THE NATIONAL ASSEMBLY FOR WALES: AUDITCOMMITTEE

REPORT 01-02 – Presented to the National Assembly For Wales on 03/05/01 in accordance with section 102 (1) of the Government of Wales Act 1998

ACCOMMODATION ARRANGEMENTS FOR THE NATIONAL ASSEMBLY FOR WALES

CONTENTS	**Paragraph**
Introduction	1
The Decision to Locate in Cardiff Bay	3
Project Management and Procurement	14
Crickhowell House and the Pierhead Building	23
The New Building	27
Recommendations	44
Concluding Comments	45

ANNEXES

Annex A: Relevant Proceedings of the Committee - Minutes of evidence (Thursday 9 November 2000)

Annex B: Letter dated 21 December 2000 from Jon Shortridge, the Permanent Secretary of the Assembly

Annex C: The Audit Committee

INTRODUCTION

1. This report concerns the Committee's investigations into the National Assembly for Wales' accommodation arrangements. It focuses on four main areas: the decision to locate in Cardiff Bay; project management and procurement; the adaptation of Crickhowell House and the Pierhead Building for the Assembly; and the new building.

2. On the basis of a report produced by the National Audit Office Wales on behalf of the Auditor General for Wales, we took evidence from Assembly officials involved in the project. These officials are the Permanent Secretary, the Principal Finance Officer, the Head of Management Services Division and the Head of Accommodation Section. This report identifies the issues arising from our examination, sets out our main findings and conclusions, and makes a series of recommendations. Our intention is to ensure that the lessons highlighted in this project are disseminated for the benefit of all those using Assembly resources for capital projects in the future. We also look forward in this report and make practical suggestions for the management of the latest stages of the Assembly building. It is vital that this project is managed in such a way as to secure public confidence in the Assembly.

THE DECISION TO LOCATE IN CARDIFF BAY

The economic appraisal process

3. Work to select a site for the new Assembly started in June 1997, when the Welsh Office began a review of potential sites in Cardiff. The final decision in favour of the Capital Waterside site in Cardiff Bay was announced by the then Secretary of State for Wales on 28 April 1998. The Welsh Office then negotiated with Grosvenor Waterside, the owner of the site, to extend the lease on Crickhowell House, acquire the adjacent land on a long lease in order to construct a new building and to rent the Pierhead Building on a short lease. These agreements were completed on 1 October 1998.

4. The final decision to locate the Assembly at the Capital Waterside site in Cardiff Bay was based on economic appraisals of a number of options. These economic appraisals were generally undertaken in accordance with Treasury guidance, as set out in the "Green Book", *Appraisal and Evaluation in Central Government*. However, we are concerned that no sensitivity analysis was carried out to assess the impact of key risks – such as rising costs and an increase in the amount of space needed – on the fundamental viability of each option. We note that the National Audit Office Wales has re-performed such a sensitivity analysis which indicated that Capital Waterside, Cardiff Bay would have been favoured over the other leading options, because of the additional office space on the site and the relatively low capital cost of the Capital Waterside option. The Accounting Officer acknowledged that a formal sensitivity analysis should have been undertaken as part of the appraisal process but added that the flexibility of the Capital Waterside site was a material consideration in the decision to locate there. We expect the technique of sensitivity analysis to be undertaken in all economic appraisals as an essential part of risk management at the planning stage. **We look to the Assembly to issue guidance to ensure that sensitivity analyses are undertaken as part of all future economic appraisal work.**

The options for the location of the Assembly

5. There were two phases of economic appraisal before the selection of Capital Waterside in Cardiff Bay as the site

of the Assembly. At the initial stage, the Welsh Office decided that Cardiff City Hall was the preferred option, despite being substantially more costly than the other options. The Auditor General for Wales' report makes clear that Cathays Park had a number of practical advantages over Cardiff City Hall, and was substantially cheaper. This reflects the very high adaptation costs of Cardiff City Hall, although these costs were uncertain at the time the decision to prefer Cardiff City Hall over Cathays Park was made, because the Welsh Office had not received independent professional advice on costs. We note that the preference for Cardiff City Hall was a decision by Ministers based on other non-financial considerations such as the prominence and importance of the building and the desire to separate the parliamentary and executive arms of the Assembly.

6. It was clear that the Cardiff City Hall option was not viable because of the difference between the parties on the matter of the purchase price. The Welsh Office was, understandably, prepared to pay no more than the open market value (£3.5 million) while Cardiff County Council pressed for a figure nearer the full reinstatement value. The reinstatement value is intended to reflect the cost of replacing the facilities that would be lost, which was never specified (but estimated to be at least £12 million). We accept the Accounting Officer's assessment that the fundamental difference between the parties could not be resolved in the negotiations, particularly given the time constraints. It is also apparent that Cardiff City Hall as the future home of the Assembly would have provided a lower quality of accommodation than the other options, given the amount of work that would have been deferred until several years after occupation.

7. Following the failure of negotiations to acquire Cardiff City Hall, the Welsh Office decided to invite proposals from across Wales for the location of the Assembly. After an initial appraisal exercise, ten options were assessed in detail of which nine were in Cardiff and one was in Swansea. A decision was taken at the political level to reject Swansea, although this was by far the cheapest option, on the basis that the status of Cardiff as the capital of Wales would be undermined if the Assembly were not located there.

8. We consider that cost was not an issue in the decision to prefer Cardiff over Swansea, and that in fact there was very little that Swansea could have done to win the location of the Assembly. Consequently we are not convinced by the Accounting Officer's contention that this was a genuine attempt to open up the process and investigate alternative options. We acknowledge that officials acted in good faith in their management of the consultation, but we find it reprehensible that so much time and money was wasted on this exercise when the key decision – whether or not the Assembly should be located in Cardiff – was straightforward and should have been made at the outset. In our opinion this has created unnecessary division between Cardiff and Swansea and has undermined the value of consultation exercises that may be held by the Assembly in the future.

Land and parking

9. From its review of the nine Cardiff options, the Welsh Office concluded that the two strongest options were the Capital Waterside site in Cardiff Bay and Bute Square. After considerable negotiation, the Welsh Office decided to locate the Assembly at Capital Waterside in Cardiff Bay rather than at Bute Square. The Capital Waterside option made full use of the existing Welsh Office estate, offered a prime site for a new building, and the Pierhead Building provided a landmark that would enhance the setting of the Assembly. Conversely, the Welsh Office considered that the Bute Square option would have been much more expensive and time-consuming to complete, would have needed a temporary home elsewhere in Cardiff and suffered from a small and awkward site.

10. The Welsh Office negotiated an agreement with Grosvenor Waterside, the owner of the Capital Waterside site, to extend the lease on Crickhowell House by 25 years; acquire a long leasehold on part of the adjacent land for £1 and construct a new building on it to provide a debating Chamber and public areas for the Assembly; and to rent

the Pierhead Building on a short leasehold. It is open to question whether announcing the £1 cash cost of the deal was misleading given that the agreement included a provision for the Welsh Office to cede 200 of the 400 parking spaces associated with Crickhowell House. The Auditor General for Wales has estimated the commercial value of this arrangement, expressed in net present cost terms over the remainder of the lease, at £668,000. Indeed, there were a number of factors that underpinned the sale price of £1, including the extension of the lease on Crickhowell House and the effect of the building on the value of Grosvenor Waterside's estate. The Permanent Secretary subsequently told us that the details of the agreement with Grosvenor Waterside had not been finalised at the time the public announcement was made in April 1998. We are concerned that the full cost of this agreement was not made public, as soon as it was known. **We consider it unreasonable to make an announcement based solely on the cash cost, when there were other financial considerations. Doing so can affect public confidence in the integrity of the Assembly. As far as is practicable, announcements of project costs should reflect the whole cost to the Assembly and not only the cash cost, particularly when other costs are known to be significant.**

11. We note that the Welsh Office agreed to buy part of the available site for £1, when it could have acquired the whole site for £760,000. It transpired that the site acquired was too small for the new building as five of the six designs submitted for the architectural competition did not fit within the site boundary, and the Assembly must now acquire additional land. While we acknowledge that the Welsh Office received independent professional advice that the deal was broadly value for money, we are concerned that the political attractiveness of publicising a £1 cash price for the land may have influenced the decision to acquire less land than was actually needed for the project.

The Pierhead Building

12. Some important issues arise in respect of the Pierhead Building. The original decision to occupy the building was based on the then Secretary of State's decision that it should be used to house the Cabinet. His successor's decision to transfer the Cabinet to Crickhowell House meant that there was no obvious use for the building; it has now been decided to use it for a public information and education centre even though there is provision for an education and information area in the new building. It is possible that the Centre will not occupy the whole of the Pierhead Building, and that there will be opportunities for the Assembly to raise income from the remaining space. **We look to the Assembly to review the use of the building and to develop detailed proposals in due course**.

13. A second issue is the decision to rent rather than buy the Pierhead Building, although it is clear from the Auditor General's report that buying provides better value for money in the long term. We understand why the Welsh Office decided to rent the building initially, thus providing an exit route if the building were not suitable for the Assembly, or was subsequently not required, while maintaining an option to purchase until 31 August 2003. However, we question whether the cost of refurbishing the Pierhead Building can be justified, given that no decision has yet been made on how long this building will be required by the Assembly. Moreover, it is clear that the Assembly will maximise savings the sooner it exercises the purchase option. **We recommend that officials consider purchasing the long leasehold as soon as a clear long-term need for the building is established, in order to minimise the ongoing cost of the rental payments.**

PROJECT MANAGEMENT AND PROCUREMENT

Project management

14. The Auditor General's report compared the management of this project against the good practice set out in the Treasury's *Procurement Guidance*. There were some significant weaknesses in the management of the adaptation

works on Crickhowell House and the Pierhead Building. In particular, there was no formal steering group for the accommodation project and no formal budget that included all relevant project costs. Both of these are vital elements of a successful project.

15. The witnesses informed us that progress and costs were monitored by the project sponsor, and that the then Secretary of State was informed of the cost of changes to the design and specification of the accommodation in Crickhowell House. However, it is clear that the rising overall cost of the project was not monitored as fully as it should have been. This is disappointing, especially as the uncertain nature of the Assembly's requirements and the tight timescale meant that additional requirements had to be introduced while the works were progressing. **We recommend that firm budgets are set for all capital projects and that the total cost is very closely monitored, on a regular basis throughout the life of the project.**

16. In the light of the experience on the adaptation works, we note that the project management arrangements for the new building had to be strengthened significantly. There is a Policy Steering Group to discuss major decisions and a Project Board of senior officials to monitor the progress and cost of the project. A clear budget has been established which is monitored by this Project Board. We note that the format of the financial reports for the Project Board is still being developed. **We look to the Assembly to monitor total capital costs, whole life costs and the results of value engineering studies as part of this reporting process.**

17. We are concerned about the resourcing and professional expertise of the project team as none of the Assembly officials involved have direct experience of the construction industry. The witnesses assured us that they consider staff resources to be adequate, and that the team could and do draw upon all the necessary professional expertise through its client advisors (PACE) and project managers (Symonds). We welcome these assurances and expect the team to seek all the professional input that they require to make the new building an exemplar of good project management practice.

