



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

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

Dydd Iau, 13 Mehefin 2013
Thursday, 13 June 2013

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Cynnig o dan Reol Sefydlog Rhif 17.42 i Benderfynu Gwahardd y Cyhoedd o'r Cyfarfod
Motion under Standing Order No. 17.42 to Resolve to Exclude the Public from the Meeting

Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgriafiad 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

Christine Chapman	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Jocelyn Davies	Plaid Cymru (dirprwyo ar ran Lindsay Whittle) The Party of Wales (substitute for Lindsay Whittle)
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
Kirsty Williams	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Peter Black) Welsh Liberal Democrats (substitute for Peter Black)

Eraill yn bresennol
Others in attendance

Peter Black	Aelod Cynulliad, Democratiaid Rhyddfrydol Cymru (Aelod yn gyfrifol am y Bil) Assembly Member, Welsh Liberal Democrats (Member in charge of the Bill)
Gwyn Griffiths	Cynghorydd Cyfreithiol i'r Aelod yn gyfrifol am y Bil Legal Adviser to the Member in charge of the Bill
Helen Kellaway	Cynghorydd Cyfreithiol i'r Gweinidog Legal Adviser to the Minister
Carl Sargeant	Aelod Cynulliad, Llafur (Y Gweinidog Tai ac Adfywio) Assembly Member, Labour (The Minister for Housing and Regeneration)
Tom Taylor	Is-adran Polisi Tai, Llywodraeth Cynulliad Cymru Housing Policy Division, Welsh Assembly Government

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

Sarah Beasley	Dirprwy Glerc Deputy Clerk
Helen Finlayson	Clerc Clerk
Joanest Jackson	Uwch-Gynghorydd Cyfreithiol Senior Legal Adviser

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

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

[1] **Christine Chapman:** Bore da, and welcome to the Communities, Equality and Local Government Committee. I remind Members that any mobile phones must be switched off because they affect the transmission. We have received an apology this morning from Lindsay Whittle. Jocelyn Davies is substituting for him, so welcome, Jocelyn. I also welcome Kirsty Williams, who is substituting for Peter Black, who is the Member in charge of this Bill. So, again, welcome, Kirsty.

9.15 a.m.

**Bil Safleoedd Rheoleiddiedig Cartrefi Symudol (Cymru): Cyfnod 2—Ystyried y
Gwelliannau
Regulated Mobile Home Sites (Wales) Bill: Stage 2—Consideration of
Amendments**

[2] **Christine Chapman:** The first item on the agenda is the Regulated Mobile Homes Sites (Wales) Bill Stage 2 proceedings. First, I welcome Peter Black, who is the Member in charge of this Bill, and Gwyn Griffiths, who is a legal adviser to Peter Black. I also welcome the Minister for Housing and Regeneration, Carl Sargeant, and your officials, Helen Kellaway, who is your legal adviser, and Tom Taylor, from the Welsh Government housing policy division. Welcome to you all.

[3] I will just run through a few things before we start. The purpose of the meeting is to undertake Stage 2 proceedings on the Regulated Mobile Homes Sites (Wales) Bill. In line with the deadline set by the Business Committee, we must complete Stage 2 proceedings by 21 June. Members should have in front of them a copy of the Bill, the marshalled list of amendments and the groupings of amendments for debate. The marshalled list is the list of all amendments tabled that have been marshalled into the order in which the sections and Schedules appear in the Bill. So, as agreed, the order in which we consider amendments will be sections 1 to 33, Schedule 1 and the long title.

[4] The amendments have been grouped to facilitate debate. The groups are set out in the groupings list. There will be one debate on each group of amendments, but the order in which the amendments will be called and moved for a decision will be dictated by the marshalled list. Again, just to remind Members, you will need to follow both the marshalled list and the groupings list, although I will advise Members when I call you whether you have been called to speak in the debate or to move the amendments for the decision. For the debate on each group, I will call the proposer of the first amendment in the group, who should speak to it and move their first amendment and speak to the other amendments in that group. I will then call other speakers, including any other proposers of amendments in that group, but they should not move their amendments at that stage.

[5] Members who do not have an amendment in the group but who wish to speak should indicate their wish to speak in the usual way, and I will call Peter Black and the Minister to speak on each group. Again, to conclude each debate, I will call the proposer of the first amendment in the group to reply to the debate. Following the debate on a group, I will clarify whether the Member who moved the first amendment still wishes to press it to a decision. If not, he or she may seek the agreement of the committee to withdraw it. If it is not withdrawn, I will put the question on the first amendment in the group that the amendment be agreed to, and I will ask whether any Member objects. If no Member objects, then the amendment will be agreed. If a Member does object, I will call for a vote by show of hands and that vote will be recorded in the minutes. I will call the proposers of other amendments in each group to

move their amendments at the appropriate time. If you do not wish to move your amendment, you should say so clearly when the amendment is called.

[6] Obviously, only committee members can move amendments. Therefore, in accordance with the convention agreed by the Business Committee, as Chair, I will move the amendments tabled in the name of the Minister. For expediency, I will assume that the Minister wishes me to move all of his amendments, unless he indicates otherwise.

[7] **The Minister for Housing and Regeneration (Carl Sargeant):** I am happy with that, Chair.

[8] **Christine Chapman:** Okay. So, I do not intend to use the words 'I move' on each occasion, but Members may take my putting the question as indication of each amendment being moved. Are you happy with that, Minister?

[9] **Carl Sargeant:** Yes, I am content with that.

[10] **Christine Chapman:** I remind you as well that, in line with the practice established in the third Assembly, any advisers to the committee, the Minister and the Member in charge are not expected to provide advice on the record. If Members need to seek legal advice during the proceedings, please do so by passing a note to the relevant legal adviser or by requesting an adjournment of proceedings. Again, are you content with those observations? I see that you are.

Grŵp 1: Diffiniad o Safleoedd sy'n Ddarostyngedig i'r Ddeddf (Gwelliannau 1, 2, 3, 4A, 4, 6 a 100)

Group 1: Definition of Sites Subject to the Act (Amendments 1, 2, 3, 4A, 4, 6 and 100)

[11] **Christine Chapman:** The lead amendment in the group is amendment 1. I move amendment 1 in the name of the Minister, and I call on the Minister to speak to the amendments.

[12] **The Minister for Housing and Regeneration (Carl Sargeant):** Good morning. Thank you for the opportunity to be with you this morning. I will start by referring colleagues to some abbreviations that I will probably use, as there are quite a lot of amendments today. I have circulated the list to the committee. For the record, I will refer, through my notes, this morning to the Regulated Mobile Home Sites (Wales) Bill as introduced by Peter Black as 'the Assembly Bill'. 'The revised Bill' refers to the Assembly Bill as revised at Stage 2 scrutiny, 'the 1960 Act' refers to the Caravan Sites and Control of Development Act 1960, 'the 1968 Act' refers to the Caravan Sites Act 1968, 'the 1983 Act' refers to the Mobile Homes Act 1983, and 'the 2013 Act' refers to the Mobile Homes Act 2013. I share that with you in the interests of brevity.

[13] **Christine Chapman:** Members also have that before them.

[14] **Carl Sargeant:** I hope that Members will be content with that.

[15] Moving on to the group of amendments, I would ask Members to resist amendment 4A. Should the committee accept all of the Government amendments, the result will be a more comprehensive Bill. I have worked very closely with the lead Member in drafting the amendments and the new style of Bill. Hopefully, it will get support through this committee this morning. Without consolidation of the existing mobile home sites legislation, those using the legislation would have to read across the four Acts that I have just mentioned. The amendments proposed will make the provision much clearer.

[16] The first group of amendments proposed creates a technical provision within the Bill to signpost the reader to each part of the Bill and provides key definitions used in it. Amendment 2 inserts an overview of the Act, which signposts the reader to the key parts of the Bill. Amendments 4 and 6 insert sections that define the key concepts of regulated sites, protected sites and owners of land.

[17] With regard to the amendment in the name of Mark Isherwood, which seeks to require authorities to undertake checks to ascertain whether an applicant is seeking to circumvent the legislation by applying to license a site as a holiday site, we do not believe that it is appropriate in this section.

[18] Amendment 100 inserts a new Schedule, which restates part of the 1960 Act.

[19] **Christine Chapman:** Thank you, Minister. I now call on Mark Isherwood to speak.

[20] **Mark Isherwood:** Amendment 4A is for local authorities to make checks to ascertain that an applicant is not seeking to circumvent this legislation by applying to license a site as a holiday site. This endeavours to accommodate the requirement for local authorities to make checks to ascertain that an applicant is not seeking—as we said—to circumvent. Section 2 of the Assembly Bill, as defined by the Minister in his introduction, defines a regulated site as excluding holiday sites and includes a means of determining what a holiday site is. It is therefore reasonable and within the scope of the Bill that the local authority should be able to satisfy itself that an application for a holiday site is what it purports to be, and not a means of circumventing the regime established under the Bill.

[21] One of the unforeseen consequences of the Bill, as we heard in evidence at Stage 1, might be that it drives people out of the permanent housing licensing regime and into the holiday licensing regime. Residents should be consulted more on change of use, and that is already being addressed. After I noted that a site operator could apply for a holiday park licence when the site was not really a holiday park, I asked the previous Minister, when he was giving evidence, whether we should consider some requirement for a local authority to require the site operator applying for a change of use or a holiday park licence to show that they had made reasonable checks to ensure that their residents have a primary home elsewhere. The reply I received came from the Minister's official, who said, 'Yes, definitely'. Amen to that. Therefore, Amen to this proposal. It does fall within the scope of section 2. Therefore, I commend it to you.

[22] **Rhodri Glyn Thomas:** Rwyf wedi gwranddo ar yr hyn oedd gan y Gweinidog i ddweud a'r hyn oedd gan Mark Isherwood i'w ddweud. Er fy mod yn deall pam mae Mark wedi codi'r pwnc, rwy'n tueddu i gytuno gyda'r Gweinidog. Nid wyf yn credu ei fod yn berthnasol i'r Bil hwn. Credaf y byddai'n creu rhywfaint o ddryswch. Mater i Fil arall ydyw. Bydd Bil Aelod yn dod gerbron y Cynulliad, a chredaf y byddai'n fwy perthnasol i'r Bil hwnnw nac i'r Bil hwn. Felly, ni fyddwn yn cefnogi'r gwelliant hwn gan Mark Isherwood.

Rhodri Glyn Thomas: I have listened to what the Minister had to say and what Mark Isherwood had to say. Although I understand why Mark has raised this point, I tend to agree with the Minister. I do not believe that it is relevant to this Bill. I think that it would create some confusion. It is a matter for another Bill. There is a Member Bill coming before the Assembly, and I think that it would be more relevant for that Bill than this Bill. Therefore, we will not be supporting this amendment by Mark Isherwood.

