



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

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

**Dydd Iau, 14 Gorffennaf 2011
Thursday, 14 July 2011**

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cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Peter Black	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
William Graham	Ceidwadwyr Cymreig Welsh Conservatives
Mike Hedges	Llafur Labour
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
Bethan Jenkins	Plaid Cymru The Party of Wales
Ann Jones	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Gwyn Price	Llafur Labour
Kenneth Skates	Llafur Labour
Rhodri Glyn Thomas	Plaid Cymru The Party of Wales
Joyce Watson	Llafur Labour

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

Sarah Bartlett	Dirprwy Glerc Deputy Clerk
Sarah Hatherley	Y Gwasanaeth Ymchwil Research Service
Marc Wyn Jones	Clerc Clerk
Bethan Roberts	Cynghorydd Cyfreithiol Legal Adviser

Dechreuodd y cyfarfod am 9.32 a.m.
The meeting began at 9.32 a.m.

Cyflwyniad ac Ymddiheuriadau
Introduction and Apologies

[1] **Ann Jones:** Good morning, everybody, and welcome to the first meeting of the Communities, Equality and Local Government Committee. I will just run through the normal housekeeping rules. Please switch off your mobile phones and pagers. The committee operates bilingually; headsets can be used to hear the simultaneous translation of Welsh into English, which is on channel 1. Channel 0 is the floor language, should you want amplification.

[2] We are not expecting the fire alarm to go off, so, if it does, we will take our directions from the ushers—or, as I usually say, you can follow me through the door because I will be one of the first through it.

[3] I remind Members that this is a formal meeting and the microphones will operate

automatically. Do Members have any declarations of interest that they wish to make before we proceed? I see that you do not. Good. We have had no apologies, so we move on to the next item.

9.33 a.m.

**Cytuno'n Ffurfiol ar Enwebiadau i Banel Dethol Comisiynydd y Gymraeg
Formal Agreement of Nomination for the Welsh Language Commissioner
Selection Panel**

[4] **Ann Jones:** The Minister for Education and Skills wrote a letter requesting that the committee nominate a member to sit on the selection panel for the Welsh language commissioner. I call for nominations.

[5] **William Graham:** I nominate Rhodri Glyn Thomas.

[6] **Ann Jones:** Do we have a seconder for Rhodri Glyn?

[7] **Joyce Watson:** I second the nomination.

[8] **Ann Jones:** Does everybody agree? I see that you do. Well done, Rhodri.

[9] **Rhodri Glyn Thomas:** Diolch, Gadeirydd. Gallaf adrodd bod cyfarfod y prynhawn yma i osod y meini prawf ar gyfer symud ymlaen i hysbysebu ac wedyn benodi comisiynydd. Byddaf yn adrodd yn ôl yn gyson i'r bwyllgor am yr hyn sy'n digwydd ar y panel.

Rhodri Glyn Thomas: Thank you, Chair. I can report that there is a meeting this afternoon to set out the criteria for moving on to advertise for and then appoint a commissioner. I will report back regularly to the committee on what is happening on the panel.

[10] **Ann Jones:** Thank you very much for that.

9.34 a.m.

**Cymunedau, Cydraddoldeb a Llywodraeth Leol—Trafod Materion o fewn y
Portffolio a Chynigion ar gyfer y Blaenraglen Waith
Communities, Equality and Local Government—Discussion of Issues within the
Portfolio and Proposals for the Forward Work Programme**

[11] **Ann Jones:** The research service has provided a paper, as has the clerking team. We also have the previous committees' legacy reports and a paper on the committee's way of working. From what we heard in the First Minister's legislative statement on Tuesday, we expect three Bills to come before us for scrutiny in the first 12 months. We also have the budget to scrutinise in October and November. There are six Ministers who could appear before this committee on those issues. So, I put that out there before we all start saying that we want to go off and do stuff. We need to recognise that the legislation work will be heavy for the first 12 months, so we need to bear that in mind when looking at the forward work programme. Are there any comments on the forward work programme and how we will proceed?