Procurement of major contracts

18. The Auditor General's report also considered the procurement of major contracts for the project. We note that there were serious shortcomings in the procurement of one of these six contracts, that with ICL for the provision of specialist software for the Assembly (for example the voting system). We are very concerned that key stages of the procurement process were not documented, that there was no explanation for the selection of the most expensive tender, that the Welsh Office Procurement Unit was not consulted at any stage, that intellectual property rights were surrendered and that the original contract did not provide for maintenance services. We note that the Assembly has taken action to improve its procurement practices. We reinforce the need for such action – it is essential that the Assembly is seen to lead the public sector by its example in applying best procurement practices. Officials informed us that the Assembly has provided procurement training to the IT division and has added a person with specific responsibility for procurement matters, who is being trained for a procurement qualification. We trust that these measures are sufficient to prevent a recurrence of these shortcomings, and expect that the lessons will be learned not just in the division concerned but across the Assembly. **We recommend that, in 12 months time, the Assembly undertake a review of procurement practices for the new building to ensure that the weaknesses identified in the Auditor General for Wales' report have not been repeated.**

19. The Welsh Office had not tendered separately for three of the six contracts examined by the Auditor General for Wales, but decided to use existing fixed-term contracts. We acknowledge the case for using trusted and reliable suppliers to reduce the risk of problems against the background of a very tight deadline. In the case of the contract for office furniture, however, purchases for the Assembly added about £2 million to the £1.5 million expected

value of purchases over the three year period of the contract. The witnesses told us that the Welsh Office did speak to the contractor to seek a lower price, but the supplier was unwilling to reduce its prices below those agreed in 1997 when the contract was agreed. This approach was not documented. In such situations, it is essential that the Assembly makes the best effort it can to achieve the lowest possible price consistent with timing and quality requirements. **When the value of goods supplied under a call-off contract rises substantially from the value expected at the time the contract was let, we expect officials either to tender separately for any major order or, if there are compelling reasons for not doing this, press the existing contractor to negotiate a better price. However, should the supplier be unwilling to renegotiate, officials should review the decision not to retender.**

Procurement route for building works

20. A key decision for the new building is the procurement route for the construction of works. Two main options were considered for this project: the traditional route (whereby the design is completed before construction begins) and the management contracting route (whereby the main contractor participates in the design process and construction begins before the detailed design is complete). The Assembly has decided to adopt a management contracting procurement route for the new building. The witnesses confirmed that, in their opinion, this approach would ensure faster completion of the project and would foster greater co-operation between the management contractor and the design team while maintaining client control of the project. The management contracting route was recommended by the project team's professional advisors and has been endorsed by the Policy Steering Group.

21. We note that, in theory, management contracting results in less cost certainty than a traditional contract. The Assembly has decided not to mitigate this risk by requiring a guaranteed maximum price from the management contractor when 85 per cent of the works have been completed. The project team considered that this would simply add to the price required by each bidder at the tendering stage and it is unlikely to be worthwhile transferring this risk. There is also a risk of delays or variations to the design causing disruption to construction work that will already have begun before completion of the detailed design, but the project team believes that this risk can be successfully managed. **We recommend that the Assembly pay particularly close attention to any requests for specification variations and ensure that these are kept to a minimum.**

Broadcasting

22. The provision of broadcasting facilities was a particularly complex task in technical and managerial terms, involving several external bodies. The Welsh Office negotiated well to achieve agreement on a number of contentious issues, including space allocation and a 50 per cent contribution from the broadcasters to the annual cost of the host broadcasting provider, compared with an equivalent of 36 per cent in Scotland. However, these arrangements were not confirmed in writing before work began. As a result, there was confusion about who would commission the works and the amount and allocation of costs, which led to delays. The witnesses accept that this was a weakness but state that it did not result in any financial loss to the Assembly, as the necessary arrangements were ultimately agreed with the broadcasting companies and the necessary works were completed in time for the opening of the Assembly. Nevertheless there was the potential for a much less favourable outcome. **When there is shared responsibility for part of any project, we recommend that basic arrangements are confirmed in a written framework agreement before work begins, pending agreement of a detailed contract.**

THE ADAPTATION OF CRICKHOWELL HOUSE AND THE PIERHEAD BUILDING

23. The Welsh Office had about a year to adapt Crickhowell House and the Pierhead Building for use by the Assembly. This was a very demanding time constraint, and the project team is to be congratulated for succeeding

in delivering the project in time for the opening of the Assembly in May 1999. There were, however, significant increases in the costs involved.

Capital costs

24. We note that the capital cost of the works to adapt and equip Crickhowell House and the Pierhead Building was increased from an initial estimate of £4.95 million to £13.1 million (an increase of 168 per cent). The initial estimate included £0.5 million for adaptation costs, which was grossly understated as it was based on a basic standard for temporary accommodation, although much of the accommodation in Crickhowell House is permanent. The cost of these adaptation works has increased to £8.77 million. The witnesses told us that when it became clear that the original estimate was inappropriate for the refurbishment of the accommodation in Crickhowell House and the Pierhead Building, most of which was to be used permanently by the Assembly, a new estimate of £3.8 million was established. The main reasons for the increase of £4.97 million between the revised estimate and the £8.77 million actual cost are as follows:

- £536,000 arising from the decision to transfer the Cabinet from the Pierhead Building to Crickhowell House;
- £719,000 for detailed improvements that became necessary when work had begun but were difficult to foresee at the outset. The changes were recommended by officials and professional advisors;
- £385,000 for enhancements to the quality of accommodation to bring it up to a standard that was considered acceptable for Members. These changes were requested by both Ministers and officials; and
- £3.1 million for further works authorised after the establishment of the Assembly. Of this, £1.2 million was to install air cooling throughout Crickhowell House to address the concerns of Members and officials about working conditions in the building.

25. The witnesses told us that they felt unable to justify the expense of installing air cooling throughout Crickhowell House before the Assembly was established, except in the Chamber where it was necessary to maintain an acceptable environment. Once the building was occupied, both the Permanent Secretary and the House Committee agreed that air cooling should be installed to provide a decent working environment for both Members and staff. We agree that the air cooling was a justifiable addition, but are concerned that officials did not foresee the need for it at the outset. Although we acknowledge that it was difficult to achieve accurate estimates before devolution, due to the lack of certainty about how the Assembly might operate and the lack of end users to consult, we consider that officials have consistently and seriously underestimated the costs of all parts of the project.

Running costs and space requirements

26. The annual running costs of Crickhowell House and the Pierhead Building have also increased substantially – from an initial estimate of £4 million to £6.1 million (an increase of 53 per cent). Most of this increase is accounted for by a rise in rent, service charge and maintenance costs, which depend largely on the amount of space occupied by the Assembly. The initial estimates were based on the Assembly occupying 80,000 square feet of space; it currently occupies 118,600 square feet of Crickhowell House, an increase of 48 per cent. The Welsh Office estimated initially that 250 people would work in the new Assembly's accommodation (60 Members, 120 researchers and secretaries and 70 administrative staff), whereas the total is now over 500. This has created the requirement for substantial additional office space. The witnesses emphasised that the initial estimate was prepared at a very early stage of the appraisal process, when the modus operandi and thus the staff requirements of the new Assembly were very uncertain. The Assembly has evolved into a much more complex institution than was

envisaged, and this has caused staff numbers to rise substantially. The witnesses assured us that they do not expect any additional space to be needed beyond that now occupied, and that some space may be vacated when the new building is completed. **We look to the Assembly to note the cost of floor space for staff and to minimise the its space requirements as much as practicable.**

THE NEW BUILDING

The design competition

27. The then Secretary of State decided in April 1998 to hold an architectural competition to select a design for the new building. He established a Design Competition Assessment Panel with seven members, chaired by Lord Callaghan, to recommend a design. The Welsh Office also appointed a technical panel to provide advice on specific aspects of each shortlisted design. Fifty-five expressions of interest were received and the Panel shortlisted six architects to submit concept designs. The Assessment Panel unanimously recommended the design by the Richard Rogers Partnership and this was selected by the Secretary of State in October 1998.

28. The Auditor General for Wales' report found that the competition proceeded smoothly and was successful in attracting internationally renowned architects to submit designs. However, the architects' fee offers were not considered by the Assessment Panel, although they added between 12.15 and 20.48 per cent to the construction cost. The Auditor General for Wales found that the Richard Rogers Partnership's design remained the cheapest for both construction and total costs. Nevertheless, we consider this omission to be a major flaw in the assessment process as there was no way that the Assessment Panel could have assessed the total cost of each of the options presented to them. **We recommend that fee bids are included in the assessment of entries to any design competitions, or similar exercises, held in the future.**

29. Members of the technical panel advised the Assessment Panel that five of the six designs exceeded the site boundary and most of the designs exceeded the gross floor area specified in the project brief. We are surprised that these designs were not disqualified. The witnesses told us that the competition design brief was not intended to be a set of rigid requirements; it allowed the architects some freedom of interpretation in order to arrive at a complete design. The witnesses agreed that the Assessment Panel focused on the design aspects and considered that issues like the size and extent of designs were secondary and could be resolved later. **We are concerned that the Assessment Panel decided to restrict its deliberations in this way, and expect a more comprehensive consideration, which should include practical issues of cost, size and extent, as part of any future design competitions for public buildings.**

Delay to the planned completion date

30. At the time of the design competition in October 1998, the Welsh Office had planned to complete the detailed design in February 2000, begin construction in November 2000 and occupy the new building in April 2001. It is now planned to begin construction in April 2001, complete the detailed design in July 2001 and occupy the building in January 2003. This 21 month slippage is due mostly to extended consultation and consequent re-design work at the outline design stage, which has lasted 15 months longer than planned. We acknowledge the importance of this consultation, especially in terms of the improvements to the design to allow better access for people with disabilities. However, it is very disappointing that insufficient consideration was given to access requirements during the design competition, especially as openness and accessibility were emphasised in the design brief and Disability Wales had advised the Assessment Panel that the steps at the front of the building did not represent good access.

31. The witnesses confirmed that there is no significant contingency time in the present timetable which reflects the Assembly's strong desire to complete the building as soon as possible. They further told us that they had considered carefully advice from Turner and Townsend to extend the programme by 31 weeks. However, Turner and Townsend also concluded that the existing timetable was tight but deliverable and it was on that basis that the Policy Steering Group has accepted the current programme. We understand the view that a tight timetable will motivate those involved in the project to complete it as quickly as possible, thus potentially avoiding additional costs (mainly from inflation). However, there is a greater risk that slippage will occur and this would undermine yet further the public credibility of the project.

Costs

32. The economic appraisal of the Capital Waterside option in Cardiff Bay was based on a £12 million provision for the new building, which was to cover all relevant costs, including fees and VAT. This estimate was independently assessed by the AYH Partnership in April 1998, who considered a budget of £12.5 million to be more appropriate. The design competition was advertised on the basis of a £11.5 million budget for direct costs, £0.5 million for estates and legal costs outside the control of the design team, and an undisclosed contingency of £0.5 million.

33. Since then, total costs have risen from £12.5 million to £23.2 million. The Auditor General's report outlines the main components of these increases:

- corrections to the original estimates (£1.53 million);

- changes to the design instigated by the First Secretary, user groups and advisory bodies (£2.23 million);
- omission of external landscaping from the original estimates (£1.65 million);
- fitting out the building with computers, furniture etc (£1.89 million);
- professional fees specifically excluded from the original estimates (£1.54 million); and
- inflation of £1.8 million.

34. The witnesses accepted certain important costs – fitting out and external landscaping – were not covered by the original £12.5 million budget, and that in retrospect this was an error. Again, we are disappointed that inadequate budgets were set at the outset, as this has demonstrated weak cost management and control, as well as compromising the credibility of the project with the public. While it is impossible to estimate costs exactly, we expect all important elements of capital projects (including construction, professional fees, external landscaping, fitting out, inflation and VAT) to be realistically estimated and the total cost to be fully disclosed. Anything less than this is misleading and unacceptable. **We recommend that project budgets contain realistic provisions for all likely costs, including fixtures and fittings, external landscaping and fees.**

Contingency fund and risk management

35. In addition to the £23.2 million budget, there is a contingency fund of £3.5 million. If this were fully used, the total project cost would be £26.7 million. This reserve may be called upon only with the consent of the Finance Minister. There is an additional five per cent contingency element in the construction estimates, giving a total

contingency provision of £4.12 million.