[23] **Peter Black:** I support the Minister in asking you to resist this amendment. Assuming that all Government amendments go forward, a subsection will be inserted in the new Bill saying that owners should

[24] 'consult a qualifying residents' association (if there is one) or (otherwise) occupiers of mobile homes stationed on the protected site, about all matters which relate to the operation and management of, improvements to, or any proposed change of use of, the protected site and may affect the occupiers either directly or indirectly.'

[25] So, if there was a situation whereby a residential site was to be changed to a holiday site, there will be a provision in the amended Bill that will require a consultation with the residents, which is in line with the recommendations in the committee report. So, I think that the proposal Mark Isherwood is putting forward is already covered by the rewritten Bill that the Minister is bringing forward as part of the amendment.

[26] **Carl Sargeant:** I am grateful for the Members' comments. I listened carefully to Mark. However, I am still not convinced and we will not be supporting this amendment. Peter Black has referenced group 10, and, if those amendments are accepted, I believe that they will deliver the appropriate provision that Mark is seeking to deliver.

[27] **Christine Chapman:** Do you wish to proceed to a vote, Minister?

[28] **Carl Sargeant:** Yes, please.

[29] **Christine Chapman:** The question is that amendment 1 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 1 is agreed.

*Derbyniwyd gwelliant 1.
Amendment 1 agreed.*

*Cynigiwyd gwelliant 2.
Amendment 2 moved.*

[30] **Christine Chapman:** The question is that amendment 2 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 2 is agreed.

*Derbyniwyd gwelliant 2.
Amendment 2 agreed.*

*Cynigiwyd gwelliant 3.
Amendment 3 moved.*

[31] **Christine Chapman:** The question is that amendment 3 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 3 is agreed.

*Derbyniwyd gwelliant 3.
Amendment 3 agreed.*

[32] **Christine Chapman:** We will now dispose of amendment 4A and 4.

*Cynigiwyd gwelliant 4.
Amendment 4 moved.*

[33] **Christine Chapman:** We will dispose of the amendment to the amendment first. Mark would you like to move amendment 4A?

[34] **Mark Isherwood:** I move amendment 4A in my name.

[35] Can I speak to that or not?

[36] **Christine Chapman:** No, sorry.

[37] **Mark Isherwood:** Okay; the protocol used to permit.

[38] **Christine Chapman:** The question is that amendment 4A be agreed to. Does any Member object? I see that there are objections, therefore, I call for a vote.

*Gwelliant 4A: O blaid 2, Ymatal 0, Yn erbyn 8.
Amendment 4A: 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:

Chapman, Christine
Davies, Jocelyn
Hedges, Mike
Price, Gwyn R.
Rathbone, Jenny
Skates, Kenneth
Thomas, Rhodri Glyn
Williams, Kirsty

*Gwrthodwyd gwelliant 4A.
Amendment 4A not agreed.*

[39] **Christine Chapman:** Before we move to the vote on amendment 4, I remind you that, if amendment 4 is not agreed, then amendment 100 will fall.

[40] The question is that amendment 4 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 4 is agreed.

*Derbyniwyd gwelliant 4.
Amendment 4 agreed.*

9.30 a.m.

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

Grŵp 2: Gweinyddu, Parhad a Ffioedd Trwyddedau Safleoedd (Gwelliannau 5, 7, 8, 11, 12, 13, 14, 16, 21, 27, 29, 31, 67, 70 a 71)
Group 2: Site Licence Administration, Duration and Fees (Amendments 5, 7, 8, 11, 12, 13, 14, 16, 21, 27, 29, 31, 67, 70 and 71)

[42] **Christine Chapman:** The lead amendment in the group is amendment 5. I move amendment 5 in the name of the Minister and call on the Minister to speak to the amendments in this group.

[43] **Carl Sargeant:** Again, I am speaking to all of the amendments listed in group 2. I seek the support of committee for all these amendments. The effect of this group of amendments is to preserve a single site licensing regime for residential and mobile home sites in Wales, and sites that are set up without a licence are liable to a fine likely to be set at level

5 on the standard scale. The amendments in this group are very clear and I seek the support of committee for them.

[44] **Christine Chapman:** Do any other Members wish to speak? I see that they do not. In that case I call on Peter Black.

[45] **Peter Black:** I am content with the amendments.

[46] **Christine Chapman:** Minister, do you want to reply?

[47] **Carl Sargeant:** No response.

[48] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 5?

[49] **Carl Sargeant:** Yes, please.

[50] **Christine Chapman:** The question is that amendment 5 be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 5 is agreed.

*Derbyniwyd gwelliant 5.
Amendment 5 agreed.*

[51] **Christine Chapman:** We now move to dispose of amendment 6, which was debated in group 1.

*Cynigiwyd gwelliant 6.
Amendment 6 moved.*

[52] **Christine Chapman:** The question is that amendment 6 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 6 is agreed.

*Derbyniwyd gwelliant 6.
Amendment 6 agreed.*

[53] **Christine Chapman:** We now move to dispose of amendments 7 and 8, which were debated in group 2.

*Cynigiwyd gwelliant 7.
Amendment 7 moved.*

[54] **Christine Chapman:** The question is that amendment 7 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 7 is agreed.

*Derbyniwyd gwelliant 7.
Amendment 7 agreed.*

*Cynigiwyd gwelliant 8.
Amendment 8 moved.*

[55] **Christine Chapman:** The question is that amendment 8 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 8 is agreed.

*Derbyniwyd gwelliant 8.
Amendment 8 agreed.*

Grŵp 3: Gofyniad Bod Rhaid Trwyddedu Safleodd Rheoleiddiedig (Gwelliannau 9, 10 a 43)

Group 3: Requirement for Regulated Sites to be Licensed (Amendments 9, 10 and 43)

[56] **Christine Chapman:** The lead amendment in the group is amendment 9. I move amendment 9 in the name of the Minister. Minister, would you speak to the amendment?

[57] **Carl Sargeant:** Thank you, Chair. I speak to all amendments in the group—9, 10 and 43. Amendments 9 and 43 remove sections from the Assembly Bill and enable them to be replaced by the section proposed in amendment 10, which restates section 1 of the 1960 Act. The Government believes that local authorities should be provided with the requisite powers to deter landowners from setting up mobile home sites without a licence.

[58] **Christine Chapman:** Do any other Members wish to speak? I see that they do not. I call on Peter Black, then.

[59] **Peter Black:** I am content.

[60] **Christine Chapman:** Minister, did you want to reply?

[61] **Carl Sargeant:** No response.

[62] **Christine Chapman:** Do you wish to proceed to a vote on amendment 9?

[63] **Carl Sargeant:** Yes, please.

[64] **Christine Chapman:** The question is that amendment 9 be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 9 is agreed.

*Derbyniwyd gwelliant 9.
Amendment 9 agreed.*

*Cynigiwyd gwelliant 10.
Amendment 10 moved.*

[65] **Christine Chapman:** The question is that amendment 10 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 10 is agreed.

*Derbyniwyd gwelliant 10.
Amendment 10 agreed.*

[66] **Christine Chapman:** We now move to dispose of amendments 11, 12, 13 and 14, which were debated in group 2.

*Cynigiwyd gwelliant 11.
Amendment 11 moved.*

[67] **Christine Chapman:** The question is that amendment 11 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing

Order No. 17.34, therefore, amendment 11 is agreed.

*Derbyniwyd gwelliant 11.
Amendment 11 agreed.*

*Cynigiwyd gwelliant 12.
Amendment 12 moved.*

[68] **Christine Chapman:** The question is that amendment 12 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 12 is agreed.

*Derbyniwyd gwelliant 12.
Amendment 12 agreed.*

*Cynigiwyd gwelliant 13.
Amendment 13 moved.*

[69] **Christine Chapman:** The question is that amendment 13 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 13 is agreed.

*Derbyniwyd gwelliant 13.
Amendment 13 agreed.*

*Cynigiwyd gwelliant 14.
Amendment 14 moved.*

[70] **Christine Chapman:** The question is that amendment 14 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 14 is agreed.

*Derbyniwyd gwelliant 14.
Amendment 14 agreed.*

**Grŵp 4: Pwerau Awdurdod Lleol i Gyplusu ac Amrywio Amodau Trwyddedau
Safleoedd (Gwelliannau 15, 18, 19, 20, 22, 23, 24, 26 a 28)**

**Group 4: Power of Local Authority to Attach and Vary Conditions of Site Licences
(Amendments 15, 18, 19, 20, 22, 23, 24, 26 and 28)**

[71] **Christine Chapman:** The lead amendment in the group is amendment 15. I move amendment 15 in the name of the Minister and call on the Minister to speak to the amendments in this group.

[72] **Carl Sargeant:** Thank you, Chair. This group of amendments largely restates previous legislation and sets out the powers for local authorities to attach conditions to licensing and site licensing conditions. As such, there are no new policy implications. It is pretty much a restatement of other Acts.

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

[74] **Jocelyn Davies:** I have a question on amendment 18, which I think is in this group, Chair.

[75] **Christine Chapman:** Yes.

[76] **Jocelyn Davies:** I see that you have a list of the things that have to be displayed prominently at sites—utility bills and so on. I do not see any mention here of a public liability insurance certificate. I wonder whether the Minister would give us the reason for not including that in this particular list.

[77] **Carl Sargeant:** It is a—

[78] **Christine Chapman:** May I ask you to reply at the end, Minister? After any other Members have spoken, we will come back to it.

[79] **Jocelyn Davies:** I know that this has been an issue for some occupiers of these sites, that there is no display of public liability insurance. I wonder if the Minister had a good reason for leaving it out, or whether it is simply an oversight. As he mentioned in his introduction, this is restating current legislation. Alternatively, perhaps he would consider this as something that could be addressed at another time.

[80] **Christine Chapman:** Thank you. Do any other Members wish to speak? Okay; I will ask Peter to come in.

[81] **Peter Black:** I am content with the amendments, Chair.

[82] **Christine Chapman:** Okay. Minister, do you want to reply?

[83] **Carl Sargeant:** Yes. First of all, broadly, this set of amendments covers the provisions set out in the original Bill by the Member in charge. The question from Jocelyn Davies is, I think, a reasonable one, and I am not aware of it having been raised before. I will consider it at a further stage in the passage of the Bill.

[84] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 15?

[85] **Carl Sargeant:** Yes, please.

[86] **Christine Chapman:** The question is that amendment 15 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 15 is agreed.

Derbyniwyd gwelliant 15.

Amendment 15 agreed.

[87] **Christine Chapman:** We now move to dispose of amendment 16, which was debated in group 2.

