accountable and more transparent. We will have this debate next week, of course, with the amendments to the Minister’s motion on open and democratic local government, but it seems to me that you cannot have open, democratic and transparent local government unless you have a council that reflects the way that people have voted in its make-up, and the only way to do that is through the single transferable vote system, as set out in these amendments. I am happy to support them.

[442] In relation to amendment 21, which relates to the payment to returning officers, I am also happy to support that. It could be argued, of course, that, had we passed amendment 18, the remuneration panel could have determined this anyway, but I think it is right that the system, as set out in Swansea and other councils, whereby the remuneration to the chief executive as the returning officer covers the fact that he or she is the returning officer, is a fair and transparent one. Additional payments on top of that do not go down well with voters and do not reflect the need to have an open and transparent way of paying senior officers.

[443] **Lesley Griffiths:** I do not support a move towards proportional representation in local government as is proposed in amendments 19 and 20. The most important thing is that we get people to stand for election and ensure that the public has a choice of candidates. I want to see every ward contested. That is the challenge that we face.

[444] I am sympathetic to the provision about questioning election results. It seems ridiculous that it took nine months to sort out the situation regarding the councillor in Denbighshire who was unable to take office after his votes were wrongly allocated to another candidate with a similar name. It was known straight away that the mix-up had happened, yet it took an election court judgment before it could be addressed. So, I consider that the Electoral Commission should look very carefully at how the law might be improved to deal with such administrative errors—as opposed to allegations of fraud and misconduct. However, the arguments do not matter; it is outside the legislative competence of the Assembly. So, I cannot support the proposed amendments.

[445] Turning to amendment 21, again, at this time, the National Assembly does not have legislative competence in relation to electoral administration and registration. We do have responsibility for the financing of the Assembly's elections, and I am going to look very carefully at the issue of returning officer fees in advance of that. I share others' concerns about council officers possibly being paid for hours worked on election duty for which they are already receiving a council salary. As I said, I will bear this in mind when we consider the fees and charges Order for the next Assembly election. So, I do have sympathy with the amendment and, in relation to that, we await the outcome of the work of the Silk commission as it continues its review of powers for the National Assembly. However, again, as the amendment is outside of our competence, I cannot support it.

[446] **Christine Chapman:** I call on Rhodri Glyn to reply to the debate.

11.30 a.m.

[447] **Rhodri Glyn Thomas:** Nid wyf yn derbyn dadleuon y Gweinidog ar y gwelliannau hyn. Credaf fod tystiolaeth o'r Alban a manau eraill bod system bleidleisio sy'n fwy teg ac yn fwy cynrychioliadol yn llwyddo a'i bod yn denu mwy o ymgeiswyr a mwy o bobl i bleidleisio. O ran gwelliant 21, rwy'n meddwl mai mater o synnwyr cyffredin yw e. Mae'r uwch-swyddogion hyn—nid y prif weithredwr bob amser, ond uwch-swyddogion—yn derbyn tâl hael iawn, ac maent yn gwneud y gwaith o fewn oriau eu cyfrifoldebau tuag at yr awdurdodau lleol. Rwy'n credu ei fod yn gwbl annerbyniol eu bod yn derbyn tâl ychwanegol am hynny. Felly, rwy'n gobeithio, heb lawer o ddisgwyliadau, y bydd cefnogaeth i'r gwelliannau hyn.

**Rhodri Glyn Thomas:** I do not accept the Minister's arguments on these amendments. I believe that there is evidence from Scotland and elsewhere that a voting system that is fairer and more representative does succeed and that it does attract more candidates and more people to vote. In terms of amendment 21, I think that it is a matter of common sense. These senior officials—it is not always the chief executive, but they are senior officials—receive very generous pay, and they do the work within the hours of responsibility to their local authorities. It is completely unacceptable that they receive additional pay for that. I hope, without much expectation, that there will be support for these amendments.

[448] **Christine Chapman:** Do you wish to proceed to a vote on amendment 19?

[449] **Rhodri Glyn Thomas:** Ydw.

**Rhodri Glyn Thomas:** Yes.

[450] **Christine Chapman:** The question is that amendment 19 be agreed to. Does any Member object? I see that there is objection, therefore I will take a vote.