36. The witnesses informed us that the contingency provision had been reached after careful analysis by the project team and its professional advisors. The total cost, including contingency, of £26.8 million compared very well with the £26.9 million recommended by Turner and Townsend in their independent review. The project team has decided against transferring part of the contingency fund to the main budget as recommended by Turner and Townsend; it believes that this would reduce downward pressure on costs and is unnecessary, as the budget is realistic. In the view of the project team, the £8.25 million "maximum risk" identified by Turner and Townsend is based on the "worst case scenario" of all risks materialising; in reality the risks will be managed as well as possible and this is very unlikely to occur. The project team did not therefore think it an appropriate basis on which to set the contingency. We note the project team's assurances that the contingency fund is adequate and expect that total costs will not exceed £26.8 million. We look to the project team to ensure that the final project cost comes out well below £26.8 million.

37. The use of the contingency fund will depend on the number and severity of the risks that materialise. We asked the witnesses what they considered the key risks to be and how they intended to manage them. The project owner commented that there were risks at every stage of the project, some of which are fully within the control of the Assembly – such as any changes to the design of the building. If any such changes were made, the project team would try to accommodate them by finding offsetting savings; otherwise the variations would have to be approved in full knowledge of the extra cost that might result. Other risks would be more difficult to control; these included the reliability of contract prices at the tendering stage, site conditions once work has begun, and cultural problems arising from poor relations between the key players in the project. We consider it imperative that all identifiable risks are managed tightly, thus minimising any need for the contingency reserve. **Design changes that result in additional cost must be avoided unless they are absolutely necessary and are approved by the Policy Steering Group. We expect the contingency fund to be reduced as the project proceeds and amounts are either transferred to the base cost (if risks do materialise) or eliminated from the reserve (if they do not).**

38. The project team has already taken measures to reduce the cost below what it would otherwise be. The proposal to have steps running down to the water's edge from the front of the building has been withdrawn and the dock wall will be retained, which will save an estimated £900,000 and unquantified annual maintenance costs. The number of committee rooms, meeting rooms and offices in the new building was reduced to partly offset the increase in space for media areas and additional facilities requested by Assembly Members. We endorse the project team's plan to apply the techniques of whole life costing and value engineering at the detailed design stage, which may lead to further savings.

39. We note, however, that the Welsh Office did not use whole life costing or value engineering for the adaptation works on Crickhowell House and the Pierhead Building. Officials considered that value engineering was unnecessary for the limited structural works involved. Nevertheless, these techniques are accepted as good project management practice and can generate substantial savings. We would be surprised if there were no scope for whole life costing in a multi-million pound phase of the project. **We recommend that these techniques are used routinely on all major capital projects undertaken by the Assembly.**

The architects' contract

40. The Committee is particularly concerned about one important area of the new building project. This is the contract between the Assembly and the Richard Rogers Partnership. The Auditor General's report found that:

- no contract has yet been signed with the architects, two years after the design competition, and despite substantial work already having been undertaken;

- the architect's fee was a set percentage of the final construction cost, which has increased by 73 per cent, and which provides no incentive to keep costs down; and

- the quantity surveyor, Hanscombs, is appointed and paid by the Richards Rogers Partnership.

41. We are particularly concerned that it was decided to link the architects' base fee directly to the construction cost, given that this carried with it a very obvious risk of cost escalation. The witnesses told us that they had adopted the conditions and circumstances laid down by the Royal Institute of British Architects design competition arrangements. They acknowledged, however, that this was a matter that they should have tackled at the outset; and that they have since been in detailed negotiations with the architects. They assured us that no other consultants' fees were based on the construction cost of the new building.

42. The Permanent Secretary subsequently told us that the Richard Rogers Partnership have agreed in principle to cap their fee based on 21.1 per cent of the construction cost estimate to be approved at the end of the scheme design stage. The base fee now includes additional architectural and quantity surveying services that were originally outside the base fee. We welcome this development, recognising that the Assembly has not been in a strong position to renegotiate the architects' fee structure. Despite this agreement about the fee, the witnesses confirmed that no contracts have yet been exchanged with the architects. We consider that the Assembly should have negotiated a fixed fee structure at the outset when the design was selected. It is vital that fee structures reflect the amount and quality of work undertaken by the design team, and do not include perverse incentives to increase costs. It follows that fees tied to construction costs are inherently undesirable. **We recommend that fee structures for professional services in future capital projects funded by the Assembly contain strong incentives to contain costs, and that the basic structure should be settled at an early stage in the design process. We seek confirmation from the Assembly, now that the construction cost at the scheme design stage has been approved, as to the final cost of the architects' base fee; and also that the contract with the architects has been signed.**

43. We are concerned that the arrangement whereby the Assembly relies on Hanscombs, the Quantity Surveyor employed by the architects, is unusual and highly risky given that the architects' fee structure is linked closely to construction cost. The witnesses considered that there was a judgement to be made between the extra cost of instructing an additional Quantity Surveyor for the Assembly, and the benefits of having an independent surveyor. They assured us that there are several measures in place to mitigate the risk arising from the potential conflict of interest raised in the report: Hanscombs will have a contractual obligation to advise the Assembly separately if required; the project team includes a qualified Quantity Surveyor from PACE; and the project manager also has a contractual obligation to provide assurance on costs. However, the witnesses recognised the importance of the issue and we note that the Assembly has now accepted the Auditor General's recommendation to appoint its own Quantity Surveyor. We welcome this decision, as we consider the previous arrangement to have been highly unsatisfactory. **We look to the Assembly to ensure that this unusual arrangement whereby the Assembly does not appoint its own Quantity Surveyor is not repeated in any future capital projects.**

RECOMMENDATIONS

44. In the light of these findings and conclusions we make the following recommendations:

i. that the Assembly issue guidance to ensure that sensitivity analyses are undertaken as part of all future economic appraisal work;
ii. that, as far as is practicable, announcements of project costs reflect the whole cost to the Assembly and not only the cash cost, particularly when other costs are known to be significant;
iii. that, given the uncertainty about the long-term need for the Pierhead Building, the Assembly review the use of the building and develop detailed proposals in due course;
iv. that officials consider purchasing the long leasehold of the Pierhead Building as soon as a clear long-term need for the building is established, in order to minimise the ongoing cost of the rental payments;
v. that firm budgets are set for all capital projects and that the total cost is very closely monitored, on a regular basis throughout the life of the project;
vi. that the Assembly monitor total capital costs, whole life costs and the results of value engineering studies as part of the reporting arrangements for the new building;
vii. that the Assembly undertake a review, in 12 months time, of procurement practices for the new building to ensure that the weaknesses identified by the Auditor General for Wales have not been repeated;
viii. That when the value of goods supplied under a call-off contract rises substantially from the value expected at the time the contract was let, officials either tender separately for any major order or, if there are compelling reasons for not doing this, press the existing contractor to negotiate a better price. However, should the supplier be unwilling to renegotiate, officials should review the decision not to retender;
ix. that, given the cost implications of any variations to the design as well as the potential for disruption to the construction work, the Assembly pay particularly close attention to any requests for specification variations and ensure that these are kept to a minimum;
x. that when there is shared responsibility for part of any project, basic arrangements are confirmed in a written framework agreement before work begins, pending agreement of a detailed contract;
xi. that the Assembly note the cost of floor space for staff and minimise its space requirements as much as practicable;
xii. that fee bids are included in the assessment of entries to any design competitions, or similar exercises, held in the future;
xiii. that any future design competitions include a comprehensive consideration of practical issues of cost, size and extent;
xiv. that project budgets contain realistic provisions for all likely costs, including fixtures and fittings, external landscaping and fees;
xv. that design changes for the new building that result in additional cost be avoided unless they are absolutely necessary and are approved by the Policy Steering Group. We expect the contingency fund to be reduced as the project proceeds and amounts are either transferred to the base cost (if risks do materialise) or eliminated from the reserve (if they do not);
xvi. that whole life costing and value engineering techniques are used routinely on all major capital projects undertaken by the Assembly;
xvii. that fee structures for professional services in future capital projects funded by the Assembly contain strong incentives to contain costs, and that the basic structure should be settled at an early stage in the design process;
xviii. that, now the construction cost at the scheme design stage has been approved, the Assembly inform the Committee of the final cost of the architects' base fee; and confirm that the contract with the architects has been signed; and
xix. that the Assembly appoints its own Quantity Surveyor in any future capital projects.

CONCLUDING COMMENTS

45. The provision of the Assembly's accommodation is a politically sensitive and high profile project and we recognise that officials have faced unique problems in managing the project. These include heavy political intervention, uncertainty about the operational needs of the Assembly and the absence of end-users who could be consulted on their requirements. This has meant that officials had to make assumptions without a clear idea of what would be needed, against a tight deadline. This was a difficult task and we congratulate the officials and contractors involved on their success in providing a good standard of accommodation for Members in time for the opening of the Assembly in May 1999.

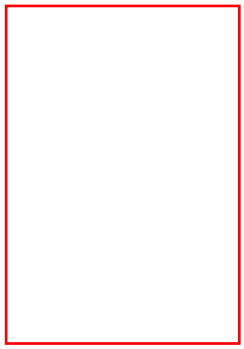
46. In this context, it is perhaps not surprising that problems would arise in the adaptation of Crickhowell House and the Pierhead Building from the inability to plan with any degree of certainty. However, there were things that could have been done to manage these risks more effectively. The absence of a proper budget and project steering group meant that rising costs as a whole were not monitored, and difficulties with the broadcasting arrangements could have been avoided by setting out the basic terms in a written framework agreement. We recognise the efforts made by the Assembly to improve project management for the new building, and we expect this to be an exemplar of good practice.

47. A number of themes have emerged from the evidence:

- We are highly concerned about the consistent underestimate of likely costs. It is vital that reasonable estimates are made at the outset and that firm, comprehensive budgets are established at an early stage. We appreciate that there was a lack of information initially about the Assembly's requirements, but it is disappointing that the estimate for adaptation works was so seriously understated and that key elements of the new building – for example fixtures and fittings and the treatment of external areas – were omitted from the initial provision of £12 million. Realistic budgeting is vital if public confidence in projects is to be maintained.

    Good risk management is essential to successful project delivery. This should start right at the beginning when various options are being appraised, and we are concerned that formal sensitivity analysis did not form part of the economic appraisals. This is necessary to assess the degree of risk inherent in each option. Once an option has been selected, the Assembly needs to make use of the whole range of appropriate techniques, practices and expertise to manage risk as the project progresses. We expect progress and costs to be monitored at a senior

Annex A



Cynulliad Cenedlaethol Cymru

Pwyllgor Archwilio

The National Assembly for Wales

Audit Committee

Trefniadau Adeiladau

Cynulliad Cenedlaethol Cymru

Accommodation Arrangements

for the National Assembly for Wales

Cwestiynau (1-281)

Questions (1-281)

Dydd Iau 9 Tachwedd 2000
Thursday 9 November 2000

Aelodau o'r Cynulliad yn bresennol: Janet Davies (Cadeirydd), Alun Cairns, Jocelyn Davies, Alison Halford, Peter Law, Dafydd Wigley, Kirsty Williams.

Swyddogion yn bresennol: Gillian Body, Swyddfa Archwilio Genedlaethol Cymru; Syr John Bourn, Archwilydd Cyffredinol Cymru; Sharon Davies, Swyddog Cydymffurfio Gweithredol Cynulliad Cenedlaethol Cymru.