Cynigiwyd gwelliant 16.

Amendment 16 moved.

[88] **Christine Chapman:** The question is that amendment 16 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 16 is agreed.

Derbyniwyd gwelliant 16.

Amendment 16 agreed.

Grŵp 5: Bod Rheolwyr Safleoedd yn Bersonau Addas a Phriodol (Gwelliannau 17, 56A, 56, 58A, 58B a 58)

Group 5: Site Managers to be Fit and Proper Persons (17, 56A, 56, 58A, 58B and 58)

[89] **Christine Chapman:** The lead amendment in this group is amendment 17. I move amendment 17 in the name of the Minister. I call on the Minister to speak to the amendments in this group.

[90] **Carl Sargeant:** Thank you, Chair. I ask Members to support the amendments in my name in group 5, and to resist the amendments in this group in the name of Mark Isherwood. The purpose of the Government amendments is to establish a fit-and-proper-person test that applies to site owners in Wales. The provision set out in the evidence that a local authority must have regard to when deciding whether a person is a fit and proper person, and which gives Welsh Ministers powers to amend this evidence, requires the fit-and-proper-person test to be by regulation. The requirement for the person who is responsible for the day-to-day management of a mobile home site to be a fit and proper person was a key provision in the Bill as it was introduced in the Assembly by the lead Member. I urge the committee to resist amendment 56A. This amendment would, we believe, more than likely raise concerns around issues on the European convention on human rights, particularly around the first protocol, article 1. Under that article, Chair, as I am sure you are aware, all persons are entitled to the peaceful enjoyment of possession and have the right to own property and not be deprived of their possessions. The owner of land may not cause or permit any part of the land to be used as a regulated site unless the authority for the whole area in which the land is situated is satisfied that the manager is a fit and proper person.

[91] I also urge the committee to resist amendments 58A and 58B. Again, I believe that provisions are already included in the Bill for persons managing a site to be a fit-and-proper person and that they face committing an offence if they provide false and misleading information. We would not want to see a fit-and-proper-person test transferred, as proposed in amendment 56B, because a person managing a particular site must be a fit and proper person to manage that site. For example, it is conceivable that managers could commit an offence in a period between the first declaration that they are a fit and proper person and the next. Therefore, we believe that there is a loophole, should that amendment be passed.

[92] **Christine Chapman:** I call on Mark Isherwood.

[93] **Mark Isherwood:** Amendments 56A, 58A and 58B endeavour to meet recommendations that this committee made at Stage 1 that have not yet been addressed in the Assembly Bill as it appears before us today. However, there is a drafting typographical error in amendment 56A, the effect of which negates the intention of the amendment. Amendment 56A was intended to require both the owner and manager, if the owner is not also the manager, to pass the fit-and-proper-person test. As drafted, the amendment reads

[94] ‘is satisfied that the owner of the land is a fit and proper person to be the owner or (as the case may be) the manager of a regulated site’

[95] The ‘or’ should have read ‘and’. So, it should have read,

[96] ‘is satisfied that the owner of the land is a fit and proper person and, as the case may be, the manager of the site’.

[97] Therefore, we will have to withdraw this amendment, but I urge the Minister to consider this at Stage 3. This reinstates the requirement that both the owner and/or manager satisfy the test in order to provide sufficient protections for mobile home site residents, the test should be applied to site owners, including officers of corporate bodies and members of

partnerships, where relevant, and to site managers.

[98] Mobile home industry representatives said that they thought that the test should be applied only to site owners. They said that it was site owners who set the tone of the park, whereas site managers are responsible only for basic site operations. Clive Betts MP, the chair of the Communities and Local Government Committee in Westminster, which scrutinised the regulation of park homes there, and the City and County of Swansea supported the application of a fit-and-proper-person test to site managers only. They said that this was because of the high level of contact that site managers have with mobile home owners, the avoidance of complications that could arise from the application of the test to site owners in respect of complicated corporate structures, disruption to mobile home owners if there was disruption to the ownership of the site and the difficulty of removing a site from an individual's ownership should they be found to be not fit and proper to own a site. Witnesses who supported the application of the test to both site owners and site managers cited the responsibility that site managers have for the day-to-day running of sites and the parallels with the regime for houses in multiple occupation under the Housing Act 2004. These witnesses included mobile home owners, Powys County Council and the residential property tribunal.

[99] There were different opinions, as the Minister indicated, among witnesses and respondents to the consultation as to who should be subject to the test. The original proposal was that both the owner and manager were required to pass the fit-and-proper-person test. The previous Minister, in evidence, raised the question about whether this could effectively deprive the owner of his or her livelihood and so breach article 1 of protocol 1 of the European convention on human rights, in that it amounted to interference with a person's right to the peaceful enjoyment of his or her possessions and their right not to be deprived of them, except in the public interest and subject to conditions provided for by law. However, Members will recall that the advice provided to the committee by our clerks and legal advisers in a paper was that the Bill as originally drafted and introduced by Peter Black was compliant. While it was not possible to advise categorically that the right to own and run a home park is outside the scope of article 1, the Bill proceeded on the basis that article 1 did apply but was not breached. This argument, I am advised, can stand. Additionally, as the Government now proposes in amendment 56 with the local authority having to apply to a magistrate's court for revocation, this provides a further safeguard and would apply to this proposal. Previously, the Bill proposed that a local authority could revoke the licence when it considered that the licence holder was no longer a fit and proper person. All we seek is to comply with the advice that we received from our own clerks and lawyers and address a situation that was the original intention of the Bill, which this committee originally collectively supported. However, as I said, unfortunately, we cannot vote on that today because of a technical error.

9.45 a.m.

[100] Moving to amendments 58A and 58B, the licensing regime should include a fit-and-proper-person test that is transferable between sites in a local authority area and should require local authorities to consider whether an individual has previously failed an equivalent test. Consideration should be given to whether additional bureaucracy could be avoided by issuing enduring licences, which could be revoked following breaches of site licence conditions, or an individual ceasing to be a fit and proper person, as per recommendation 5 of the committee's Stage 1 report, supported by all Members at that stage.

[101] The committee considered the issue of transferability of licences, and agreed that, while site licences should be linked to sites, the fit-and-proper-person element of the licence should be linked to an individual, and should therefore be transferrable between sites within a local authority area. Where an individual was involved with sites across multiple local authority areas, the committee recognised that the specific criteria for a fit-and-proper-person

test might vary, and agreed that separate fit-and-proper-person tests should be applied.

[102] However, the committee agreed that the Member in charge at that point should consider including as a criterion of the fit-and-proper-person test whether an individual had failed a fit-and-proper-person test previously, whether in that local authority area or in another local authority area.

[103] The committee considered the issue of licence duration, and it agreed that the Member in charge should consider the suggestion of the Federation of Small Businesses Wales that licences should endure unless local authorities had reason to revoke them on grounds of breach of site licence conditions, or an individual no longer being a fit and proper person.

[104] So, all these two amending amendments seek to do is to meet the objectives and intention of this committee at Stage 1.

[105] **Kirsty Williams:** The principle of a fit and proper person goes to the very heart of the reforms brought forward by Peter Black, and is in response to a significant amount of evidence of unscrupulous park owners and the misery that they inflict upon those people who live on their parks.

[106] While the fit-and-proper-person test being applicable to the manager is most welcome, as the manager is the person that would have most day-to-day contact with homeowners, there is concern that unscrupulous owners could use a park manager as a fig leaf to cover their own enduring and ongoing anti-social behaviour towards residents. Could the Minister or the Member in charge outline how residents of parks would be protected from an unscrupulous owner who would place a fit and proper manager on the site, but would continue to harass park homeowners through their behaviour?

[107] Having understood that, could the Minister or the Member in charge also outline the position of park homeowners should these provisions be extended to site owners? If a site owner failed a fit-and-proper-person test, what would the consequences be for individual park homeowners where they would be living on a park where, to all intents and purposes, ownership had been removed? Do you think that the legislation as currently proposed strikes a balance between trying to protect the interests of park homeowners in terms of protecting their asset by not fundamentally undermining the business proposition, and at the same time trying to protect them from a significant minority of park site owners who would, perhaps, behave in a way that none of us would find acceptable?

[108] **Rhodri Glyn Thomas:** Pe bai gwelliant 56A wedi ei eirio'n gywir byddem yn awyddus i'w gefnogi, oherwydd rwy'n credu fod pwynt sylfaenol yn y fan hon mai perchennog y safle, yn aml iawn, sy'n creu'r diwylliant, ac mai rheoli o ddydd i ddydd mae'r rheolwyr. Byddant yn ymwneud yn ddyddiol â pherchnogion cartrefi parc, ac ar sail hynny byddai ganddynt berthynas waith gyda hwy. Fodd bynnag, byddai ymweliadau achlysurol gan y perchnogion yn gallu creu sefyllfa anodd iawn, ac mae gennyf brofiad o hynny yn fy etholaeth. Yn amlwg, nid yw'n bosibl symud y gwelliant, ond byddem yn annog y Gweinidog i ystyried hyn ar gyfer Cyfnod 3.

Rhodri Glyn Thomas: If amendment 56A had been correctly worded, we would be keen to support it, as I believe that there is a fundamental point here that it is the site owner who, very often, creates the culture, and that managers only manage from day to day. They will deal on a daily basis with park homeowners, and therefore they would have a working relationship with them. However, occasional visits by park site owners could create a very difficult situation, and I have experience of this in my constituency. Obviously, it is not possible to move the amendment, but we would encourage the Minister to consider this for Stage 3.

[109] Byddem hefyd am gael cyngor cyfreithiol ar y pwynt a gododd y Gweinidog ynglŷn â deddfwriaeth hawliau dynol. Fy nealltwriaeth i yw bod llawer iawn o'r ddeddfwriaeth honno heb ei phrofi mewn cyfraith ac felly rwy'n credu bod ansicrwydd ynglŷn ag union arwyddocâd hynny. Nid wyf wedi fy argyhoeddi bod hynny yn ein hatal rhag symud ar y mater hwn a sicrhau bod y perchnogion hefyd yn bobl sydd wedi cael eu hasesu a'u dyfarnu'n addas i fod yn berchnogion safleoedd. Rwyf hefyd yn hapus i gefnogi'r ddau welliant arall gan Mark Isherwood. Rwy'n credu eu bod nhw'n rhesymol ac yn gwneud synnwyr cyffredin.

We would also seek legal advice on the point that the Minister raised regarding human rights legislation. My understanding is that a lot of that legislation has not been tested in law and, therefore, I think that there is uncertainty about the exact significance of that. I am not convinced that that stops us from moving on this issue of ensuring that the owners are also people who have been assessed and deemed to be fit-and-proper persons to be owners of sites. I am also happy to support the other two amendments by Mark Isherwood. I think that they are reasonable and make common sense.