[12] **Bethan Jenkins:** I propose that we establish a task and finish group to look at broadcasting in Wales. With the changes to how S4C and the BBC are funded and the challenges to the print media and to broadcasting in general, now is the time for us to do something, because I think that the public would also like Wales to take an interest in this

particular issue, although I acknowledge various areas are not within our responsibilities. I hope that Members will support that proposal.

[13] **Ann Jones:** Are there any comments on that?

[14] **Joyce Watson:** I am quite happy to support that; I agree with everything that Bethan said, and now is a good time to look at emerging and future issues. So, I would support the setting up of a task and finish group to undertake a specific piece of work within a specific timeframe to report back to this main committee, which, in turn, will report back to the Assembly.

[15] **Ann Jones:** Are Members content with that? Peter?

[16] **Peter Black:** I am supportive of that; I think that that is fine. I just want to talk about the time that is available. We have, in effect, a day and a half every two weeks, so presumably we will have the capacity to use those slots to fit in full committee meetings, task and finish groups, sub-committees on legislation and such things. So, if we use that time flexibly, we should be able to accommodate all of that within the time available to us. There may be issues of timetable conflicts for some Members if we were to try to schedule task and finish group work outside that time slot.

[17] **Ann Jones:** Members are aware that we have a day and a half every two weeks to look at legislation. My preference would be for the full committee to take legislation through. It is important that we scrutinise legislation effectively and efficiently, and I think that we should do that as a full committee. The other issues around scrutiny are very important, but we need to be aware that legislation comes first. We have not been in this situation before, so we must look at the levels at which the scrutiny of legislation takes place. I think that that will unfold over the summer recess before we come back. I take it that Members are content to establish a task and finish group on broadcasting with a specific remit? I see that you are. We will ask the clerking team to look at that over the summer recess so that we can get it up and running when we come back.

[18] **Joyce Watson:** I would suggest that the task and finish group be made up of a single Member from each party.

[19] **Bethan Jenkins:** I also suggest that the clerking team over the summer could think about contacting some of the groups that we may need to talk to in the sector, so that we can flag that up before we come back so that it is ready to roll.

[20] **Ann Jones:** We will do that; we can start to look at that so that, as you said, we are ready to roll in the first meeting when we come back.

[21] I am keen to do a scrutiny project or some form of work rather than just waiting for legislation to come before us. Members have the report from the research service, and I was wondering whether we could look at some of the issues mentioned in it and decide what we want to do from that angle. We will have about three meetings before we meet to scrutinise the budget in which we could do a short, sharp inquiry or perhaps a follow-up inquiry. What are Members' views on that?

[22] **Mark Isherwood:** The paper makes reference to the Equality and Human Rights Commission's work on hate crime, and perhaps it could be invited to give evidence to us. Otherwise, we could consider asking for progress reports on previous reports carried out by predecessor committees that correlate with some of the subject areas suggested in the paper, particularly community safety, given the similar piece of work done by the Communities and Culture Committee towards the end of the last Assembly. With regard to equality, I think a

committee in the Assembly prior to the last one looked at public service provision for disabled young people, and at access to training, education, work and independent living.

[23] **Ann Jones:** That is a good suggestion.

[24] **Peter Black:** I have two suggestions; one that might provide some assistance in putting together the proposed housing Bill, and another that might shed some light on a current issue. On housing, it seems that we are all talking about empty properties, particularly in the private sector. The previous Deputy Minister for Housing and Regeneration promised that there was going to be some sort of legislation around that. We have some vague numbers from Shelter Cymru on what is being done around Wales in terms of empty properties and on how they are being tackled, so it might be useful to tie down a figure as to what is out there and discuss solutions to the issue. On the second issue, it seems that we are all talking about cuts to the police service, so it might be useful to undertake a quick inquiry trying to pin down the impact of those cuts on community safety. If we are losing 250 posts, are they front-line police officers or civilian posts? How are police services being reorganised, and what is the impact in communities? Such an inquiry would mostly involve interrogating various senior police officers, but it would at least give us a handle on where we are at.