Tystion: Eric McDonald, Pennaeth y Gangen Ystafelloedd, Cynulliad Cenedlaethol Cymru; David Richards, Prif Swyddog Cyllid, Cynulliad Cenedlaethol Cymru; Jon Shortridge, Ysgrifennydd Parhaol, Cynulliad Cenedlaethol Cymru; Gerry Thomas, Pennaeth yr Is-adran Gwasanaethau Rheoli, Cynulliad Cenedlaethol Cymru.

Assembly Members present: Janet Davies (Chair), Alun Cairns, Jocelyn Davies, Alison Halford, Peter Law, Dafydd Wigley, Kirsty Williams.

Officials present: Gillian Body, National Audit Office Wales; Sir John Bourn, Auditor General for Wales; Sharon Davies, Acting Assembly Compliance Officer of the National Assembly for Wales.

Witnesses: Eric McDonald, Head of Accommodation Section, National Assembly for Wales; David Richards, Principal Finance Officer, National Assembly for Wales; Jon Shortridge, Permanent Secretary, National Assembly for Wales; Gerry Thomas, Head of Management Services Division, National Assembly for Wales.

Dechreuodd y cyfarfod am 2 p.m.

The meeting began at 2 p.m.

[1] **Janet Davies:** Good afternoon. I welcome you to the Committee's first evidence-taking session for this Assembly year. We have Members newly elected to the Committee as of this morning: Peter Law, Kirsty Williams and Jocelyn Davies, and also Ann Jones and Lynne Neagle, who cannot be present at such short notice. The purpose of the meeting is to take evidence in connection with the National Audit Office report on behalf of the Auditor General for Wales, 'Accommodation Arrangements for the National Assembly for Wales'. Will the witnesses introduce themselves?

[1] **Janet Davies:** Prynhawn da. Yr wyf yn eich croesawu i gyfarfod cymryd tystiolaeth cyntaf y Pwyllgor yn y flwyddyn Gynulliad hon. Mae gennym Aelodau sydd newydd eu hethol i'r Pwyllgor y bore yma: Peter Law, Kirsty Williams a Jocelyn Davies, a hefyd Ann Jones a Lynne Neagle, na all fod yn bresennol gyda chyn lleied o rybudd. Diben y cyfarfod yw cymryd tystiolaeth yng nghyswllt adroddiad Swyddfa'r Archwilydd Cenedlaethol ar ran Archwilydd Cyffredinol Cymru, 'Trefniadau Adeiladau Cynulliad Cenedlaethol Cymru'. A wnaiff y tystion gyflwyno'u hunain?

Mr Richards: I am David Richards, the Principal Finance Officer for the Assembly.

Mr Richards: David Richards ydwyf i, Prif Swyddog Cyllid y Cynulliad.

Mr Shortridge: I am Jon Shortridge, the Permanent Secretary.

Mr Shortridge: Jon Shortridge ydwyf i, yr Ysgrifennydd Parhaol.

Mr Thomas: I am Gerry Thomas, the Head of the Management Services Division.

Mr Thomas: Gerry Thomas ydwyf i, Pennaeth yr Is-Adran Gwasanaethau Rheoli.

Mr McDonald: I am Eric McDonald, Head of the Accommodation Section.

Mr McDonald: Eric McDonald ydwyf i, Pennaeth y Gangen Ystafelloedd.

[2] **Janet Davies:** This is a fairly long report and there is a lot of meat to it. I know that Committee members want to ask many questions. I will start with the first question to Jon Shortridge, the Permanent Secretary. I do not think that we have enough time today to waste too much of it. Mr Shortridge, I see that, although the Welsh Office carried out its economic appraisals on the various options in line with Treasury guidance, it did not undertake any sensitivity analysis to assess the impact of the key risks on the viability of each option. The Auditor General points in particular to the risk of increasing construction costs and an increase in the Assembly's space requirements. Do you accept that this is a

[2] **Janet Davies:** Mae'r adroddiad hwn yn un gweddol faith ac mae'n eithaf swmpus. Gwn y bydd aelodau'r Pwyllgor am ofyn llawer o gwestiynau. Dechreuaf gyda'r cwestiwn cyntaf i Jon Shortridge, yr Ysgrifennydd Parhaol. Yr ydym yn brin o amser heddiw, felly nid wyf am wastraffu dim. Mr Shortridge, gwelaf, er bod y Swyddfa Gymreig wedi cynnal gwerthusiadau economaidd ar y gwahanol opsiynau yn unol â chyfarwyddyd y Trysorlys, ni wnaeth unrhyw ddadansoddiad sensitifrwydd i asesu effaith y risgiau allweddol ar ymarferoldeb pob opsiwn. Mae'r Archwilydd Cyffredinol yn cyfeirio'n benodol at y risg o gynnydd yn y costau adeiladu a chynnydd yng ngofynion y Cynulliad o ran lle.

necessary and important aspect of the economic appraisal process?

A ydych chi'n derbyn fod hyn yn agwedd angenrheidiol a phwysig o'r broses gwerthuso economaidd?

Mr Shortridge: Yes, I agree. In retrospect, we should have done a formal sensitivity analysis as part of our option appraisal.

Mr Shortridge: Ydwyf, yr wyf yn cytuno. Ac edrych yn ôl, dylem fod wedi gwneud dadansoddiad sensitifrwydd ffurfiol yn rhan o werthuso'r opsiynau.

[3] **Janet Davies:** Right. What action have you taken to ensure that sensitivity analysis is applied as a standard technique in the economic appraisal of all major capital projects funded by the Assembly?

[3] **Janet Davies:** Iawn. Pa gamau a gymerwyd gennych i sicrhau bod dadansoddiad sensitifrwydd yn cael ei ddefnyddio fel techneg safonol wrth gynnal gwerthusiad economaidd ar bob prosiect cyfalaf mawr a gyllidir gan y Cynulliad?

Mr Shortridge: What I can say is that I think that what happened in this case was largely the exception rather than the rule. I can certainly say that, in major capital appraisals that were being done about the same time, such as the Bute Avenue and the A55 private finance initiative schemes, sensitivity analysis was an integral part of the appraisal. Where we have major capital projects, we have our Economic Advice Division, with professional economists. They would normally regard a sensitivity analysis as an integral part of the process. I have not, since reading this report, given any further instruction to that division. However, in light of your comment, I shall do so.

Mr Shortridge: Yr hyn y gallaf ei ddweud yw fy mod yn meddwl mai'r eithriad yn hytrach na'r rheol oedd yr hyn a ddigwyddodd yn yr achos hwn i raddau helaeth. Gallaf ddweud yn sicr, mewn gwerthusiadau cyfalaf mawr a oedd yn cael eu gwneud tua'r un pryd, megis cynlluniau cyllid preifat Rhodfa Bute a'r A55, fod dadansoddi sensitifrwydd yn rhan hanfodol o'r gwerthusiad. Gyda phrosiectau cyfalaf mawr, y mae gennym ein His-adran Cyngor Economaidd, sydd yn cynnwys economegwyr proffesiynol. Byddent fel arfer yn ystyried dadansoddiad sensitifrwydd yn rhan hanfodol o'r broses. Ers darllen yr adroddiad hwn, nid wyf wedi rhoi cyfarwyddiadau pellach i'r is-adran honno. Fodd bynnag, yng ngoleuni eich sylw, gwnaf hynny.

[4] **Janet Davies:** Would you also like to comment on the issue of space requirement for the Assembly and the fact that perhaps the other sites—that is, the two other top options—were somewhat restricted in space?

[4] **Janet Davies:** A fyddech hefyd yn hoffi cynnig sylwadau ar fater gofynion lle'r Cynulliad a'r ffaith fod y safleoedd eraill efallai —hynny yw, y ddau opsiwn uchaf arall— ychydig yn brin o le?

Mr Shortridge: It is certainly the case that we were presented, as I think the report states, with a very difficult situation when, back in May 1997, we had to design and establish an Assembly. There was not an Assembly on the shelf that we could just copy. We had to develop the concept and then work it through in terms of the accommodation requirements. Therefore, at the outset, I think that, to a significant extent, we were shooting in the dark in terms of what the space requirements are and were. Again, in retrospect, I think that we should have had greater recognition of that at the time.

Mr Shortridge: Mae'n sicr yn wir fod yr achos a gyflwynwyd inni, fel y mae'r adroddiad yn ei ddweud, yr wyf yn meddwl, yn un anodd iawn, pan fu rhaid inni, yn ôl ym Mai 1997, gynllunio a sefydlu Cynulliad. Nid oedd Cynulliad ar gael ar y silff inni ei ddynwared. Yr oedd yn rhaid inni ddatblygu'r cysyniad ac yna weithio drwyddo gyda golwg ar yr adeiladau y byddai eu hangen. Felly, ar y dechrau, credaf, i raddau helaeth, ein bod yn saethu yn y tywyllwch o ran beth yw a beth oedd y gofynion o ran lle. Unwaith eto, ac edrych yn ôl, credaf y dylem fod wedi sylweddoli hynny'n well ar y pryd.

In terms of the interaction between the evolving space requirements and sensitivity analysis, I think that, as the report acknowledges, as it happens, the option that we ended up with was the one that gave greatest flexibility in terms of accommodation requirements. If we had gone for, say, Bute Square or City Hall, I think that Assembly Members would have found themselves very constrained and with particular problems in terms of having satisfactory accommodation. I think that I can fairly add that, although we did not have a sensitivity analysis, at various stages in the decision process, the flexibility of this building and the inflexibility of certain other buildings was a material consideration leading to the decision.

Gyda golwg ar y rhyngweithio rhwng y gofynion lle a oedd yn esblygu a'r dadansoddiad sensitifrwydd, credaf, fel y mae'r adroddiad yn ei gydnabod, fel y mae'n digwydd, mai'r opsiwn a ddewiswyd yn y pen draw, oedd yr un a oedd yn cynnig yr hyblygrwydd mwyaf inni gyda golwg ar y gofynion o ran lle. Pe baem wedi dewis, dyweder, Sgwâr Bute neu Neuadd y Ddinas, credaf y byddai Aelodau'r Cynulliad wedi'u cael eu hunain mewn lle cyfyng iawn ac yn wynebu problemau arbennig o ran cael adeiladau boddhaol. Credaf ei bod yn deg ychwanegu, er na wnaethpwyd dadansoddiad sensitifrwydd, fod hyblygrwydd yr adeilad hwn a diffyg hyblygrwydd adeiladau eraill yn ystyriaeth o bwys a arweiniodd at y penderfyniad yn ystod gwahanol gamau'r broses penderfynu.

[5] **Janet Davies:** Thank you very much. I think that Alison would like to pursue some issues regarding this section of the report.

[5] **Janet Davies:** Diolch yn fawr iawn. Credaf y byddai Alison yn hoffi dilyn trywydd rhai materion sydd yn ymwneud ag adran hon yr adroddiad.

[6] **Alison Halford:** Yes. You said that you were shooting in the dark as regards the space requirements. Would you not agree that you had Treasury guidance and all sorts of rules and regulations? The Assembly may be a new concept, but surely setting up a new building for ‘x’ number of Members equates to ‘x’ number of staff? It should not be beyond the wit of the resources that you could call upon to come up with a reasonable assessment.

[6] **Alison Halford:** Byddwn. Dywedasoch eich bod yn saethu yn y tywyllwch o ran faint o le y byddai ei angen. Oni fyddech yn cytuno bod gennych ganllawiau’r Trysorlys a phob math o reolau a rheoliadau? Efallai fod y Cynulliad yn gysyniad newydd, ond mae’n siwr bod sefydlu adeilad newydd i ‘x’ o Aelodau yn cyfateb i ‘x’ o staff? Ni ddylai fod y tu hwnt i allu’r adnoddau y gallech alw arnynt i gynhyrchu asesiad rhesymol.