[110] **Jocelyn Davies:** I agree with Rhodri, but I want to speak to amendment 58 in the name of the Minister about the decision on whether a person is fit and proper. The list of evidence is laid, namely the committing of offences of fraud and dishonesty, drug offences, violence, firearms, or if somebody has practiced unlawful discrimination. However, the third one is,

[111] 'contravened any provision of the law relating to housing'.

[112] I know that what you say now will be used to interpret what this means because there is an awful lot of law related to housing and an awful lot of potential there for contravening it. I wondered if somebody who had perhaps fallen into rent arrears in their youth would then, many years later, be considered not fit and proper because they had contravened housing law as a tenant, or perhaps they had not paid their council tax or something. It seemed to me that there are an awful lot of provisions here with the potential for an awful lot of breaches, and potentially, therefore, somebody who would by normal standards be considered fit and proper would actually fall foul of this. Minister, who did you mean to catch by this provision and is it drawn slightly too wide so that it may catch many more people than you intended?

[113] **Peter Black:** There are a number of points that have been raised in this. Given that Mark Isherwood is not going to move amendment 56, I will not reply in huge detail to it. However, it is important to take note of the evidence that was given to the committee about the practicality of applying a fit-and-proper-person test to the owner in addition to the manager. I was convinced by that evidence at the time, in particular on what sanction can apply to an owner of the site if he or she ceases to be fit and proper. Effectively, the ultimate sanction in terms of a manager would be to remove the manager. I do not think that you are in a position whereby you can remove the ownership of land from an individual. That is the biggest problem in terms of how you practically apply a fit-and-proper-person test to an owner in that regard. In the case of an owner using a manager as a fig leaf, as has been mentioned, then clearly the manager is the responsible person on the site, and the manager is the person through which the local authority will be effectively applying the provisions of this Bill. If the manager allows or is forced to put in place behaviour on the site that is unacceptable, and is in breach of the conditions of the licence, the local authority has the same provisions with regard to removing the licence or removing the manager as they would if the owner was using the manager in that particular way.

[114] I also draw your attention to amendment 30, which has not yet been discussed, and which relates to a breach of condition. It says that,

[115] ‘If it appears to a local authority which has issued a site licence that the owner of the land is failing or has failed to comply with a condition of the site licence, the local authority may give the owner—

- (a) a fixed penalty notice, or
- (b) a compliance notice.’

[116] In addition, the existing harassment legislation continues unchanged, as do the various criminal sanctions that apply in that regard. I would argue therefore that the provision as put forward in the amendment is sufficient to protect the owners of mobile homes on those sites in terms of the fit-and-proper-person test.

[117] With regard to amendments 58A and 58B, the issue here is that they work on the assumption that the fit-and-proper-person test will be applied simultaneously across a number of sites. That is not always the case. Someone may well be a fit-and-proper person for a particular site and then, months or a year later, might become a manager of another site and, of course, a lot of things can happen in that period, which would need to be tested by the local authority; otherwise, you have the danger of putting someone in place as a manager of a site later who is actually no longer a fit-and-proper person, even though he or she passed that test the previous year. I think that it is worth pointing out that, in terms of the fit-and-proper-person test, the local authority does have a fair bit of discretion. The clause actually states that local authorities should have regard to a list of provisions. In that regard, the local authority is therefore able to take account of previous judgments that it has made on an individual’s fitness to run a site as part of the test. Therefore, it does not necessarily have to be a huge administrative burden if the local authority is content that the tests that they applied previously still apply with regard to that individual. In that regard, I would ask you to resist amendments 58A and 58B, and if amendment 56A does go to a vote, to also resist that.

[118] **Christine Chapman:** Thank you. I call on the Minister to reply.

[119] **Carl Sargeant:** I am very grateful to the Member in charge for explaining some of the detail around his provisions originally. I will pick up on some of the points that I believe Peter would welcome in terms of the detail of this amended Bill. We believe that the points that Jocelyn Davies raised around the listing of a fit-and-proper person are appropriate. I know that the Member will be very familiar with the Housing Act 2004 from which we have lifted the fit-and-proper-person test. So, it is appropriate in the legislation. However, we accept that it is our own interpretation. Perhaps it would be useful for the committee to take sight of the Housing Act 2004 and the details set within it, so that you are comforted that we do not exceed, and have not exceeded, anything in the provision of the amendments of this Bill in the interpretation of that Act.

[120] In terms of the declaration made regarding the application for licensing, I know that the committee has made reference to the unintended consequences of applying the fit-and-proper-person test to the owner element of this. Again, Peter made reference to what happens if the owner becomes a not-fit-and-proper person. From my short time as the Minister responsible for this, and looking back at the evidence that has been provided, it would appear to me that the provision by a lot of the unscrupulous owners that we are trying to manage better with this legislation is generally driven by cash; therefore, we know that the ultimate sanction is a fine in that process, and we certainly believe that that would be a point at which the owner or the unscrupulous owner would seriously consider his or her actions in future and in the licensing regime. We believe that, ultimately, the manager of the site is the fit-and-proper person, and his or her licence or fit-and-proper-person statement could be removed by the licensing authority.

[121] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 17?

[122] **Carl Sargeant:** Yes, please.

[123] **Christine Chapman:** The question is that amendment 17 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 17 is agreed.

*Derbyniwyd gwelliant 17.
Amendment 17 agreed.*

[124] **Christine Chapman:** We now move to dispose of amendments 18, 19 and 20 in the name of the Minister, which were debated in group 4.

*Cynigiwyd gwelliant 18.
Amendment 18 moved.*

[125] **Christine Chapman:** We will therefore move to a vote on amendment 18. I remind Members that if amendment 18 is not agreed, amendments 20 and 24 will fall. The question is that amendment 18 be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 18 is agreed.

*Derbyniwyd gwelliant 18.
Amendment 18 agreed.*

*Cynigiwyd gwelliant 19.
Amendment 19 moved.*

[126] **Christine Chapman:** The question is that amendment 19 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 19 is agreed.

*Derbyniwyd gwelliant 19.
Amendment 19 agreed.*

*Cynigiwyd gwelliant 20.
Amendment 20 moved.*

[127] **Christine Chapman:** The question is that amendment 20 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 20 is agreed.

*Derbyniwyd gwelliant 20.
Amendment 20 agreed.*

[128] **Christine Chapman:** We now move to dispose of amendment 21, which was debated in group 2.

*Cynigiwyd gwelliant 21.
Amendment 21 moved.*

[129] **Christine Chapman:** The question is that amendment 21 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 21 is agreed.

*Derbyniwyd gwelliant 21.
Amendment 21 agreed.*

[130] **Christine Chapman:** We now move to dispose of amendments 22, 23 and 24, which were debated in group 4.

*Cynigiwyd gwelliant 22.
Amendment 22 moved.*

[131] **Christine Chapman:** The question is that amendment 22 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 22 is agreed.

*Derbyniwyd gwelliant 22.
Amendment 22 agreed.*

10.00 a.m.

*Cynigiwyd gwelliant 23.
Amendment 23 moved.*

[132] **Christine Chapman:** The question is that amendment 23 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 23 is agreed.

*Derbyniwyd gwelliant 23.
Amendment 23 agreed.*

*Cynigiwyd gwelliant 24.
Amendment 24 moved.*

[133] **Christine Chapman:** The question is that amendment 24 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 24 is agreed.

*Derbyniwyd gwelliant 24.
Amendment 24 agreed.*

**Grŵp 6: Dirymu ac Ildio Trwyddedau Safleoedd (Gwelliannau 25, 52 a 54)
Group 6: Revocation and Surrender of Site Licences (Amendments 25, 52 and 54)**

[134] **Christine Chapman:** The lead amendment in the group is amendment 25. I move amendment 25 in the name of the Minister. I call on the Minister to speak to the amendments in the group.

[135] **Carl Sargeant:** Thank you, Chair; I will speak to all amendments as listed in group 6. The purpose of inserting amendment 52 into the Bill is to make new provision taken from the Assembly Bill, as introduced, for revoking licences on death. Revocation may also be granted when the holder of the licence no longer owns the land, or the land is no longer being used as a regulated site. Amendment 54 restates the provision taken from the 1960 Act.

[136] **Christine Chapman:** Do any Members wish to speak? I see that there are none. I therefore call on Peter Black.

[137] **Peter Black:** I am content, Chair.

[138] **Christine Chapman:** Do you wish to reply, Minister?

[139] **Carl Sargeant:** I have no response to make.

[140] **Christine Chapman:** Do you wish to proceed to a vote on amendment 25, Minister?

[141] **Carl Sargeant:** Yes, please.

[142] **Christine Chapman:** The question is that amendment 25 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 25 is agreed.

*Derbyniwyd gwelliant 25.
Amendment 25 agreed.*

[143] **Christine Chapman:** We now move to dispose of amendment 26, which was debated in group 4. Before we move to the vote on amendment 26, I remind Members that if amendment 26 is not agreed, amendment 28 will fall.

*Cynigiwyd gwelliant 26.
Amendment 26 moved.*

[144] **Christine Chapman:** The question is that amendment 26 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 26 is agreed.

*Derbyniwyd gwelliant 26.
Amendment 26 agreed.*

[145] **Christine Chapman:** We now move to dispose of amendment 27, which was debated with group 2.

*Cynigiwyd gwelliant 27.
Amendment 27 moved.*

[146] **Christine Chapman:** The question is that amendment 27 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 27 is agreed.

*Derbyniwyd gwelliant 27.
Amendment 27 agreed.*

*Cynigiwyd gwelliant 28.
Amendment 28 moved.*

[147] **Christine Chapman:** The question is that amendment 28 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 28 is agreed.

*Derbyniwyd gwelliant 28.
Amendment 28 agreed.*

[148] **Christine Chapman:** We now move to dispose of amendment 29, which was debated with group 2.

*Cynigiwyd gwelliant 29.
Amendment 29 moved.*

[149] **Christine Chapman:** The question is that amendment 29 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 29 is agreed.

*Derbyniwyd gwelliant 29.
Amendment 29 agreed.*

Grŵp 7: Gorfodi Amodau Trwyddedau Safleoedd (Gwelliannau 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 44, 45, 46, 47, 48, 50, 60 a 62)

Group 7: Enforcement of Site Licence Conditions (Amendments 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 44, 45, 46, 47, 48, 50, 60 and 62)

[150] **Christine Chapman:** The lead amendment in this group is amendment 30. I move amendment 30 in the name of the Minister. I call on the Minister to speak to the amendments in this group.