[25] **Ann Jones:** Those are good suggestions, and I think that Mark's suggestion about looking at previous legacy reports and doing a follow-up report is also good. When previous committees have done a piece of work it is incumbent on all of us to ensure that it is not just propping the piano leg up, as I used to say. We need to carry that work through.

[26] **Mike Hedges:** I do not disagree with what Peter said about housing, but it may be a lengthy process. There are huge differences across the country in the types of properties that are available, why they are available, whether they are empty because of depopulation of areas or whether they have been left empty because of dereliction. Some properties are empty because somebody has left them in that state, including two in an area that I represent, where brothers and sisters have quarrelled over who should get the properties and have left the houses empty as they engage in battles over decades for them. I am all for tackling this issue, but let us not think that it is going to be a simple or quick piece of work; it is going to be lengthy and complicated if we are to do it in any detail.

[27] **Bethan Jenkins:** Joyce and I sit on the Petitions Committee, and I would like us all to be aware that there may be some petitions that we would want us to be flexible with and look at in this committee. I believe that that is the best way for us to engage with the public. If we try to do too much now, as well as scrutinising legislation, no doors will be left open for petitions to come to us.

[28] **Ann Jones:** That is a good point.

[29] **Mark Isherwood:** On the housing issue, the focus of the scoping paper at the moment is on some of the key issues. What is the level of need? There is some disagreement on this in the world at large. Are the forecast figures here accurate? The future of the social housing grant, the role of private sector providers and so on should also be considered. There is also a correlation with the report on the private rented sector completed toward the end of the last Assembly by our predecessor committee, which took evidence on empty homes from local authorities and identified good practice and practice that was less than good. It came forward with a number of concrete proposals that were supported unanimously by the previous committee. In that context, it may be more prudent to revisit that report for the empty homes part of our work and then focus more broadly on identifying and meeting housing need.

[30] **Peter Black:** I do not think that we should be afraid of complexity if it adds value.

Some work has been done on empty homes, on which we can build, but my concern is that we are going to come up with a housing Bill that will have provisions in it relating to empty homes. We are going to have to scrutinise that Bill, so some sort of quick inquiry in advance of it being published—if we have the time—might help that scrutiny and might shed some light on some of the claims that have been made.

9.45 p.m.

[31] **Rhodri Glyn Thomas:** Nid wyf eisiau gor-gymlethu'r broses, ond gan ein bod yn edrych ar dai a'r galw amdanynt, byddwn yn awyddus inni edrych ar yr hyn sy'n digwydd o ran nodyn cyngor technegol 6 ac awdurdodau lleol. Fe'i cyhoeddwyd gan y Gweinidog flwyddyn yn ôl, a, hyd y gwn i, nid oes fawr o ddim wedi digwydd yn sir Gaerfyrddin. Nid wyf yn siŵr a yw'r cyngor sir wedi ystyried yr un cais dan TAN 6 hyd yn hyn, a byddwn yn awyddus i weld ai dyna'r sefyllfa drwy Gymru. Credaf fod TAN 6 yn eithriadol o bwysig i bobl sy'n byw mewn ardaloedd gwledig a'u gallu i gael mynediad at dai.

Rhodri Glyn Thomas: I do not want to overcomplicate matters, but since we are looking at housing and the demand for it, I would be keen for us to look at what is happening with technical advice note 6 and local authorities. The Minister published it a year ago, and, as far as I know, nothing much has happened in Carmarthenshire. I am not sure whether the county council has thus far considered a single application under TAN 6, and I would be keen to see whether the situation is similar throughout Wales. I believe that TAN 6 is extremely important to those living in rural areas and their ability to access housing.