Mr Shortridge: The Treasury guidance that we had related to how you do an economic appraisal as opposed to how you determine the nature of the project and the amount of floor space that you require. What we did at the outset was—and we are talking here of within 10 weeks of the election—put together a specification of what we thought an Assembly would require in terms of accommodation. We used our own Welsh Office accommodation strategy and the standards within that, and then we took professional advice on how that would work itself through. That produced the figure of 80,000 square feet, which, with hindsight, was wrong. However, I think that, at the time, it was not an unreasonable approach and we sought to have as good and informed approach as we could, in circumstances where we still did not really know how this organisation was going to operate. It was not until the National Assembly Advisory Group reported 12 months later that we all began to have a collective idea of just what the overall requirements of this body would be.

Mr Shortridge: Yr oedd y canllawiau a gawsom gan y Trysorlys yn ymwneud â sut y mae cynnal gwerthusiad economaidd yn hytrach na sut i bennu beth yw natur y prosiect a faint o arwynebedd llawr sydd ei angen arnoch. Ar y dechrau, yr hyn a wnaethom—ac yr ydym yn sôn yma am gyfnod o fewn 10 wythnos ar ôl yr etholiad—oedd rhoi at ei gilydd fanyleb o’r hyn yr oeddem yn ei dybio y byddai ei angen ar y Cynulliad o ran adeiladau. Defnyddiwyd y strategaeth adeiladau a oedd gennym ni’n hunain yn y Swyddfa Gymreig a’r safonau sydd yn honno ac yna cymerwyd cyngor proffesiynol ynghylch sut y byddai hynny’n gweithio drwodd. Cynhyrchodd hyn y ffigur o 80,000 troedfedd sgwâr, a oedd, ac edrych yn ôl, yn anghywir. Fodd bynnag, ar y pryd, ni theimlaf fod y dull a ddefnyddiwyd yn afresymol a cheisiwyd seilio’r penderfyniadau ar wybodaeth gystal ag y gallem, a ninnau’n dal i fod heb wybod yn iawn sut y byddai’r sefydliad hwn yn gweithio. Nid tan i Grwp Ymgynghorol y Cynulliad Cenedlaethol adrodd 12 mis yn ddiweddarach y dechreuodd pawb ohonom lunio syniad ar y cyd ynghylch beth yn union fyddai gofynion cyffredinol y corff hwn.

[7] **Alison Halford:** Following the first round of economic appraisals, the option of adapting the existing Welsh Office headquarters at Cathays Park appeared to have a number of practical advantages over Cardiff City Hall. It was considerably less expensive in terms of the net present cost. Why was this decision to prefer City Hall taken?

[7] **Alison Halford:** Ar ôl y rownd gyntaf o werthusiadau economaidd, yr oedd yn ymddangos fod nifer o fanteision ymarferol ynghlwm wrth y dewis o addasu pencadlys y Swyddfa Gymreig ar y pryd ym Mharc Cathays o'i gymharu â Neuadd y Ddinas Caerdydd. Yr oedd yn dipyn rhatach o ran y gost net ar y pryd. Pam y penderfynwyd ffafrio Neuadd y Ddinas?

Mr Shortridge: That was essentially a political decision taken on all the relevant advice. What it particularly reflected was the view at the time that City Hall, a building of some prominence and importance, would provide a fitting location for an Assembly, coupled with the fact that there was a desire, if possible, to separate the parliamentary end of the Assembly from the Executive end, and yet at the same time, have a convenient co-location of the two. Those were two of the considerations that were taken into account and led to City Hall being, at that stage, the preferred option.

Mr Shortridge: Penderfyniad gwleidyddol oedd hwnnw yn ei hanfod a gymerwyd ar sail yr holl gyngor perthnasol. Yr hyn yr oedd yn ei adlewyrchu'n benodol oedd y farn ar y pryd fod Neuadd y Ddinas, adeilad o gryn amlygrwydd a phwysigrwydd, yn cynnig lleoliad addas ar gyfer Cynulliad, ynghyd â'r ffaith fod awydd ar led i wahanu ochr seneddol y Cynulliad oddi wrth yr ochr Weithredol, os oedd modd, ac eto ar yr un pryd, gael lleoliad cyfleus ar gyfer y ddwy ran. Y rheini oedd dau o'r ystyriaethau a ystyriwyd ac a arweiniodd at ffafrio Neuadd y Ddinas, ar yr adeg honno.

[8] **Alison Halford:** In your opinion, was City Hall ever a viable option, particularly in view of the substantial work that would have been deferred in order to contain costs in the available capital budget?

[8] **Alison Halford:** Yn eich barn chi, a oedd Neuadd y Ddinas erioed yn ddewis ymarferol, yn enwedig ac ystyried y gwaith sylweddol a fyddai wedi'i ohirio er mwyn cadw'r costau o fewn y gyllideb gyfalaf a oedd ar gael?

Mr Shortridge: If that question seeks my personal view, I personally—

Mr Shortridge: Os yw'r cwestiwn hwnnw'n ceisio fy marn bersonol i, yn bersonol—

[9] **Alison Halford:** Throw it open to the team if you want to.

[9] **Alison Halford:** Agorwch y cwestiwn i'r tîm os dymunwch.

Mr Shortridge: I was never a strong advocate of City Hall for just those reasons.

Mr Shortridge: Nid oeddwn i erioed yn bleidiol iawn i Neuadd y Ddinas am yr union resymau hynny.

[10] **Alison Halford:** You were not?

Mr Shortridge: No.

[11] **Alison Halford:** You were the most senior civil servant and you were not in favour of it?

Mr Shortridge: I was not the most senior civil servant at the time. However, the advice that we were giving at the time was very much guided by the economic appraisal that existed at the time, which indicated that the most cost effective of the options at which we were looking at that time was one based on Cathays Park.

[12] **Alison Halford:** But, you said in reply to an earlier question that to go for City Hall was a political decision, made having taken all the relevant advice. Who makes the decisions? Is it Ministers or the civil service in such matters?

Mr Shortridge: Big decisions are always taken by Ministers. This was a very big decision.

[13] **Alison Halford:** So the Minister would take the advice that the City Hall would cost £53.66 million and was the most expensive option. That was the advice that the Minister would take against the recommendations of the civil service?

[10] **Alison Halford:** Nid oeddech?

Mr Shortridge: Nac oeddwn.

[11] **Alison Halford:** Chi oedd y gwas sifil uchaf ac nid oeddech chi'n bleidiol iddi?

Mr Shortridge: Nid fi oedd y gwas sifil uchaf ar y pryd. Fodd bynnag, yr oedd y cyngor yr oeddem yn ei roi ar y pryd yn cael ei lywio i raddau helaeth gan y gwerthusiad economaidd a fodolai ar y pryd. Yr oedd hwnnw'n awgrymu mai'r opsiwn mwyaf cost effeithiol o blith yr opsiynau yr oeddem yn eu hystyried ar y pryd oedd un a oedd wedi'i seilio ar Barc Cathays.

[12] **Alison Halford:** Ond, fe ddywedasoch wrth ymateb i gwestiwn yn gynharach mai penderfyniad gwleidyddol oedd dewis Neuadd y Ddinas, ar ôl derbyn yr holl gyngor perthnasol. Pwy sydd yn gwneud y penderfyniadau? Ai Gweinidogion ynteu'r gwasanaeth sifil mewn materion fel hyn?

Mr Shortridge: Gweinidogion sydd yn gwneud penderfyniadau mawr bob tro. Yr oedd hwn yn benderfyniad mawr iawn.

[13] **Alison Halford:** Felly byddai'r Gweinidog yn derbyn y cyngor y byddai Neuadd y Ddinas yn costio £53.66 miliwn ac mai hwnnw oedd yr opsiwn drutaf. Dyna'r cyngor y byddai'r Gweinidog wedi'i dderbyn yn groes i argymhellion y gwasanaeth sifil?

Mr Shortridge: I do not think that this is the occasion for me to seek to recollect the detailed advice that went forward to a Minister on any particular occasion. The Minister would have been given informed advice and all the various considerations relating to the options. If we, as officials, had thought that one of the options was inappropriate, we would have said so. However, the options that were put before the Ministers were ones that we thought were credible and defensible.

Mr Shortridge: Nid wyf yn meddwl mai dyma'r adeg imi geisio cofio'r cyngor manwl a drosglwyddwyd i Weinidog ar unrhyw adeg benodol. Byddai'r Gweinidog wedi cael cyngor ar sail gwybodaeth a'r holl ystyriaethau a oedd yn berthnasol i'r opsiynau. Pe baem ni, fel swyddogion, wedi meddwl bod un o'r opsiynau'n amhriodol, byddem wedi dweud hynny. Fodd bynnag yr oedd yr opsiynau a roddwyd ger bron y Gweinidogion yn rhai yr oeddem yn teimlo eu bod yn gredadwy ac yn rhai y gellid eu hamddiffyn.

[14] **Alison Halford:** It has been suggested to me in the briefing note that no detailed survey was undertaken on the condition of City Hall. If that is true—and I am sure it is because our briefings are always correct—how could assumptions be made on the level and timing of the works?

[14] **Alison Halford:** Awgrymwyd imi yn y nodyn briffio na chynhaliwyd unrhyw arolwg manwl ar gyflwr Neuadd y Ddinas. Os yw hynny'n wir—ac yr wyf yn siwr ei fod oherwydd bod ein nodiadau briffio bob amser yn gywir—sut fyddai modd gwneud tybiaethau ynghylch lefel ac amseru'r gwaith?

Mr Shortridge: We had access to quite detailed information from Cardiff City and County Council about the condition of City Hall and that was used to inform the estimates of capital costs that were involved. If one looks at the detailed schedules backing up those cost estimates, you will see that we had very substantial information. However, it was information that was not derived from a survey that we as the Welsh Office had undertaken.

Mr Shortridge: Yr oedd gennym wybodaeth eithaf manwl gan Gyngor Dinas a Sir Caerdydd am gyflwr Neuadd y Ddinas a defnyddiwyd hynny yn sail ar gyfer amcangyfrif y costau cyfalaf a oedd ynghlwm wrth hyn. Pe baech yn edrych ar yr atodlenni manwl sydd yn gefn i'r amcangostau hynny, gwelech fod gennym wybodaeth sylweddol iawn. Fodd bynnag, nid oedd yr wybodaeth honno'n deillio o arolwg yr oeddem ni fel y Swyddfa Gymreig wedi'i wneud.

[15] **Alison Halford:** Could I get this right? You were relying on some of the advice of the officials of Cardiff council, bearing in mind that it was its building that you were interested in taking over for a vast sum of money?

[15] **Alison Halford:** Yr wyf am gael hyn yn iawn. Yr oeddech yn dibynnu ar beth o gyngor swyddogion cyngor Caerdydd, gan gofio bod gennych ddiddordeb mewn prynu adeilad y cyngor hwnnw am swm anferth o arian?

Mr Shortridge: We had access to information that the local authority possessed.

Mr Shortridge: Yr oedd modd inni gael gafael ar wybodaeth a oedd ym meddiant yr awdurdod lleol.

[16] **Alison Halford:** And you relied upon that to make certain crucial expensive decisions?

[16] **Alison Halford:** Ac yr oeddech yn dibynnu ar hynny i wneud penderfyniadau hollbwysig a drudfawr?

Mr Shortridge: In the circumstances, we had to rely on it, but we made clear in the work that we did that certain assumptions had to be built into the estimates.

Mr Shortridge: Dan yr amgylchiadau, yr oedd yn rhaid inni ddibynnu arni, ond fe'i gwnaethom yn glir yn y gwaith a wnaethom fod yn rhaid cynnwys rhai tybiaethau yn yr amcangyfrifon.