[151] **Carl Sargeant:** I would like all amendments as listed in group 7 to be moved. Taken together, the provisions in these amendments ensure that the original enforcement provisions for local authorities in the Assembly Bill are introduced and retained. In addition, new provisions are also made for the issuing of compliance notices by local authorities to enforce site licence conditions where they are breached.

[152] **Christine Chapman:** Are there any Members who wish to speak? I see that there are none. I call on Peter Black to speak.

[153] **Peter Black:** I am content.

[154] **Christine Chapman:** Do you wish to reply, Minister? I see that you do not. Do you wish to proceed to a vote on amendment 30?

[155] **Carl Sargeant:** Yes, please.

[156] **Christine Chapman:** The question is that amendment 30 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 30 is agreed.

*Derbyniwyd gwelliant 30.
Amendment 30 agreed.*

[157] **Christine Chapman:** We now move to dispose of amendment 31.

*Cynigiwyd gwelliant 31.
Amendment 31 moved.*

[158] **Christine Chapman:** The question is that amendment 31 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 31 is agreed.

*Derbyniwyd gwelliant 31.
Amendment 31 agreed.*

[159] **Christine Chapman:** We now move to dispose of amendments 32 to 40, which were debated in group 7.

*Cynigiwyd gwelliant 32.
Amendment 32 moved.*

[160] **Christine Chapman:** The question is that amendment 32 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 32 is agreed.

*Derbyniwyd gwelliant 32.
Amendment 32 agreed.*

*Cynigiwyd gwelliant 33.
Amendment 33 moved.*

[161] **Christine Chapman:** The question is that amendment 33 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 33 is agreed.

*Derbyniwyd gwelliant 33.
Amendment 33 agreed.*

*Cynigiwyd gwelliant 34.
Amendment 34 moved.*

[162] **Christine Chapman:** Before we move to the vote on amendment 34, Members will wish to be reminded that if amendment 34 is not agreed, amendments 36, 38 and 40 will fall.

[163] The question is that amendment 34 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 34 is agreed.

*Derbyniwyd gwelliant 34.
Amendment 34 agreed.*

*Cynigiwyd gwelliant 35.
Amendment 35 moved.*

[164] **Christine Chapman:** The question is that amendment 35 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 35 is agreed.

*Derbyniwyd gwelliant 35.
Amendment 35 agreed.*

*Cynigiwyd gwelliant 36.
Amendment 36 moved.*

[165] **Christine Chapman:** The question is that amendment 36 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 36 is agreed.

*Derbyniwyd gwelliant 36.
Amendment 36 agreed.*

*Cynigiwyd gwelliant 37.
Amendment 37 moved.*

[166] **Christine Chapman:** The question is that amendment 37 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 37 is agreed.

*Derbyniwyd gwelliant 37.
Amendment 37 agreed.*

*Cynigiwyd gwelliant 38.
Amendment 38 moved.*

[167] **Christine Chapman:** The question is that amendment 38 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 38 is agreed.

*Derbyniwyd gwelliant 38.
Amendment 38 agreed.*

*Cynigiwyd gwelliant 39.
Amendment 39 moved.*

[168] **Christine Chapman:** The question is that amendment 39 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 39 is agreed.

*Derbyniwyd gwelliant 39.
Amendment 39 agreed.*

*Cynigiwyd gwelliant 40.
Amendment 40 moved.*

[169] **Christine Chapman:** The question is that amendment 40 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 40 is agreed.

*Derbyniwyd gwelliant 40.
Amendment 40 agreed.*

Grŵp 8: Pŵer Mynediad i Swyddogion Awdurdodau Lleol (Gwelliannau 41 a 64)
Group 8: Power of Entry of Local Authority Officers (Amendments 41 and 64)

[170] **Christine Chapman:** The lead amendment in this group is amendment 41. I move amendment 41 in the name of the Minister and I call on the Minister to speak.

[171] **Carl Sargeant:** I wish for support from committee on amendments within group 8, namely amendments 41 and 64. Amendment 41 deletes that which relates to the power of entry, and 64 completes the power available to a local authority by setting out when an authorised officer may enter a mobile home site and the procedures for doing so. I would like support from the committee on these two amendments.

[172] **Christine Chapman:** Are there any other Members who wish to speak? I see that there are not. I call on Peter.

[173] **Peter Black:** I am content with those amendments, Chair.

[174] **Christine Chapman:** Minister, do you wish to proceed to a vote?

[175] **Carl Sargeant:** Yes, please.

[176] **Christine Chapman:** The question is that amendment 41 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 41 is agreed.

*Derbyniwyd gwelliant 41.
Amendment 41 agreed.*

[177] **Christine Chapman:** We now move to dispose of amendment 42, which was debated in group 7.

*Cynigiwyd gwelliant 42.
Amendment 42 moved.*

[178] **Christine Chapman:** The question is that amendment 42 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 42 is agreed.

*Derbyniwyd gwelliant 42.
Amendment 42 agreed.*

[179] **Christine Chapman:** We now move to dispose of amendment 43, which was debated in group 3.

*Cynigiwyd gwelliant 43.
Amendment 43 moved.*

[180] **Christine Chapman:** The question is that amendment 43 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 43 is agreed.

*Derbyniwyd gwelliant 43.
Amendment 43 agreed.*

[181] **Christine Chapman:** We now move to dispose of amendments 44, 45, 46, 47 and 48, which were debated in group 7.

*Cynigiwyd gwelliant 44.
Amendment 44 moved.*

[182] **Christine Chapman:** The question is that amendment 44 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 44 is agreed.

*Derbyniwyd gwelliant 44.
Amendment 44 agreed.*

*Cynigiwyd gwelliant 45.
Amendment 45 moved.*

[183] **Christine Chapman:** The question is that amendment 45 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 45 is agreed.

*Derbyniwyd gwelliant 45.
Amendment 45 agreed.*

*Cynigiwyd gwelliant 46.
Amendment 46 moved.*

[184] **Christine Chapman:** The question is that amendment 46 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 46 is agreed.

*Derbyniwyd gwelliant 46.
Amendment 46 agreed.*

*Cynigiwyd gwelliant 47.
Amendment 47 moved.*

[185] **Christine Chapman:** The question is that amendment 47 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 47 is agreed.

*Derbyniwyd gwelliant 47.
Amendment 47 agreed.*

*Cynigiwyd gwelliant 48.
Amendment 48 moved.*

[186] **Christine Chapman:** The question is that amendment 48 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 48 is agreed.

*Derbyniwyd gwelliant 48.
Amendment 48 agreed.*

**Grŵp 9: Gorchmynion Ad-dalu (Gwelliannau 49, 51, 66A a 66)
Group 9: Repayment Orders (Amendments 49, 51, 66A and 66)**

[187] **Christine Chapman:** The lead amendment in the group is amendment 49. I move amendment 49 in the name of the Minister. I call on the Minister to speak to the amendment.

[188] **Carl Sargeant:** I seek the committee's support for the amendments in my name under group 9, and the committee's opposition to amendment 66A in Mark Isherwood's name.

[189] These provisions provide another one of the 14 key proposals of the Member in charge of the Bill, Peter Black, as listed in the original Bill. Amendment 66 on the repayment orders is intended to dissuade owners from setting up a regulated mobile home site without a licence. It allows residents to recover the cost of any pitch sales or sales commission they paid if it is found that a site is unlicensed. Where a mobile home site is established without a site licence, the owner or manager may be subject to a repayment order by the residential property tribunal. I urge the committee to resist amendment 66A in the name of Mark Isherwood. The

provisions of the Bill in its entirety, we believe, are sufficient to deter persons from operating an unlicensed site, while protecting the residents and the rights of the residents and providing them with the power of recompense. I seek approval of these amendments.

[190] **Mark Isherwood:** Amendment 66A draws on recommendation 10 of the committee's Stage 1 report. It is the final one of my amendments that simply restores recommendations collectively made by this committee at Stage 1. As drafted, the Bill provides that the residential property tribunal is limited in the amount that it can include in a repayment order, as the order cannot include sums in respect of any time falling outside the period of 12 months, ending with the date of the occupier's application to the tribunal. An occupier's right to make an application to the tribunal is triggered by the conviction of the owner or manager of causing or permitting the use of land as a regulated site without a site licence. An application must be made within 12 months of the conviction.

[191] During evidence, the tribunal told us that it saw potential problems in being able to go back only 12 months from the application date. If an offender was not convicted for a longer period, this could impact on the amount that could be included in the repayment order. As the order could include payments made in connection with the purchase of the mobile home, significant sums could be involved. Amendment 66A seeks to articulate committee recommendation 10 by removing the requirement that repayment orders are confined to sums paid during the 12-month period ending with the date of the occupier's application to tribunal. If the amendment is accepted, an order could include payments—relevant payments—as defined in subsection (5), made prior to this 12-month period. Note that the relevant payments referred to in subsection (5) include costs relating to the purchase of the mobile home, commission, pitch fees and any periodical payments in respect of such a mobile home. I urge Members to support this as they did at Stage 1 in order to restore the original intent of this committee at that stage, alongside the wider Bill, which already addresses many of those recommendations.

[192] **Christine Chapman:** Do other Members wish to speak? I see that no-one wishes to do so. I call on Peter Black.

[193] **Peter Black:** I would ask committee to resist this amendment, although I have sympathy with it. The issue is that the totality of the Bill provides quite an effective and comprehensive regime in terms of the licensing of the mobile home sites. Substantial penalties are payable by an owner on breaching the conditions of the licence—far more substantial than in the existing legislation. There are also powers for local authorities to issue compliance notices and to take other action where breaches of condition take place. I would also expect that, because the resource is available to a local authority, it would quickly become aware of a site in its area that is not licensed. There are only 92 sites in the whole of Wales, and a local authority would quickly become aware of a site that has not been licensed and would take action against it. I cannot conceive of a time when a local authority would take more than 12 months to become aware of an unlicensed site, thus triggering this particular clause, as set out by Mark.

[194] The other issue is that the application is made within a period of 12 months beginning with the date of conviction, so, if this amendment is passed, we are effectively asking the tribunal to award a penalty going back prior to the conviction, which poses a number of problems as to whether that is an arbitrary penalty applied to the owner. On balance, I feel that this is an unnecessary amendment and one that should therefore be resisted. The provisions in the Bill as put forward are sufficient to ensure that there is a substantial deterrent against an owner operating an unlicensed site, and, if an owner was caught operating an unlicensed site for a substantial period of time, that 12-month penalty would be quite large and the owner would find himself or herself in difficulties going back further than that. In summary, it is best that this amendment is resisted.