[32] **Joyce Watson:** On TAN 6, perhaps I could update the Member with regard to an application that I know about in Carmarthenshire—that is another matter, however. It is certainly worth looking at these things, but I take Peter's point: if we can conduct an inquiry that can add value to our understanding, or incorporate some of the work that we will in any case have to do—we know we have some legislation coming—then that makes good sense. This committee will without question have a considerable workload. Peter has a valid point, in that one piece of work can lead into the next.

[33] I also think that Mark spoke well in saying that, as work has been done, we should look at it and go to the next stages, rather than starting all over again.

[34] **Ann Jones:** I am mindful of Bethan's suggestion about the Petitions Committee. This is the problem, is it not? We have three meetings next term, we think, in which we can do a short inquiry. Do we invite equality and human rights people in to discuss hate crime issues and then look at whether we bring somebody else in to give us more evidence about that? We could then look at the follow-up progress reports from the previous committee's works, including on the housing Bill. Peter has suggested that there will be a housing Bill and that we should perhaps be able to feed our thoughts into it. I think that that is a good idea, so that we do not just look at legislation when it arrives, but take the opportunity to offer suggestions to the Minister. Whether or not the Minister accepts them is another issue.

[35] TAN 6 and the empty homes issue seem to be the two things in the housing area that we would want to look at. Then there is Peter's suggestion on community safety. I am quite keen on community safety issues and would like us to look at them. I do not know that we would want to have only senior police officers in, as I think we should have other bodies in, too. I do not want to be seen to be inviting the police down here all the time; we have to look at the safety aspects more widely.

[36] I am anxious for the clerks to have something to do over the summer recess in preparation for the next meeting. They are going to prepare the task and finish group remits, and they will contact some people about those, so they have that work to do. That will not

take very long, so we need to give them something else to do—sorry about that, clerks. Shall we look at the hate crime issues, and then homes and community safety? I think that this committee has to be flexible in what it does, because, in 18 months' time, if the housing Bill suddenly looks like coming before us, we will perhaps have to do a piece of work on empty homes in the TAN 6 then, so that we can feed in our findings in good time, well before the Bill arrives. We can try to get some indication from Government about where it will put that legislation, so that we can do that work. I see everybody nodding in agreement.

[37] Really, it is about hate crime and community safety issues. Shall we ask the clerks to try to bring up the next three meetings' worth of work on those two issues? Are we happy with that? Is there anything else that Members want to add to the list? We can have an ongoing list and a rolling programme of items that we can keep returning to, as and when.

[38] **Rhodri Glyn Thomas:** Cytunaf yn llwyr â'r hyn a argymhellwyd, ond, rywbryd yn ystod y Cynulliad hwn, byddai'n ddefnyddiol pe baem yn edrych ar chwaraeon, i weld beth sy'n digwydd drwy Gymru o ran y cydweithredu rhwng Chwaraeon Cymru ac awdurdodau lleol, i sicrhau bod plant a phobl ifanc, yn arbennig, yn cael cyfleoedd chwaraeon, ac i weld a yw'n gyson drwy Gymru. Ni chredaf fod hynny mor bwysig ar hyn o bryd â'r pethau yr ydych wedi'u hargymell, ond awgrymaf y gellid ei gadw fel rhywbeth i'w wneud pe bai amser yn caniatáu.

Rhodri Glyn Thomas: I agree completely with what has been suggested, but, at some time during this Assembly, it would be useful if we could take a look at sports, to see what is happening throughout Wales with regard to co-operation between Sports Wales and local authorities, to ensure that children and young people, in particular, have sporting opportunities, and to see whether that is consistent throughout Wales. I do not think that it is as important at the moment as the things that you have recommended, but I suggest that this could be kept as something that we could look at if time allows.

[39] **Ann Jones:** That is a good suggestion.

[40] **Kenneth Skates:** Predictably, I entirely agree with that.