[17] **Alison Halford:** Could you expand on that?

[17] **Alison Halford:** A fedrech chi ehangu ar hynny?

Mr Shortridge: Perhaps Eric would like to come in on this.

Mr Shortridge: Efallai yr hoffai Eric ddod i mewn ar hyn.

Mr McDonald: In August, we relied on information that was provided by Cardiff City and County Council. By November, we had been able to undertake some survey work with the co-operation of the council. We also had some estimates of our own that our professional advisers had prepared by November.

Mr McDonald: Yn Awst, dibynnwyd ar wybodaeth a ddarparwyd gan Gyngor Dinas a Sir Caerdydd. Erbyn Tachwedd, yr oeddem wedi llwyddo i wneud rhywfaint o waith arolwg gyda chydweithrediad y cyngor. Yr oedd gennym hefyd rai amcangyfrifon o'n heiddo ein hunain yr oedd ein hymgynghorwyr proffesiynol wedi'u paratoi erbyn mis Tachwedd.

[18] **Alison Halford:** It is important to tease out this point because the next question is, why was the market value of Cardiff City Hall, stated here at £3.5 million, so much lower than the reinstatement value of £20.5 million, based on the council's figures? How strong was the case to pay more than market value?

[18] **Alison Halford:** Mae'n bwysig procio i gael gwybodaeth ar y pwynt hwn oherwydd y cwestiwn nesaf yw, pam fod gwerth Neuadd y Ddinas Caerdydd ar y farchnad, sef £3.5 miliwn yn ôl yr hyn a nodir yma, gymaint yn is na'r gwerth adfer o £20.5 miliwn, ar sail ffigurau'r cyngor? Pa mor gryf oedd y ddadl dros dalu mwy na gwerth y farchnad?

Mr Shortridge: Reinstatement value involves the costs of replacing the use to which City Hall was being put elsewhere. The issue that we had to consider during these negotiations was whether the correct assessment of price for City Hall was the market value or the additional costs to the county council that would be involved in reinstating whatever use was being made of City Hall at the time. We are not comparing a capital cost with a capital cost in that sense.

Mr Shortridge: Mae'r gwerth adfer yn cynnwys costau darparu man arall ar gyfer y defnydd a wneid o Neuadd y Ddinas. Y mater yr oedd yn rhaid inni ei ystyried yn ystod y negodiadau hyn oedd ai'r ffordd gywir o asesu pris Neuadd y Ddinas oedd ei gwerth ar y farchnad ynteu'r costau ychwanegol i'r cyngor sir a fyddai ynghlwm wrth adfer pa ddefnydd bynnag a wneid o Neuadd y Ddinas ar y pryd. Nid ydym yn cymharu cost cyfalaf gyda chost cyfalaf yn yr ystyr hwnnw.

[19] **Alison Halford:** Cardiff City Hall priced itself out of the market; would that be a simpler way of putting it?

[19] **Alison Halford:** Yr oedd Neuadd y Ddinas Caerdydd wedi ei phrisio'i hun allan o'r farchnad; a fyddai hynny'n ffordd symlach o'i dweud hi?

Mr Shortridge: We were strongly of the view that market value was the correct valuation for City Hall. The local authority did not share that view, so there was a fundamental difference between us that could not be resolved in the negotiations, particularly given the time constraints on us to make progress. If we had used City Hall we would have had to undertake the massive task of converting that building to have something ready and fit for purpose for the Assembly in May 1999.

Mr Shortridge: Yr oeddem yn gryf o'r farn mai'r ffordd iawn o brisio Neuadd y Ddinas oedd pennu ei gwerth ar y farchnad. Nid oedd yr awdurdod lleol yn cytuno, felly yr oedd gwahaniaeth sylfaenol rhyngom nad oedd modd ei ddatrys yn y negodiadau, yn enwedig ac ystyried bod amser yn brin a bod rhaid bwrw ymlaen. Pe baem wedi defnyddio Neuadd y Ddinas, byddem wedi gorfod ymgymryd â'r dasg anferth o addasu'r adeilad hwnnw er mwyn cael rhywbeth yn barod ac yn addas at y diben ar gyfer y Cynulliad ym Mai 1999.

[20] **Alison Halford:** Having hit the buffers with the City Hall option and as time was short, why did you give yourself a shorter timescale from December 1997 by deciding to invite proposals from outside Cardiff? I understand that you undertook a consultation exercise to invite proposals and, in fact, 24 proposals were received for 24 sites. Of those 24 sites, two were in north Wales.

[20] **Alison Halford:** Wedi dod ar draws rhwystrau gydag opsiwn Neuadd y Ddinas a chan fod amser yn brin, pam y rhoesoch amserlen fyrrach ichi eich hun o fis Rhagfyr 1997 ymlaen drwy benderfynu gwahodd cynigion o'r tu allan i Gaerdydd? Deallaf ichi ymgymryd ag ymarfer ymgynghori i wahodd cynigion ac, yn wir, derbyniwyd 24 o gynigion ar gyfer 24 o safleoedd. O'r 24 safle hynny, yr oedd dau yng ngogledd Cymru.

Mr Shortridge: When we discovered, to our disappointment, that the City Hall option was not going to be a runner, we had to consider and take stock of what to do next. As a matter of good public administration, we took the view that there should be a further consultation exercise so that other parts of Wales and owners of other buildings could have the opportunity to put proposals to us. The consultation paper explicitly put two possible approaches for a Welsh Assembly. One was an Assembly based in the capital city of Cardiff in a conventional sense, which is what we have ended up with. The other was an Assembly that was a bit more of a virtual Assembly, where the parliamentary location did not, perhaps, necessarily need to be in Cardiff. There would be a much stronger regional presence associated with that and stronger IT links than we had envisaged for the Cardiff option at the time. Those two options were spelt out in the consultation paper and, in particular, led to the proposal that came from Swansea.

Mr Shortridge: Pan sylweddolasom, er mawr siom inni, nad oedd opsiwn Neuadd y Ddinas yn y ras, yr oedd yn rhaid inni ystyried a phenderfynu beth i'w wneud nesaf. Yn unol â threfn gweinyddiaeth gyhoeddus dda, ein barn ni oedd y dylid cynnal ymarfer ymgynghori pellach fel y gallai rhannau eraill o Gymru a pherchnogion adeiladau eraill gael cyfle i gyflwyno cynigion inni. Yr oedd y papur ymgynghori'n cynnig dau bosibilrwydd penodol ar gyfer Cynulliad i Gymru. Cynulliad wedi'i seilio yn y brifddinas yng Nghaerdydd oedd un, yn yr ystyr gonfensiynol, sef yr hyn sydd gennym yn y pen draw. Yr oedd y llall yn Gynulliad a oedd ychydig yn fwy rhithiol, lle nad oedd rhaid i'r lleoliad seneddol fod yng Nghaerdydd efallai. Byddai hynny'n golygu bod ganddo bresenoldeb llawer cryfach yn y rhanbarthau a chysylltiadau TG cryfach nag yr oeddem wedi'u rhagweld ar gyfer yr opsiwn yng Nghaerdydd ar y pryd. Esboniwyd y ddau opsiwn hynny yn y papur ymgynghori, ac, yn benodol, arweiniodd hynny at y cynnig a gafwyd gan Abertawe.

[21] **Alison Halford:** To put it into simplistic language that I can understand, it was always going to be Cardiff. However, Cardiff was then unrealistic because of the constraints that we have discussed. Therefore, in order to try to move things forward, you invited proposals from the rest of Wales, bearing in mind that the timescale was shortening by the hour.

[21] **Alison Halford:** I esbonio'r peth mewn iaith syml y gallaf i ei deall, yng Nghaerdydd yr oedd yn mynd i fod o'r dechrau. Fodd bynnag, wedyn, daeth opsiwn Caerdydd yn afrealistig oherwydd y cyfyngiadau yr ydym wedi'u trafod. Felly, er mwyn ceisio bwrw ymlaen â phethau, gwahoddasoch gynigion gan weddill Cymru, gan gofio bod yr amserlen yn byrhau wrth yr awr.

Mr Shortridge: The decision had been taken early in the year that we should seek to establish the Assembly, not just in Cardiff, but in Cardiff City Hall. When that option fell by the wayside and we had to take stock, we decided to open it up in the way that you described.

Mr Shortridge: Yr oedd y penderfyniad wedi'i wneud yn gynnar yn y flwyddyn y dylem geisio sefydlu'r Cynulliad, nid yn unig yng Nghaerdydd ond yn Neuadd y Ddinas Caerdydd. Pan ddisgynnodd yr opsiwn hwnnw ar dir diffrwyth ac y bu'n rhaid inni ailfeddwl, penderfynwyd agor y peth allan fel ag a ddisgrifiwyd.

[22] **Alison Halford:** Would it not have been fairer to do that in the first place?

[22] **Alison Halford:** Oni fyddai wedi bod yn decach gwneud hynny yn y lle cyntaf?

Mr Shortridge: Perhaps it could have been done. I accept that as a criticism if that is how it is offered. What I would say, though, is that we had two years to undertake an enormous project. At the outset there was a firm expectation—indeed it may have been included in some of the earlier documentation—that the Assembly would be located in Cardiff.

Mr Shortridge: Efallai y gellid fod wedi gwneud hynny. Yr wyf yn derbyn hynny fel beirniadaeth os mai fel hynny yr oeddech yn ei bwriadu. Yr hyn y byddwn yn ei ddweud, fodd bynnag, yw mai dwy flynedd a oedd gennym i gyflawni prosiect anferth. Ar y dechrau, yr oedd disgwyliad cryf—yn wir efallai ei fod wedi'i gynnwys mewn peth o'r ddogfennaeth gynharach—mai yng Nghaerdydd y lleolid y Cynulliad.

[23] **Alison Halford:** So all my north Wales colleagues' efforts were a complete and utter waste of time?

[23] **Alison Halford:** Felly gwastraff amser llwyr oedd holl ymdrechion fy nghydweithwyr o ogledd Cymru?

Mr Shortridge: In the context of the consultation paper to which you referred, no. That was a very serious consultation where we polarised two options: one Cardiff based, one—so far as we could make it—all-Wales based. We evaluated very carefully the proposals that came forward as a result of that.

Mr Shortridge: Yng nghyd-destun y papur ymgynghori yr oeddech yn cyfeirio ato, nage. Yr oedd yr ymgynghori hwnnw'n un difrifol iawn lle polareiddiwyd dau opsiwn: un wedi'i seilio yng Nghaerdydd, un—cyn belled ag y gallem ei wneud felly—yn opsiwn Cymru-gyfan. Cafodd y cynigion a ddaeth ger bron o ganlyniad i hynny eu pwyso a'u mesur yn ofalus iawn.

[24] **Alison Halford:** But you ignored the fact that Swansea was by far the cheapest option?

[24] **Alison Halford:** Ond anwybyddwyd y ffaith mai Abertawe oedd yr opsiwn rhataf o bell ffordd?

Mr Shortridge: Sorry?

Mr Shortridge: Mae'n ddrwg gennyf?

[25] **Alison Halford:** You ignored totally the fact that Swansea was by far the cheapest option.

[25] **Alison Halford:** Anwybyddwyd y ffaith yn llwyr mai Abertawe oedd yr opsiwn rhataf o bell ffordd.

Mr Shortridge: That was taken into account; the decision in the end was to go to Cardiff. We did not ignore it entirely.

Mr Shortridge: Ystyriwyd hynny; y penderfyniad yn y pen draw oedd mynd i Gaerdydd. Ni wnaethom ei anwybyddu'n llwyr.