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

[196] **Carl Sargeant:** Again, I speak in support of the Member in charge of the Bill. The penalty for operating an unlicensed site will attract the highest fine, as discussed in relation to group 3 and amendment 10. It will also give the tribunal the powers to make up to 12-month claims on the owner. We believe this is a fit and appropriate position for the Bill, and I ask Members to resist Mark Isherwood's amendment.

10.15 a.m.

[197] **Christine Chapman:** Okay, thank you. Do you wish to proceed to a vote on amendment 49?

[198] **Carl Sargeant:** Yes, please.

[199] **Christine Chapman:** The question is that amendment 49 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 49 is agreed.

*Derbyniwyd gwelliant 49.
Amendment 49 agreed.*

[200] **Christine Chapman:** We now move to dispose of amendment 50, which was debated in group 7.

*Cynigiwyd gwelliant 50.
Amendment 50 moved.*

[201] **Christine Chapman:** The question is that amendment 50 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 50 is agreed.

*Derbyniwyd gwelliant 50.
Amendment 50 agreed.*

[202] **Christine Chapman:** We now move to dispose of amendment 51, which was debated in group 9.

*Cynigiwyd gwelliant 51.
Amendment 51 moved.*

[203] **Christine Chapman:** The question is that amendment 51 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 51 is agreed.

*Derbyniwyd gwelliant 51.
Amendment 51 agreed.*

[204] **Christine Chapman:** We now move to dispose of amendment 52, which was debated in group 6.

*Cynigiwyd gwelliant 52.
Amendment 52 moved.*

[205] **Christine Chapman:** The question is that amendment 52 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 52 is agreed.

*Derbyniwyd gwelliant 52.
Amendment 52 agreed.*

[206] **Christine Chapman:** Before we move on, I propose that we have a short break and reconvene at 10.25 a.m.

*Gohiriwyd y cyfarfod rhwng 10.16 a.m. a 10.29 a.m.
The meeting adjourned between 10.16 a.m. and 10.29 a.m.*

Grŵp 10: Cytundebau ar gyfer Cartrefi Symudol (Gwelliannau 53, 55, 57, 82, 83, 84, 85, 86, 87, 88, 89 a 101)

Group 10: Mobile Home Agreements (Amendments 53, 55, 57, 82, 83, 84, 85, 86, 87, 88, 89 and 101)

[207] **Christine Chapman:** The next group of amendments to be considered relates to mobile home agreements. The lead amendment in the group is amendment 53. I move amendment 53 in the name of the Minister and I call on the Minister to speak to this amendment and the others in this group.

[208] **Carl Sargeant:** I thank the Chair for that and seek approval from the committee for all amendments in my name under group 10. Part 4, introduced by these amendments, is based upon the existing law that applies to any agreements under which a person stations a mobile home on a protected site and occupies a mobile home as his or her only and main residence. The Government proposes to make changes to the law in key areas, in line with the policy intended by the Member in charge in the original Bill.

10.30 a.m.

[209] **Christine Chapman:** Do other Members want to speak? I know that Jocelyn wants to come in.

[210] **Jocelyn Davies:** I want to speak to amendment 89 in this group, the Minister's amendment on interpretation, with the legal definition of 'family'. Families are probably increasingly complex and blended families are now common, so I wondered why you chose this definition, which is to be found on page 76, and relates to amendment 89 in group 10. Earlier on, I asked you to explain the list of evidence, and I mentioned that I thought that perhaps it was drawn a bit widely; for example, when you talked about the breach of any housing law, you said that it was perfectly fine because it had been lifted from other legislation. I have to say that I do not think that that was a terribly good answer, because you should be justifying the legislation that you bring, and not just saying that you are relying on legislation brought forward in another place. I am assuming that this definition is also lifted from somewhere else. You mention relationships here, and what a member of the family is for these purposes. You list

[211] 'spouse, civil partner, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece',

[212] but no father-in-law and no mother-in-law. I am sure that all of us sitting here could think of people who are perhaps left out of this definition. There is no mention of a child who is a child of the family, but not a blood or half-blood relative—the child could perhaps be a child with a residency order or a foster child; they are not listed here either. I just wondered

why you had come up with this particular definition. The amendment also refers to treating

[213] ‘an illegitimate person as the legitimate child of the person’s mother and reputed father’.

[214] I wonder whether you are entirely comfortable with using that language in relation to defining a family. I think that there are equality issues. Although I am not opposed to defining a family, I just wondered whether you would cast your eye over it again and maybe come up with something a little more progressive. You do have another opportunity later. I do not oppose anything that you have got here, but I do not like ‘reputed father’, I have to say, because I am not a married person, and I can tell you that my spouse is the father of my children, and I do not think that he would like to be referred to as the ‘reputed father’. It raises a question that need not be raised. Maybe this is rather old-fashioned and clunky, and should not be your style, Minister. Neither do I think that it is the style of the person in charge of the Bill. You can tell that I am particularly exercised by this. You have civil partners and widows here, but you do not have common-law partners—they would just be considered a member of the family rather than a spouse. I have no doubt that this fits in with other parts of the legislation. I will support this amendment today, but perhaps you could look at it again and come up with something that we, in this Assembly, would be more comfortable with.

[215] **Rhodri Glyn Thomas:** Ar yr un gwelliant, rwy'n ategu'r hyn y mae Jocelyn newydd ei ddweud. Rwy'n falch gweld bod y Gweinidog yn arwyddo y bydd yn edrych ar hyn eto yn ystod Cyfnod 3; byddai hynny'n ddefnyddiol. Fodd bynnag, mae cwestiwn yn codi gyda'r diffiniad hwn, sef a yw'n ddoeth rhestru, oherwydd wrth restru rydym yn gwahardd pobl. Felly, pwy sydd ddim yn rhan o'r diffiniad yw'r cwestiwn, yn hytrach na phwy sydd yn rhan o'r diffiniad. Yn hytrach na'r hyn a ddywedodd Jocelyn ar y gwelliant yn gynharach yn y sesiwn, wrth sôn am denantiaeth, efallai mai'r ateb yn y fan hyn yw bod yn weddol eang gyda'r diffiniad yn hytrach na rhestru yn gaeth. Rwy'n falch gweld bod y Gweinidog yn arddangos ei barodrwydd i edrych ar hyn eto. Rwy'n barod i gefnogi hyn ar hyn o bryd, gyda'r ddealltwriaeth y caiff hyn ystyriaeth bellach.

Rhodri Glyn Thomas: On the same amendment, I endorse what Jocelyn has just said. I am pleased that the Minister is indicating that he will look at this again in Stage 3; that would be useful. However, a question does arise with this definition, which is whether it is wise to use a list, because in doing so we may leave people out. So, the question is who is not part of the definition, rather than who is part of it. So, rather than what Jocelyn said on the amendment earlier in the session, when we discussed tenancy, perhaps the answer here is to be quite wide in the definition, rather than listing in a restrictive way. I am pleased to see that the Minister is indicating that he is willing to look at this again. I am willing to support this at the moment, on the understanding that further consideration will be given to this.

[216] **Peter Black:** I am happy to support the amendments. I take on board the points made by Jocelyn and Rhodri. This is a 30-year-old definition from the Mobile Homes Act 1983. We may want to see whether there is a more modern definition in more recent legislation to put in here, but we must have a definition of ‘family’ in here. Otherwise, we will have difficulty in terms of the provisions relating to inheritance et cetera as part of this.

[217] **Christine Chapman:** Minister, would you like to reply?

[218] **Carl Sargeant:** Yes, Chair. I have listened carefully to the comments made by Members. I am disappointed that the Member was not too keen on my earlier response with regard to the Housing Act 2004, but it was also an Act that she operated under when she was the Deputy Minister for housing. On the issue around this particular definition, to which Peter referred, in the Mobile Homes Act 1983, I accept that there could be some nuances in there that we should reconsider in terms of the language of the Bill. I would hope that we could

reflect a better and more consistent view from the committee, and I would be happy to receive any views from the committee subject to drafting that for Stage 3 if we need to amend it.

[219] **Christine Chapman:** Okay, thank you. Minister, do you wish to proceed to vote on amendment 53?

[220] **Carl Sargeant:** Yes, please.

[221] **Christine Chapman:** The question is that amendment 53 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 53 is agreed.

*Derbyniwyd gwelliant 53.
Amendment 53 agreed.*

[222] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendment 54, which was debated in group 6.

*Cynigiwyd gwelliant 54.
Amendment 54 moved.*

[223] **Christine Chapman:** The question is that amendment 54 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 54 is agreed.

*Derbyniwyd gwelliant 54.
Amendment 54 agreed.*

[224] **Christine Chapman:** We now move to dispose of amendment 55, which was debated in group 10.

*Cynigiwyd gwelliant 55.
Amendment 55 moved.*

[225] **Christine Chapman:** The question is that amendment 55 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 55 is agreed.

*Derbyniwyd gwelliant 55.
Amendment 55 agreed.*

[226] **Christine Chapman:** We will now move to dispose of amendments 56A and 56, which were debated in group 5.

*Cynigiwyd gwelliant 56.
Amendment 56 moved.*

[227] **Christine Chapman:** We will dispose of the amendment to the amendment first. Mark, will you confirm that you do not wish to move amendment 56A, as indicated earlier?

[228] **Mark Isherwood:** I confirm that.

*Ni chynigiwyd gwelliant 56A.
Amendment 56A not moved.*

[229] **Christine Chapman:** The question is, then, that amendment 56 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 56 is agreed.

*Derbyniwyd gwelliant 56.
Amendment 56 agreed.*

[230] **Christine Chapman:** We now move to dispose of amendment 57, which was debated in group 10.

*Cynigiwyd gwelliant 57.
Amendment 57 moved.*

[231] **Christine Chapman:** The question is that amendment 57 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 57 is agreed.

*Derbyniwyd gwelliant 57.
Amendment 57 agreed.*

[232] **Christine Chapman:** We now move to dispose of amendments 58A, 58B and 58, which were debated in group 5.

*Cynigiwyd gwelliant 58.
Amendment 58 moved.*

[233] **Christine Chapman:** We will dispose of the amendments to the amendment first. Mark, would you like to move amendment 58A?

[234] **Mark Isherwood:** I move amendment 58A in my name.

[235] **Christine Chapman:** The question is that amendment 58A in the name of Mark Isherwood be agreed to. Does any Member object? I see that there are objections. Therefore, I call for a vote.

*Gwelliant 58A: O blaid 4, Ymatal 0, Yn erbyn 6.
Amendment 58A: For 4, Abstain 0, Against 6.*

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

Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

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

*Gwrthodwyd gwelliant 58A.
Amendment 58A not agreed.*

[236] **Christine Chapman:** Mark, would you like to move amendment 58B?

[237] **Mark Isherwood:** I move amendment 58B in my name.