[41] **Ann Jones:** Does that mean that I can bring in my favourite association, the Football Association of Wales?

[42] **Kenneth Skates:** Absolutely.

[43] **Ann Jones:** I will look forward to that. That is a good suggestion. We can keep this open-ended; if we have time between pieces of legislation, that might be something that we can look at. I know that Bethan has done quite a lot of work on sport.

[44] **Kenneth Skates:** You should join us when we go running. [*Laughter.*]

[45] **Ann Jones:** We are not going to look at your running club, Ken; we will leave that to another time.

[46] So, can we just agree the actions? The clerks will go away over the summer and prepare terms of reference for the broadcasting task and finish group and contact some people on that one. They will also look at getting the Equality and Human Rights Commission in on hate crime, and perhaps a few other people, along with looking at community safety and getting people in on that as well. We also look forward to the budget in October and November. On the issue of workload, we have a day and a half every fortnight, which we will use wisely, and if there is a need to meet, then we will meet. However, we need to keep an eye on that.

[47] If Members have any suggestions of things that they want to add to the forward work programme, please let the clerking team know so that we can discuss them. If you have any ideas of people who should be contacted to be brought in, either to assist us to scrutinise people or to be scrutinised themselves, perhaps you can let the clerking team know.

[48] **Gwyn R. Price:** I just want to back up Mark in relation to the past work that the committees have done. A lot of good, hard work was done over many years in the previous Assembly, and I do not think that we should be losing any of that; we should be carrying it on. There are many sensible recommendations here, so I would push us along that road, as well as doing the other good work that you suggested.

[49] **Ann Jones:** Thank you for that, Gwyn.

[50] **Peter Black:** Gwyn is right. We will presumably schedule regular scrutiny sessions with all of our six ministers, so we could use those scrutiny sessions to follow up on the recommendations to those reports to see what is happening.

[51] **Bethan Jenkins:** We did an inquiry into access to the arts, and many arts organisations have been saying that they need to know whether our recommendations have been acted upon.

[52] **Rhodri Glyn Thomas:** Mae cylch gorchwyl y pwyllgor hwn yn eang iawn. Un o'r pethau sydd wedi digwydd yn y gorffennol gyda phwyllgorau yw eu bod wedi gofyn i Aelodau unigol, neu un neu ddau ohonynt, fynd i ffwrdd i wneud darn o waith a dod â'r gwaith hwnnw yn ôl gerbron y pwyllgor, yn hytrach nag eistedd fel pwyllgorau llawn drwy'r amser. Gallai hynny fod yn ddefnyddiol ac yn ddefnydd gwell o'n sesiwn ychwanegol. Felly, yn hytrach na bod y pwyllgor yn eistedd yn ffurfiol, gallai aelodau unigol y pwyllgor wneud gwaith penodol ac adrodd yn ôl i'r pwyllgor ar y gwaith hwnnw. Byddai hynny'n golygu y gallem ymgymryd ag adroddiadau mewn ffordd mwy cynhwysfawr.

Rhodri Glyn Thomas: This committee's remit is very broad. One thing that has happened in the past with committees is that individual Members, or one or two Members, have been asked to go away to do a piece of work and bring it back to the committee, rather than sit as a full committee all the time. That could be useful for us and a better use of the additional session that we have. So, rather than the committee sitting formally, individual members of the committee could do some specific work and report back to the committee on that work. That would mean that we could undertake reports in a more comprehensive way.

[53] **Ann Jones:** That is a good suggestion. I would like to try get out on Thursdays, so that people do not feel that they are not loved because we do everything in Cardiff. So, that might be something that we could consider.

[54] **Mark Isherwood:** On the progress on legacy papers, I suggest that, at some point, we may also want to look at two other papers completed by the Communities and Culture Committee of the previous Assembly, one of which was on domestic abuse and the other on financial inclusion and the impact of financial education, so that we can monitor progress against the pledge.