[26] **Alison Halford:** Would you tell the Committee why that decision to stick to Cardiff was made?

[26] **Alison Halford:** A wnewch chi ddweud wrth y Pwyllgor pam y gwnaethoch y penderfyniad hwnnw i lynu wrth Gaerdydd?

Mr Shortridge: Ultimately, again, that was a ministerial judgment.

Mr Shortridge: Yn y pen draw, unwaith eto, penderfyniad gweinidogol oedd hwnnw.

[27] **Alison Halford:** According to the reports that we have been given, it was to avoid undermining Cardiff's position as the capital of Wales. Does that phrase mean anything to you, I wonder?

[27] **Alison Halford:** Yn ôl yr adroddiadau a gawsom, y rheswm dros hynny oedd er mwyn peidio â thanseilio safle Caerdydd fel prifddinas Cymru. A yw'r ymadrodd hwnnw'n golygu unrhyw beth ichi, ys gwn i?

Mr Shortridge: I can recall that phrase as well. I am sure that that was a material consideration.

Mr Shortridge: Yr wyf innau'n cofio'r ymadrodd hwnnw hefyd. Yr wyf yn siwr fod hynny'n ystyriaeth berthnasol.

[28] **Alison Halford:** So you are quite happy that the taxpayer should be prepared to spend vast sums of money to preserve Cardiff as the capital of Wales, whatever that means?

[28] **Alison Halford:** Felly, yr ydych yn eithaf hapus y dylai'r trethdalwr fod yn barod i wario symiau anferth o arian i gadw Caerdydd yn brifddinas Cymru, beth bynnag yw ystyr hynny?

Mr Shortridge: I do not think that that follows from what—

Mr Shortridge: Nid wyf yn meddwl bod hynny'n dilyn o'r hyn—

[29] **Alison Halford:** But that was why Cardiff was decided upon, according to our briefing. It was not the cheapest option and you had to go out to tender to the rest of Wales with a very short timescale. Cardiff, clearly, was going to be a very important venue.

[29] **Alison Halford:** Ond dyna pam y penderfynwyd ar Gaerdydd, yn ôl yr wybodaeth a gawsom. Nid hwnnw oedd yr opsiwn rhataf ac yr oedd rhaid ichi fynd allan i dendr i weddill Cymru o fewn amserlen fer iawn. Yr oedd Caerdydd, mae'n amlwg yn mynd i fod yn lleoliad pwysig iawn.

Mr Shortridge: I think that what I am saying is that the decision was not one, to use your terms, of pouring more taxpayers' money into Cardiff. The decision was taken in a much broader sense than that, having regard to the symbolism of the Assembly and its association with Wales, and having regard to the functionality of the location of the accommodation.

Mr Shortridge: Yr wyf yn meddwl mai'r hyn yr wyf yn ei ddweud yw nad penderfyniad oedd hwn, yn eich geiriau chi, i dywallt mwy o arian trethdalwyr i Gaerdydd. Gwnaethpwyd y penderfyniad mewn ystyr llawer ehangach na hynny, gan roi sylw i symbolaeth y Cynulliad a'i gysylltiad â Chymru, a chan roi sylw i ymarferoldeb lleoliad yr adeiladau.

[30] **Alison Halford:** Just two more questions: does that mean very much to a pensioner in Blaenau Gwent, I wonder?

[30] **Alison Halford:** Dim ond dau gwestiwn arall: a yw hynny'n golygu rhywbeth i bensiynwr ym Mlaenau Gwent, ys gwn i?

Mr Shortridge: Chair, I want to answer the questions as much as I can, but I do not think, as Accounting Officer, that I can necessarily comment on some of these judgments.

Mr Shortridge: Gadeirydd, yr wyf am ateb y cwestiynau gymaint ag y gallaf, ond ni chredaf, fel Swyddog Cyfrifo, y gallaf o anghenraid roi sylwadau ar rai o'r safbwyntiau hyn.

[31] **Alison Halford:** It is not as bad as being questioned by Maria Eagle in the Public Accounts Committee, surely, Mr Shortridge?

[31] **Alison Halford:** Nid yw gynddrwg â chael eich holi gan Maria Eagle yn y Pwyllgor Cyfrifon Cyhoeddus, nid oes bosib, Mr Shortridge?

Mr Shortridge: No, I did not say that it was.

Mr Shortridge: Nac ydyw, ni ddywedais ei fod.

[32] **Alison Halford:** Last question, then.

[32] **Alison Halford:** Y cwestiwn olaf, felly.

[33] **Janet Davies:** Could I just bring Jocelyn in?

[33] **Janet Davies:** A gaf i ddod â Jocelyn i mewn?

[34] **Alison Halford:** By all means. Sorry.

[34] **Alison Halford:** Wrth gwrs. Mae'n ddrwg gennyf.

[35] **Jocelyn Davies:** You have mentioned a ministerial decision twice now. Are you aware of any occasion when Ministers at that time overruled or disregarded the advice that they were given on this matter by civil servants?

[35] **Jocelyn Davies:** Soniasoch ddwywaith yn awr am benderfyniad gweinidogol. A wyddoch am unrhyw achlysur pan wnaeth y Gweinidogion ar y pryd wrthod neu anwybyddu'r cyngor a gawsant gan weision sifil ar y mater hwn?

Mr Shortridge: No.

Mr Shortridge: Na wn.

[36] **Jocelyn Davies:** None?

[36] **Jocelyn Davies:** Dim un?

Mr Shortridge: No.

Mr Shortridge: Na wn.

[37] **Jocelyn Davies:** So the civil servants and the Minister were singing from the same hymn sheet on this matter?

[37] **Jocelyn Davies:** Felly yr oedd y gweision sifil a'r Gweinidog yn canu o'r un llyfr emynau ar y mater hwn?

Mr Shortridge: I have not reviewed all the advice so, in fairness, I think I must answer in a general way. I can think of no occasion where, as officials, we disapproved of the decisions that Ministers were taking. It is not the job of Ministers always to do what their officials think is the preferred or best option. You would not need politicians if that were the case.

Mr Shortridge: Nid wyf wedi adolygu'r holl gyngor felly, a bod yn deg, credaf fod rhaid imi roi ateb cyffredinol. Ni allaf feddwl am unrhyw achlysur lle yr oeddem, fel swyddogion, yn anghymeradwyo'r penderfyniadau a gymerid gan Weinidogion. Nid gwaith Gweinidogion bob tro yw dewis yr opsiwn a ffefrir neu sydd orau gan eu swyddogion. Pe bai hynny'n wir, ni fyddai angen gwleidyddion arnoch.

[38] **Janet Davies:** I want to bring in Dafydd and Peter for two short questions and then I will come back to Alison.

[38] **Janet Davies:** Yr wyf am roi cyfle i Dafydd a Peter ofyn dau gwestiwn byr ac yna, dof yn ôl at Alison.

[39] **Dafydd Wigley:** It is a very short question, and perhaps we should have the relevant Minister here, because it is unfair on civil servants sometimes if they have to answer for what are political decisions. That is something that we, as a Committee, can consider in the future, no doubt. I pick up the point that you made about the additional costs that Cardiff council claimed it would have to incur. I assume that there was discussion at that stage of the additional costs that Cardiff would have to incur if it were to stay in City Hall. In other words, the costs of doing up the central heating and all the other costs that we have seen analysed. Given that Cardiff did not put that into the equation, can we assume that no money from the Assembly would be going to Cardiff in order to pay for it?

[39] **Dafydd Wigley:** Cwestiwn byr iawn yw hwn, ac efallai y dylai'r Gweinidog perthnasol fod yma, oherwydd mae'n annheg ar weision sifil weithiau os oes rhaid iddynt ateb dros benderfyniadau gwleidyddol. Mae hynny'n rhywbeth y gallwn ni, mae'n siwr, fel Pwyllgor, ei ystyried yn y dyfodol. Dychwelaf at y pwynt a wnaethoch am y costau ychwanegol yr oedd cyngor Caerdydd yn honni a ddeuai i'w ran. Tybiaf fod trafodaeth wedi bod adeg hynny ynghylch y costau ychwanegol a ddeuai i ran Caerdydd pe bai'n aros yn Neuadd y Ddinas. Mewn geiriau eraill, costau gwella'r gwres canolog a'r holl gostau eraill a welsom wedi'u dadansoddi. O ystyried nad oedd Caerdydd wedi cynnwys hynny yn yr hafaliad, a allwn dybio nad oedd dim arian o'r Cynulliad yn mynd i Gaerdydd i dalu amdano?

Mr Shortridge: I may have to bring Eric in on points of detail. I am pretty confident that there would not be any specific grant money planned to go into City Hall. Obviously, Cardiff gets revenue support grant money that it can apply as it wishes. It may be that City Hall, being a listed building of considerable merit, is eligible for CADW grants. I would imagine so. However, putting those quite special circumstances aside, I am not aware of anyone contemplating putting money into City Hall—

Mr Shortridge: Efallai y bydd rhaid imi ofyn i Eric ateb y pwyntiau manwl. Yr wyf yn weddol hyderus nad oedd cynlluniau i roi unrhyw arian grant penodol i Neuadd y Ddinas. Mae'n amlwg bod Caerdydd yn cael arian grant cynnal refeniw y gall ei ddefnyddio fel y dymuna. Efallai fod Neuadd y Ddinas, sydd yn adeilad rhestredig o safon sylweddol, yn gymwys ar gyfer grantiau CADW. Byddwn yn tybio ei bod. Fodd bynnag, a rhoi rhai o'r amgylchiadau eithaf arbennig hynny o'r neilltu, nid wyf yn ymwybodol bod neb yn ystyried rhoi arian i mewn i Neuadd y Ddinas—

[40] **Dafydd Wigley:** So in terms of making a decision, the balancing of those additional grants, which may have been inevitable because it was a listed building, was not taken into account?

[40] **Dafydd Wigley:** Felly o ran gwneud penderfyniad, ni ystyriwyd effaith gydbwysol y grantiau ychwanegol hynny, a fyddai efallai'n anochel oherwydd ei fod yn adeilad rhestredig?

Mr Shortridge: In terms of the economic appraisal, we were comparing like with like, in terms of cost and when those costs would fall. We were not seeking to take into account expenditure that might have been incurred anyway. Eric, do you want to comment further on any of those aspects?

Mr Shortridge: Yn nhermau'r gwerthusiad economaidd, yr oeddem yn cymharu dau o'r un fath â'i gilydd, o ran cost a pha bryd y byddai'r costau hynny'n digwydd. Nid oedd yn fwriad gennym ystyried y gwariant a allai fod wedi digwydd beth bynnag. Eric, a hoffech chi roi sylwadau pellach ar unrhyw un o'r agweddau hynny?

Mr McDonald: I think that that is correct. We did not take account of any money that Cardiff might need to spend, nor indeed did we make any judgment as to whether that money should have previously been spent in order to keep the place in the condition of a listed building. That was a matter that we believed was for Cardiff and not for the Welsh Office at that time.

Mr McDonald: Credaf fod hynny'n gywir. Ni ystyriwyd unrhyw arian y gallai Caerdydd fod wedi gorfod ei wario, ac ni luniwyd barn ychwaith ynghylch a ddylid fod wedi gwario'r arian hwnnw cyn hynny er mwyn cadw'r lle mewn cyflwr sydd yn gydnaws ag adeilad rhestredig. Mater i Gaerdydd oedd hynny yn ein barn ni ac nid i'r Swyddfa Gymreig ar y pryd.

[41] **Peter Law:** First of all, I appreciate the difficulty that you have today, as Accounting Officer, on political decisions. Nevertheless, no-one said it would be easy and that is your lot in life. So, do not come to me with your troubles, I have troubles of my own. The point is this, what position were you in at the Welsh Office at that time, because we know that there was another Permanent Secretary then—what rank were you then?