[238] **Christine Chapman:** The question is that amendment 58B be agreed to. Does any

Member object? I see that there objections. Therefore, I call for a vote.

*Gwelliant 58B: O blaid 4, Ymatal 0, Yn erbyn 6.
Amendment 58B: For 4, Abstain 0, Against 6.*

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

Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

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

*Gwrthodwyd gwelliant 58B.
Amendment 58B not agreed.*

[239] **Christine Chapman:** The question is that amendment 58 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 58 is agreed.

*Derbyniwyd gwelliant 58.
Amendment 58 agreed.*

Grŵp 11: Cymdeithasau Trigolion Cymwys (Gwelliannau 59 a 95) Group 11: Qualifying Residents' Associations (Amendments 59 and 95)

[240] **Christine Chapman:** The lead amendment is amendment 59. I move amendment 59 in the name of the Minister and call on the Minister to speak to the amendments.

[241] **Carl Sargeant:** I wish to seek support from the committee for the amendments listed in group 11, namely 59 and 95. Amendment 95 maintains the policy intent of the Assembly Bill, as introduced, in stipulating the rules and constitution required for the qualification of residents' associations. The relevant amendments within this group are amendments 59 and 95.

[242] **Christine Chapman:** Do any other Members wish to speak? I see that they do not. I call on Peter.

[243] **Peter Black:** I am happy to support these amendments. I will just point out that, in amendment 95, subsection (1)(h) has been included in error and needs to be removed because it creates a contradiction in the sense that it still gives some power to the owner in terms of approving the association. I think that the intention is that we will remove that at Stage 3.

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

[245] **Carl Sargeant:** I have spoken to the Member with regard to this and I will seek to remove that element of the Bill at Stage 3.

[246] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 59?

[247] **Carl Sargeant:** Yes, please.

[248] **Christine Chapman:** The question is that amendment 59 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing

Order No. 17.34, therefore, amendment 59 is agreed.

*Derbyniwyd gwelliant 59.
Amendment 59 agreed.*

[249] **Christine Chapman:** We now move to dispose of amendment 60, which was debated in group 7.

*Cynigiwyd gwelliant 60.
Amendment 60 moved.*

[250] **Christine Chapman:** The question is that amendment 60 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 60 is agreed.

*Derbyniwyd gwelliant 60.
Amendment 60 agreed.*

**Grŵp 12: Gorchmynion, Rheoliadau a Chanllawiau (Gwelliannau 61, 97 a 98)
Group 12: Orders, Regulations and Guidance (Amendments 61, 97 and 98)**

[251] **Christine Chapman:** The lead amendment in the group is amendment 61. I move amendment 61 in the name of the Minister and I call on the Minister to speak to the amendments.

[252] **Carl Sargeant:** I seek approval for the amendments listed under group 12 on Orders, regulations and guidance. Amendments 97 and 98 are new, and amendment 97 is a new technical provision that sets out the Order and regulation-making powers exercisable by Welsh Ministers under the Act. Apart from the powers with regard to the two key policy areas, the new powers in respect of site rules, sales and gifting of mobile homes, all powers to make Orders and regulations are either stated or restated from existing law, or necessary technical powers. Amendment 98 sets out the commencement provision of the Bill.

[253] **Christine Chapman:** Do any other Members wish to speak? I see that they do not. I call on Peter.

[254] **Peter Black:** I am content.

[255] **Christine Chapman:** Do you wish to reply, Minister?

[256] **Carl Sargeant:** No response.

[257] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 61?

[258] **Carl Sargeant:** Yes, please.

[259] **Christine Chapman:** The question is that amendment 61 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 61 is agreed.

*Derbyniwyd gwelliant 61.
Amendment 61 agreed.*

[260] **Christine Chapman:** We now move to dispose of amendment 62, which was debated in group 7.

*Cynigiwyd gwelliant 62.
Amendment 62 moved.*

[261] **Christine Chapman:** The question is that amendment 62 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 62 is agreed.

*Derbyniwyd gwelliant 62.
Amendment 62 agreed.*

Grŵp 13: Atodol a Chyffredinol (Gwelliannau 63, 65, 68, 69, 72, 73, 92, 93, 94, 96, 99, 103,104 a 105)

Group 13: Supplementary and General (Amendments 63, 65, 68, 69, 72, 73, 92, 93, 94, 96, 99, 103,104 and 105)

[262] **Christine Chapman:** The lead amendment in the group is amendment 63. I move amendment 63 in the name of the Minister and I call on the Minister to speak to the amendments.

[263] **Carl Sargeant:** I seek to receive support from the committee for all of the amendments listed under group 13, on supplementary and general matters. Taken together, the provisions in these amendments largely deal with technical matters, such as the power to make consequential amendments. The proposed amendments restate the 1960 Act, the 1968 Act, and the 1983 Act as amended by the 2013 Act. Amendment 69 restates provision from section 12 of the 1960 Act and restates the responsibility of the owner of land subject to a licence or special tenancy. They are predominantly technical amendments.

[264] **Christine Chapman:** Do any other Members wish to speak? I see that they do not. I call on Peter Black to speak.

[265] **Peter Black:** I am content.

[266] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 63?

[267] **Carl Sargeant:** Yes, please.

[268] **Christine Chapman:** The question is that amendment 63 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 63 is agreed.

*Derbyniwyd gwelliant 63.
Amendment 63 agreed.*

[269] **Christine Chapman:** We now move to dispose of amendment 64, which was debated in group 8.

*Cynigiwyd gwelliant 64.
Amendment 64 moved.*

[270] **Christine Chapman:** The question is that amendment 64 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 64 is agreed.

Derbyniwyd gwelliant 64.

Amendment 64 agreed.

[271] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendment 65, which was debated in group 13. Before we move to the vote on amendment 65, Members will wish to be reminded that, if amendment 65 is not agreed, amendments 98 and 99 will fall.

*Cynigiwyd gwelliant 65.
Amendment 65 moved.*

[272] **Christine Chapman:** The question is that amendment 65 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 65 is agreed.

*Derbyniwyd gwelliant 65.
Amendment 65 agreed.*

[273] **Christine Chapman:** We now move to dispose of amendments 66A and 66, which were debated in group 9.

*Cynigiwyd gwelliant 66.
Amendment 66 moved.*

[274] **Christine Chapman:** We will dispose of the amendment to the amendment first. Mark, would you like to move amendment 66A?

[275] **Mark Isherwood:** I move amendment 66A in my name.

*Cynigiwyd gwelliant 66A.
Amendment 66A moved.*

10.45 a.m.

[276] **Christine Chapman:** The question is that amendment 66A be agreed to. Does any Member object? I see that there are objections. Therefore, I call for a vote.

*Gwelliant 66A: O blaid 4, Ymatal 0, Yn erbyn 6.
Amendment 66A: For 4, Abstain 0, Against 6.*

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

Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

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

*Gwrthodwyd gwelliant 66A.
Amendment 66A not agreed.*

[277] **Christine Chapman:** The question is that amendment 66 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 66 is agreed.

Derbyniwyd gwelliant 66.

Amendment 66 agreed.

[278] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendment 67, which was debated in group 2.

Cynigiwyd gwelliant 67.

Amendment 67 moved.

[279] **Christine Chapman:** The question is that amendment 67 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 67 is agreed.

Derbyniwyd gwelliant 67.

Amendment 67 agreed.

[280] **Christine Chapman:** We now move to dispose of amendments 68 and 69, which were debated in group 13.

Cynigiwyd gwelliant 68.

Amendment 68 moved.

[281] **Christine Chapman:** The question is that amendment 68 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 68 is agreed.

Derbyniwyd gwelliant 68.

Amendment 68 agreed.

Cynigiwyd gwelliant 69.

Amendment 69 moved.

[282] **Christine Chapman:** The question is that amendment 69 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 69 is agreed.

Derbyniwyd gwelliant 69.

Amendment 69 agreed.

[283] **Christine Chapman:** We will now move to dispose of amendments 70 and 71, which were debated in group 2.

Cynigiwyd gwelliant 70.

Amendment 70 moved.

[284] **Christine Chapman:** The question is that amendment 70 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 70 is agreed.

Derbyniwyd gwelliant 70.

Amendment 70 agreed.

Cynigiwyd gwelliant 71.

Amendment 71 moved.

[285] **Christine Chapman:** The question is that amendment 71 in the name of the Minister

be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 71 is agreed.

*Derbyniwyd gwelliant 71.
Amendment 71 agreed.*

[286] **Christine Chapman:** In accordance with the marshalled list, we will now move to dispose of amendments 72 and 73, which were debated in group 13.

*Cynigiwyd gwelliant 72.
Amendment 72 moved.*

[287] **Christine Chapman:** The question is that amendment 72 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 72 is agreed.

*Derbyniwyd gwelliant 72.
Amendment 72 agreed.*

*Cynigiwyd gwelliant 73.
Amendment 73 moved.*

[288] **Christine Chapman:** The question is that amendment 73 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 73 is agreed.

*Derbyniwyd gwelliant 73.
Amendment 73 agreed.*

**Grŵp 14: Amddiffyn rhag Troi Allan (Gwelliannau 74, 75, 76, 77, 78, 79, 80 ac 81)
Group 14: Protection from Eviction (Amendments 74, 75, 76, 77, 78, 79, 80 and 81)**

[289] **Christine Chapman:** The lead amendment in the group is amendment 74. I move amendment 74 in the name of the Minister and I call on the Minister to speak to these amendments.

[290] **Carl Sargeant:** I seek support from the committee for all amendments in group 14 for protection from eviction. These amendments are largely restatements of the protection from eviction provisions under the Caravan Sites Act 1968. By restating the law, we believe that we are making the Welsh statute book easier to use and less complicated. I seek support from the committee.

[291] **Christine Chapman:** Are there other Members who wish to speak?

[292] **Jocelyn Davies:** Yes. On amendment 76, I have the same point as I made earlier, Minister, about outdated language. You mentioned that the legislation that this has been lifted from is rather old. We have ‘widow’, ‘widower’, ‘surviving civil partner’—civil partner is in there, spouse is not—and the ‘occupier’s family’. So, it is the same point, really. Perhaps you would consider, in addition to the other one, that this would also require updating. I guess that what you are trying to do here is give protection to people, and I am sure that you would want not want that list to exclude people unnecessarily. That is just a passing point, really. We will support it today, on the understanding that you will bring something forward that will be suitable for us to support at Stage 3.

[293] **Christine Chapman:** I call on Peter Black.

[294] **Peter Black:** I am content with the amendments, Chair.

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

[296] **Carl Sargeant:** Again, the definitions, as the Member recognised, are from the Caravan Sites Act 1968. I take note of the Member's concerns and will seek to have more reasonable language in the Bill, subject to the legal position of the text.