*Gwelliant 19: O blaid 3, Ymatal 0, Yn erbyn 7.  
Amendment 19: For 3, Abstain 0, Against 7.*

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

Black, Peter  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Finch-Saunders, Janet  
Isherwood, Mark  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gwrthodwyd gwelliant 19.*



*Amendment 19 not agreed.*

[451] **Christine Chapman:** Rhodri, would you like to move amendment 20?

[452] **Rhodri Glyn Thomas:** Cynigiaf **Rhodri Glyn Thomas:** I move amendment welliant 20 yn fy enw i a chydag enw Peter 20 in my name and with the name of Peter Black yn ei gefnogi. Black in support.

[453] **Christine Chapman:** The question is that amendment 20 be agreed to. Does any Member object? I see that there is objection, therefore I will take a vote.

*Gwelliant 20: O blaid 3, Ymatal 0, Yn erbyn 7.*

*Amendment 20: For 3, Abstain 0, Against 7.*

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

Black, Peter  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Finch-Saunders, Janet  
Isherwood, Mark  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gwrthodwyd gwelliant 20.*

*Amendment 20 not agreed.*

[454] **Christine Chapman:** Rhodri, would you like to move amendment 21?

[455] **Rhodri Glyn Thomas:** Cynigiaf **Rhodri Glyn Thomas:** I move amendment welliant 21 yn fy enw i a chydag enw Peter 21 in my name and with the name of Peter Black yn ei gefnogi. Black in support.

[456] **Christine Chapman:** The question is that amendment 21 be agreed to. Does any Member object? I see that there is objection, therefore I will take a vote.

*Gwelliant 21: O blaid 5, Ymatal 0, Yn erbyn 5.*

*Amendment 21: For 5, Abstain 0, Against 5.*

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

Black, Peter  
Finch-Saunders, Janet  
Isherwood, Mark  
Thomas, Rhodri Glyn  
Whittle, Lindsay

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

Chapman, Christine  
Hedges, Mike  
Price, Gwyn R.  
Rathbone, Jenny  
Skates, Kenneth

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).*

*As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 21.*

*Amendment 21 not agreed.*

[457] **Christine Chapman:** We have now disposed of the amendments in group 16, and, in accordance with the marshalled list, we move to dispose of amendment 68, which was debated in group 4. Minister, would you like amendment 68 in your name to be moved?

[458] **Lesley Griffiths:** Yes.

[459] **Christine Chapman:** I move amendment 68 in the name of the Minister.

[460] The question is that amendment 68 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 68 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 68.  
Amendment 68 agreed.*

[461] **Christine Chapman:** We have now disposed of the amendments in group 4. As amendment 3 was not agreed, amendment 8 falls.

*Methodd gwelliant 8.  
Amendment 8 fell.*

[462] **Christine Chapman:** As amendment 13 was not agreed, amendment 22 falls.

*Methodd gwelliant 22.  
Amendment 22 fell.*

[463] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendments 41, 42 and 43, which were debated in group 12. Minister, would you like amendment 41 in your name to be moved?

[464] **Lesley Griffiths:** Yes.

[465] **Christine Chapman:** I move amendment 41 in the name of the Minister.

[466] The question is that amendment 41 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 41 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 41.  
Amendment 41 agreed.*

[467] **Christine Chapman:** Minister, would you like amendment 42 in your name to be moved?

[468] **Lesley Griffiths:** Yes.

[469] **Christine Chapman:** I move amendment 42 in the name of the Minister.

[470] The question is that amendment 42 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 42 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 42.  
Amendment 42 agreed.*

[471] **Christine Chapman:** Minister, would you like amendment 43 in your name to be moved?

[472] **Lesley Griffiths:** Yes.

[473] **Christine Chapman:** I move amendment 43 in the name of the Minister.

[474] The question is that amendment 43 be agreed to. Does any Member object? I see that there is no objection. Therefore, amendment 43 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 43.  
Amendment 43 agreed.*

**Grŵp 17: Cychwyn (Gwelliannau 69, 70 a 71)  
Group 17: Commencement (Amendments 69, 70 and 71)**

[475] **Christine Chapman:** The lead amendment is amendment 69. Minister, would you like this amendment in your name to be moved?

[476] **Lesley Griffiths:** Yes.