[55] **Ann Jones:** That is a good idea. The consensus is that we will take the legacy reports and use them as the tools for organising our scrutiny work. You are right that we will have Ministers in for scrutiny sessions, and because we have the ability to invite six Ministers in, the scrutiny sessions will have to be pretty well focused or we will be unable to get anything out of them. I think that that is where the legacy reports and all the issues will come into that. I hope that we will be doing a lot of work on that. Does anyone else have any issues on the

forward work programme?

[56] **Mark Isherwood:** Mike raised a question about prudential borrowing, which is referred to here. Is it the consensus that we do not want to look at that, or do we want to do a short exposé of where we are up to and what is going on? My understanding is that powers have been delegated to Welsh Ministers to authorise prudential borrowing by local authorities. Some have gone down that road in certain areas, so we could look at whether it has been effective and what the impact has been on revenue, whether it is something that could be used in future or whether it is not really a practical solution.

[57] **Peter Black:** I am not sure whether Ministers authorise prudential borrowing. I think that it is just the regulations that they have to act within.

[58] **Mark Isherwood:** With stock transfers, certainly, the Minister received proposals from local authorities, but authorised only five I think.

[59] **Peter Black:** I think that stock transfers are a different issue.

[60] **Mark Isherwood:** It is still prudential borrowing.

[61] **Ann Jones:** Come on, you two; you can have a conversation outside. [*Laughter.*]

[62] **Mike Hedges:** Prudential borrowing is a facility that local authorities have. They can borrow almost as much money as they feel they can, prudentially. The difficulty is that it has a very serious impact on the bottom line. You can build a school, but you might have to sack the teachers in order to pay the interest. I am not quite sure why we would be looking into it, because, from my experience, it is really the case that, although local authorities have the ability to do it, most have been very careful in how they have used it because it has a very serious impact on the bottom line. When they used to have supplementary credit approval, which was a much easier way of doing it, they actually had the money coming with it. However, now, they do not have the money coming with it. Local authorities have serious revenue problems, which they are probably treating more seriously than their capital problems because their revenue problems are day-to-day problems, when capital is something that can be postponed. Unfortunately, it has been postponed far too often in the past.

[63] **Peter Black:** The only issue with regard to prudential borrowing is that the Government seems to have adopted a policy of telling local authorities that they should borrow prudentially to compensate for the fact that their capital programme is reduced. That is understandable. That now looks to be a Government policy. So, in a sense, there will be an impact on local authorities, but it is not really a matter for us. It is a matter for local authorities how they manage that situation. However, we can, of course, scrutinise the Ministers on the impact of that policy.

[64] **Ann Jones:** Yes, I think that that is what we will do. When we can get a session to scrutinise Ministers on their portfolios, those are the issues that we can raise. We will ask the clerking team to look at the Record of Proceedings and pick the issues out. As I say, it is an ongoing, rolling programme. People can add to it, and we will come back and look at it as we go. However, are we happy with what we are going to do now? Is everybody happy with that? Does anyone have anything else that they want to add? I see that no-one does. Thanks very much for that. That is great. The clerking team have got some work to do over the summer, which is quite nice.

9.58 a.m.

Papurau i'w Nodi
Papers to Note

[65] **Ann Jones:** We have papers to note, which are the legacy reports, which we have referred to quite extensively and which we will use as the basis for our scrutiny sessions. Is there any other business that Members want to raise? I see that no-one has anything. Our next meeting will be on Wednesday 21 September, and we will have a full schedule of meetings for the next term.

[66] **Peter Black:** Will it be a 9.30 a.m. start?

[67] **Ann Jones:** Yes, and it will be a prompt start. A schedule of meetings for next term will be circulated to committee members to note in your diaries. Thank you very much. The meeting is now closed.

Daeth y cyfarfod i ben am 9.58 a.m.
The meeting ended at 9.58 a.m.