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

[298] **Carl Sargeant:** Yes, please.

[299] **Christine Chapman:** The question is that amendment 74 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 74 is agreed.

*Derbyniwyd gwelliant 74.
Amendment 74 agreed.*

*Cynigiwyd gwelliant 75.
Amendment 75 moved.*

[300] **Christine Chapman:** The question is that amendment 75 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 75 is agreed.

*Derbyniwyd gwelliant 75.
Amendment 75 agreed.*

[301] **Christine Chapman:** Before we move to the vote on amendment 76, I remind Members that, if amendment 76 is not agreed, then amendment 77 will fall.

*Cynigiwyd gwelliant 76.
Amendment 76 moved.*

[302] **Christine Chapman:** The question is that amendment 76 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 76 is agreed.

*Derbyniwyd gwelliant 76.
Amendment 76 agreed.*

*Cynigiwyd gwelliant 77.
Amendment 77 moved.*

[303] **Christine Chapman:** The question is that amendment 77 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 77 is agreed.

*Derbyniwyd gwelliant 77.
Amendment 77 agreed.*

*Cynigiwyd gwelliant 78.
Amendment 78 moved.*

[304] **Christine Chapman:** The question is that amendment 78 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 78 is agreed.

*Derbyniwyd gwelliant 78.
Amendment 78 agreed.*

*Cynigiwyd gwelliant 79.
Amendment 79 moved.*

[305] **Christine Chapman:** The question is that amendment 79 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 79 is agreed.

*Derbyniwyd gwelliant 79.
Amendment 79 agreed.*

*Cynigiwyd gwelliant 80.
Amendment 80 moved.*

[306] **Christine Chapman:** The question is that amendment 80 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 80 is agreed.

*Derbyniwyd gwelliant 80.
Amendment 80 agreed.*

*Cynigiwyd gwelliant 81.
Amendment 81 moved.*

[307] **Christine Chapman:** The question is that amendment 81 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 81 is agreed.

*Derbyniwyd gwelliant 81.
Amendment 81 agreed.*

[308] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendments 82, 83, 84, 85, 86, 87, 88 and 89, which were debated in group 10.

*Cynigiwyd gwelliant 82.
Amendment 82 moved.*

[309] **Christine Chapman:** The question is that amendment 82 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 82 is agreed.

*Derbyniwyd gwelliant 82.
Amendment 82 agreed.*

*Cynigiwyd gwelliant 83.
Amendment 83 moved.*

[310] **Christine Chapman:** The question is that amendment 83 in the name of the Minister

be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 83 is agreed.

*Derbyniwyd gwelliant 83.
Amendment 83 agreed.*

[311] **Christine Chapman:** Before we move to the vote on amendment 84, I wish to remind Members that if amendment 84 is not agreed, amendments 85 and 101 will fall.

*Cynigiwyd gwelliant 84.
Amendment 84 moved.*

[312] **Christine Chapman:** The question is that amendment 84 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 84 is agreed.

*Derbyniwyd gwelliant 84.
Amendment 84 agreed.*

*Cynigiwyd gwelliant 85.
Amendment 85 moved.*

[313] **Christine Chapman:** The question is that amendment 85 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 85 is agreed.

*Derbyniwyd gwelliant 85.
Amendment 85 agreed.*

*Cynigiwyd gwelliant 86.
Amendment 86 moved.*

[314] **Christine Chapman:** The question is that amendment 86 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 86 is agreed.

*Derbyniwyd gwelliant 86.
Amendment 86 agreed.*

*Cynigiwyd gwelliant 87.
Amendment 87 moved.*

[315] **Christine Chapman:** The question is that amendment 87 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 87 is agreed.

*Derbyniwyd gwelliant 87.
Amendment 87 agreed.*

*Cynigiwyd gwelliant 88.
Amendment 88 moved.*

[316] **Christine Chapman:** The question is that amendment 88 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 88 is agreed.

*Derbyniwyd gwelliant 88.
Amendment 88 agreed.*

*Cynigiwyd gwelliant 89.
Amendment 89 moved.*

[317] **Christine Chapman:** The question is that amendment 89 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 89 is agreed.

*Derbyniwyd gwelliant 89.
Amendment 89 agreed.*

**Grŵp 15: Pwerau Ychwanegol Awdurdodau Lleol (Gwelliannau 90, 91 a 102)
Group 15: Additional Powers of Local Authorities (Amendments 90, 91 and 102)**

[318] **Christine Chapman:** The lead amendment in the group is amendment 90. I move amendment 90 in the name of the Minister and I call on the Minister to speak to the amendments.

[319] **Carl Sargeant:** With the final group of amendments, group 15, I seek support for the listed amendments on additional powers for local authorities. The amendments restate provisions taken from the 1960 Act and, as such, the Government is not proposing any significant changes to the law in this area, but reaffirming these provisions for clarity and completeness within the Bill.

[320] **Christine Chapman:** Do any other Members wish to speak? I see that they do not. I call on Peter.

[321] **Peter Black:** I am content.

[322] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 90?

[323] **Carl Sargeant:** Yes, please.

[324] **Christine Chapman:** The question is that amendment 90 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 90 is agreed.

*Derbyniwyd gwelliant 90.
Amendment 90 agreed.*

[325] **Christine Chapman:** Before we move to the vote on amendment 91, I remind Members that if amendment 91 is not agreed, amendment 102 will fall.

*Cynigiwyd gwelliant 91.
Amendment 91 moved.*

[326] **Christine Chapman:** The question is that amendment 91 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 91 is agreed.

*Derbyniwyd gwelliant 91.
Amendment 91 agreed.*

[327] **Christine Chapman:** We now move to dispose of amendments 92, 93 and 94, which were debated in group 13. Before we move to the vote on amendment 92, I remind Members that if amendment 92 is not agreed, amendments 103 and 104 will fall.

*Cynigiwyd gwelliant 92.
Amendment 92 moved.*

[328] **Christine Chapman:** The question is that amendment 92 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 92 is agreed.

*Derbyniwyd gwelliant 92.
Amendment 92 agreed.*

*Cynigiwyd gwelliant 93.
Amendment 93 moved.*

[329] **Christine Chapman:** The question is that amendment 93 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 93 is agreed.

*Derbyniwyd gwelliant 93.
Amendment 93 agreed.*

*Cynigiwyd gwelliant 94.
Amendment 94 moved.*

[330] **Christine Chapman:** The question is that amendment 94 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 94 is agreed.

*Derbyniwyd gwelliant 94.
Amendment 94 agreed.*

[331] **Christine Chapman:** We now move to dispose of amendment 95, which was debated in group 11.

*Cynigiwyd gwelliant 95.
Amendment 95 moved.*

[332] **Christine Chapman:** The question is that amendment 95 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 95 is agreed.

*Derbyniwyd gwelliant 95.
Amendment 95 agreed.*

[333] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendment 96, which was debated in group 13.

*Cynigiwyd gwelliant 96.
Amendment 96 moved.*

[334] **Christine Chapman:** The question is that amendment 96 in the name of the Minister

be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 96 is agreed.

*Derbyniwyd gwelliant 96.
Amendment 96 agreed.*

[335] **Christine Chapman:** We now move to dispose of amendments 97 and 98, which were debated in group 12.

*Cynigiwyd gwelliant 97.
Amendment 97 moved.*

[336] **Christine Chapman:** The question is that amendment 97 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 97 is agreed.

*Derbyniwyd gwelliant 97.
Amendment 97 agreed.*

*Cynigiwyd gwelliant 98.
Amendment 98 moved.*

[337] **Christine Chapman:** The question is that amendment 98 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 98 is agreed.

*Derbyniwyd gwelliant 98.
Amendment 98 agreed.*

*Cynigiwyd gwelliant 99.
Amendment 99 moved.*

[338] **Christine Chapman:** The question is that amendment 99 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 99 is agreed.

*Derbyniwyd gwelliant 99.
Amendment 99 agreed.*

Christine Chapman: We now move to dispose of amendment 100, which was debated in group 1.

*Cynigiwyd gwelliant 100.
Amendment 100 moved.*

[339] **Christine Chapman:** The question is that amendment 100 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 100 is agreed.

*Derbyniwyd gwelliant 100.
Amendment 100 agreed.*

[340] **Christine Chapman:** In accordance with the marshalled list, we now move to dispose of amendment 101, which was debated in group 10.

*Cynigiwyd gwelliant 101.
Amendment 101 moved.*

[341] **Christine Chapman:** The question is that amendment 101 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 101 is agreed.

*Derbyniwyd gwelliant 101.
Amendment 101 agreed.*

*Cynigiwyd gwelliant 102.
Amendment 102 moved.*

[342] **Christine Chapman:** The question is that amendment 102 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 102 is agreed.

*Derbyniwyd gwelliant 102.
Amendment 102 agreed.*

*Cynigiwyd gwelliant 103.
Amendment 103 moved.*

[343] **Christine Chapman:** The question is that amendment 103 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 103 is agreed.

*Derbyniwyd gwelliant 103.
Amendment 103 agreed.*

*Cynigiwyd gwelliant 104.
Amendment 104 moved.*

[344] **Christine Chapman:** The question is that amendment 104 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 104 is agreed.

*Derbyniwyd gwelliant 104.
Amendment 104 agreed.*

*Cynigiwyd gwelliant 105.
Amendment 105 moved.*

[345] **Christine Chapman:** The question is that amendment 105 in the name of the Minister be agreed to. Does any Member object? There is no objection. In accordance with Standing Order No. 17.34, therefore, amendment 105 is agreed.

*Derbyniwyd gwelliant 105.
Amendment 105 agreed.*

[346] **Christine Chapman:** All the amendments have now been disposed of. All sections of the Bill have been deemed agreed by the committee. Under Standing Order No. 26.27, I propose that, as the Bill has been substantially amended as a result of today's proceedings, the Member in charge, Peter Black, prepare a revised explanatory memorandum. Are Members in agreement with that? I see that you are.

[347] As Stage 2 has been completed today, Stage 3 begins tomorrow. Members will be able to table amendments to the Bill with the Legislation Office for consideration at Stage 3, and will be notified of tabling deadlines in due course.

10.57 a.m.

**Cynnig o dan Reol Sefydlog Rhif 17.42 i Benderfynu Gwahardd y Cyhoedd o'r
Cyfarfod**
**Motion under Standing Order No. 17.42 to Resolve to Exclude the Public from
the Meeting**

[348] **Christine Chapman:** I move that

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 17.42(vi).

[349] I see that the committee is in agreement.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.58 a.m.
The public part of the meeting ended at 10.58 a.m.*