[477] **Christine Chapman:** I move amendment 69 in the name of the Minister, and call on the Minister to speak to amendment 69 and the other amendments in the group.

[478] **Lesley Griffiths:** These are technical amendments that have the effect of commencing provisions in Part 5 of the Bill on presiding members, promotion and opposition of Bills, democratic services committees, audit committees, the remuneration panel and remote attendance two months after Royal Assent, in line with most of the Bill. Sections of Part 5 of the Bill relating to community council websites, standards committees, the publication of register of interests and the referral of cases relating to conduct, will continue to be subject to later commencement via a commencement Order to be made by Welsh Ministers. I want to give community councils sufficient time to prepare for their requirement to provide information on their websites. Also, the publication of registers, the power to establish joint standards committees, and the referral of matters from one committee to another, will require careful review of existing subordinate legislation to support the implementation of these provisions. I ask Members to support these amendments.

[479] **Christine Chapman:** Are there any Members who wish to speak? I see that no-one does. Minister, do you wish to proceed to a vote on amendment 69?

[480] **Lesley Griffiths:** Yes.

[481] **Christine Chapman:** The question is that amendment 69 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 69 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 69.  
Amendment 69 agreed.*

[482] **Christine Chapman:** Minister, would you like amendment 70 in your name to be moved?

[483] **Lesley Griffiths:** Yes.

[484] **Christine Chapman:** I move amendment 70 in the name of the Minister.

[485] The question is that amendment 70 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 70 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 70.  
Amendment 70 agreed.*

[486] **Christine Chapman:** Minister, would you like amendment 71 in your name to be moved?

[487] **Lesley Griffiths:** Yes.

[488] **Christine Chapman:** I move amendment 71 in the name of the Minister.

[489] The question is that amendment 71 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 71 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 71.  
Amendment 71 agreed.*

[490] **Christine Chapman:** We have now disposed of the amendments in group 17. In accordance with the marshalled list, we now move to dispose of all the remaining amendments, which have already been debated. Minister, would you like amendment 44 in your name to be moved?

[491] **Lesley Griffiths:** Yes.

[492] **Christine Chapman:** I move amendment 44 in the name of the Minister.

[493] The question is that amendment 44 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 44 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 44.  
Amendment 44 agreed.*

[494] **Christine Chapman:** Minister, would you like amendment 72 in your name to be moved?

[495] **Lesley Griffiths:** Yes.

[496] **Christine Chapman:** I move amendment 72 in the name of the Minister.

[497] The question is that amendment 72 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 72 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 72.  
Amendment 72 agreed.*

[498] **Christine Chapman:** Minister, would you like amendment 73 in your name to be moved?

[499] **Lesley Griffiths:** Yes.

[500] **Christine Chapman:** I move amendment 73 in the name of the Minister.

[501] The question is that amendment 73 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 73 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 73.  
Amendment 73 agreed.*

[502] **Christine Chapman:** Minister, would you like amendment 45 in your name to be moved?

[503] **Lesley Griffiths:** Yes.

[504] **Christine Chapman:** I move amendment 45 in the name of the Minister.

[505] The question is that amendment 45 be agreed to. Does any Member object? I see that there are no objections. Therefore, amendment 45 is agreed in accordance with Standing Order No. 17.34.

*Derbyniwyd gwelliant 45.  
Amendment 45 agreed.*

[506] **Christine Chapman:** We have now disposed of all the amendments. For the record, all sections of the Bill have been agreed by the committee, and, as we have disposed of all amendments, Stage 3 begins tomorrow. The deadline for tabling amendments will be notified to Members in due course. Under Standing Order No. 26.27, if a Bill is amended at Stage 2 proceedings so as to insert a section or Schedule or substantially alter any existing provision our committee considering Stage 2 proceedings may request that a Member in charge prepare a revised explanatory memorandum. As such, do Members agree that the Minister should prepare a revised explanatory memorandum? I see that you do. That concludes Stage 2 proceedings of the Local Government (Democracy) (Wales) Bill. I thank the Minister, her officials and Members. The Minister and her officials will be sent a copy of the transcript to check for factual accuracy. I close the meeting.

*Daeth y cyfarfod i ben am 11.35 a.m.  
The meeting ended at 11.35 a.m.*