[41] **Peter Law:** Yn gyntaf, gwerthfawrogaf yr anhawster sydd yn eich wynebu heddiw, fel Swyddog Cyfrifo, ar benderfyniadau gwleidyddol. Fodd bynnag, ni ddywedodd neb y byddai'n hawdd a dyna eich baich mewn bywyd. Felly, peidiwch â dod ataf i gyda'ch problemau, mae gennyf fy mhroblemau fy hun. Y pwynt yw hyn, beth oedd eich swydd chi ar y pryd yn y Swyddfa Gymreig, oherwydd gwyddom fod Ysgrifennydd Parhaol arall bryd hynny— beth oedd eich swydd ar y pryd?

Mr Shortridge: At the time, I was Director of Economic Affairs, but I had special responsibility for establishing the Assembly.

Mr Shortridge: Ar y pryd, yr oeddwn yn Gyfarwyddwr Materion Economaidd, ond yr oedd gennyf gyfrifoldeb arbennig am sefydlu'r Cynulliad.

[42] **Peter Law:** So you were, in fact, the project leader. We read in this report that there was a project team, were you in that?

[42] **Peter Law:** Felly chi, mewn gwirionedd, oedd arweinydd y prosiect. Darllenwn yn yr adroddiad hwn am dîm y prosiect, oeddech chi'n aelod o hwnnw?

Mr Shortridge: It was slightly more complex than that. There was an overarching board chaired by the Secretary of State that met very regularly to oversee this project. We then split the project down into a number of project groups, and I think that it is important that the Committee should understand that to a significant extent, and certainly for the first 18 months or so, the project was essentially a constitutional project. It involved how to develop this policy into a White Paper, which we did in 11 weeks. You consult on the White Paper, you produce a referendum Bill in time for the referendum in September. You instruct counsel on a very complex Bill, the longest Bill that the Welsh Office had ever produced, which was submitted to Parliament in November. You then take the Bill through the House of Commons and get royal assent in July. You appoint the National Assembly Advisory Group in January and it completes its work in August. You had a whole sequence of projects that were going on simultaneously, not sequentially. We were having to manage this process in a way that would ensure that we delivered this building, as we did, in May 1999. The project on the building really did not get underway until September 1998.

Mr Shortridge: Yr oedd ychydig yn fwy cymhleth na hynny. Yr oedd bwrdd trosfwaol dan gadeiryddiaeth yr Ysgrifennydd Gwladol a oedd yn cyfarfod yn rheolaidd iawn i oruchwylio'r prosiect hwn. Yna, rhannwyd y prosiect yn nifer o grwpiau prosiect, a chredaf ei bod yn bwysig i'r Pwyllgor ddeall bod y prosiect, i raddau helaeth, ac yn sicr yn ystod y 18 mis cyntaf neu rywbeth felly, yn ei hanfod yn brosiect cyfansoddiadol. Yr oedd yn ymwneud â sut i ddatblygu'r polisi hwn yn Bapur Gwyn, a gwnaethom hynny mewn 11 wythnos. Yr ydych yn ymgynghori ar y Papur Gwyn, yr ydych yn cynhyrchu Mesur refferendwm mewn pryd ar gyfer y refferendwm ym Medi. Yr ydych yn cyfarwyddo cwnsler ar Fesur hynod o gymhleth, y Mesur hwyaf a gynhyrchwyd erioed gan y Swyddfa Gymreig, a gyflwynwyd i'r Senedd ym mis Tachwedd. Yna, yr ydych yn mynd â'r Mesur drwy Dy'r Cyffredin ac yn cael cydsyniad brenhinol yng Ngorffennaf. Yr ydych yn penodi Grwp Ymgynghorol y Cynulliad Cenedlaethol yn Ionawr ac mae hwnnw'n cwblhau ei waith yn Awst. Yr oedd gennych gyfres o brosiectau a oedd yn mynd rhagddynt ar yr un pryd, nid yn olynol. Yr oedd rhaid inni reoli'r broses hon mewn modd a fyddai'n sicrhau ein bod yn gallu darparu'r adeilad hwn, fel ag y gwnaethom, ym mis Mai 1999. Ni ddechreuodd y prosiect ar yr adeilad o ddifrif tan fis Medi 1998.

[43] **Peter Law:** I will come back to that in a later question if the Chair will allow me to do so. However, that was your job—to get on with it. I have listened very intently to what you have said. It was a tight time schedule, and I know that it was difficult. There were a lot of pressures. However, you were all comparatively well-paid officers, paid to get on with the job and that was it, that is life. My colleague, Alison, referred to the decision to go out to consultation and to invite proposals from across Wales for the Assembly's location. We know that when the result of that consultation

[43] **Peter Law:** Dof yn ôl at hynny mewn cwestiwn diweddarach os caniateir imi wneud hynny gan y Cadeirydd. Fodd bynnag, dyna oedd eich gwaith chi—bwrw iddi. Yr wyf wedi gwrando'n astud iawn ar yr hyn a ddywedasoch. Yr oedd yr amserlen yn dynn a gwn ei fod yn anodd. Yr oedd llawer o bwysau. Fodd bynnag, yr oeddech chi i gyd yn swyddogion a dderbyniai gyflogau cymharol uchel, yn cael eich talu i fwrw ymlaen â'r gwaith a dyna ni, dyna sut y mae hi. Cyfeiriodd fy nghyd-Aelod, Alison, at y penderfyniad i fynd allan i ymgynghori a gwahodd cynigion o

was looked at, Swansea won hands down on cost, without a doubt, yes?

bob rhan o Gymru i fod yn gartref i'r Cynulliad. Gwyddom, pan edrychwyd ar ganlyniad yr ymgynghoriad hwnnw, mai Abertawe a enillodd yn rhwydd o safbwynt y gost, heb amheuaeth, onid yw hynny'n wir?

Mr Shortridge: On a straight cost comparison, Swansea was the cheapest option.

Mr Shortridge: O gymharu ar sail costau'n unig, Abertawe oedd yr opsiwn rhataf.

[44] **Peter Law:** Everything that I have read tells me that Swansea would have been an ideal venue for the National Assembly for Wales, generally, other than the fact that someone might have to travel a bit further to get there. It was certainly £22 million—well I do not know if that is that bad when you consider that some people in Wales would have thought that it was quite reasonable perhaps to have gone to Swansea. However, having said that, a decision was made in the end that it had to be Cardiff. So, do you accept that the public perception is that the whole consultation exercise was worthless and very costly, and in fact undermines very much any consultation that this National Assembly undertakes with the public in the future, bearing in mind the result of that exercise?

[44] **Peter Law:** Mae popeth a ddarllenais yn dweud wrthyf y byddai Abertawe wedi bod yn lleoliad delfrydol ar gyfer Cynulliad Cenedlaethol Cymru, yn gyffredinol, ar wahân i'r ffaith y byddai rhaid i rywun deithio ychydig ymhellach i gyrraedd yno. Yr oedd yn sicr yn £22 miliwn-wel, ni wn a yw hynny gynddrwg â hynny pan ystyriwch chi y byddai rhai pobl yng Nghymru wedi meddwl ei fod yn weddol resymol efallai i fynd i Abertawe. Fodd bynnag, wedi dweud hynny, yn y pen draw, penderfynwyd bod rhaid dewis Caerdydd. Felly, dderbyniwch mai barn y cyhoedd yw fod yr ymarfer ymgynghori drwyddo draw yn ddiwerth ac yn gostus iawn, a'i fod mewn gwirionedd yn tanseilio i raddau helaeth unrhyw ymgynghori a wna'r Cynulliad Cenedlaethol hwn â'r cyhoedd yn y dyfodol, o gofio canlyniad yr ymarfer hwnnw?

Mr Shortridge: I do not accept that. The results of that consultation were not prejudged. As I said, I think that, as a matter of good administration, when you have a major decision to take, you should consult rather than just impose a decision. I recall that the reason that we were running very strongly with Cardiff was that the White Paper explicitly referred to the City Hall. That was why, at that stage, and the White Paper is a consultative document, City Hall was firmly out in the public arena. When we lost the City Hall option it was appropriate to consult.

Mr Shortridge: Nid wyf yn derbyn hynny. Nid oedd canlyniadau'r ymgynghori hwnnw wedi'u penderfynu ymlaen llaw. Fel y dywedais, credaf, yn unol â threfn weinyddu dda, pan fo rhaid gwneud penderfyniad pwysig, y dylech ymgynghori yn hytrach na gorfodi penderfyniad ar bobl. Yr wyf yn cofio mai'r rheswm pam fod Caerdydd yn apelio'n fawr atom oedd bod y Papur Gwyn yn cyfeirio'n benodol at Neuadd y Ddinas. Dyna pam, bryd hynny, ac mae'r Papur Gwyn yn ddogfen ymgynghorol, fod Neuadd y Ddinas yn destun trafod yn yr arena gyhoeddus. Pan gollwyd opsiwn Neuadd y Ddinas, yr oedd yn briodol ymgynghori.

[45] **Peter Law:** Yes, but all these good people from the Wrexhams and Flintshires of this world and from areas such as Powys and Merthyr Tydfil, sent in their proposals in good faith feeling that they had a home to offer the National Assembly for Wales, only to find that the decision was taken and that in fact it was a waste of time, it was to be in Cardiff. Even when Swansea came up with a gilt-edged deal that was one of the two bids shortlisted in the end, it was still ruled out. Would you not accept that undermines very much public confidence in public consultation on anything that this National Assembly may be doing in the future because what is the point of public consultation? Is that a reasonable response from the public?

[45] **Peter Law:** Oedd, ond cyflwynodd pobl dda o'r holl ardaloedd fel Wrecsam a Sir y Fflint ac o ardaloedd megis Powys a Merthyr Tudful, eu cynigion gan lwyr ymddiried yn y drefn gan deimlo bod ganddynt gartref i'w gynnig i Gynulliad Cenedlaethol Cymru, dim ond i ganfod fod y penderfyniad wedi'i wneud a'i fod mewn gwirionedd yn wastraff amser, yng Nghaerdydd yr oedd i fod. Hyd yn oed pan gyflwynodd Abertawe fargen euraidd sef un o'r ddau gynnig ar y rhestr fer yn y pen draw, cafodd hwnnw ddal ei wrthod. Oni fyddech chi'n derbyn bod hynny'n tanseilio i raddau helaeth hyder y cyhoedd mewn ymgynghori cyhoeddus ar unrhyw beth y gall y Cynulliad Cenedlaethol hwn fod yn ei wneud yn y dyfodol oherwydd beth yw pwynt ymgynghori cyhoeddus? A yw hynny'n ymateb rhesymol gan y cyhoedd?

Mr Shortridge: No, I would not accept that, Peter.

Mr Shortridge: Nac ydyw, ni fyddwn yn derbyn hynny, Peter.

[46] **Peter Law:** You would not see that?

[46] **Peter Law:** Ni fyddech yn gweld hynny?

Mr Shortridge: No.

Mr Shortridge: Na fyddwn.

[47] **Janet Davies:** I will allow one more question from Alun Cairns on this because I think that this is one of the major questions in this report, the whole issue of Swansea and the consultation and finishing up in Cardiff.

[47] **Janet Davies:** Caniatâf un cwestiwn arall gan Alun Cairns ar hyn oherwydd credaf mai dyma un o'r prif gwestiynau yn yr adroddiad hwn, holl fater Abertawe a'r ymgynghori a diweddu yng Nghaerdydd.

[48] **Alun Cairns:** Thank you, Chair, for giving me the opportunity. Building on what Peter Law has said and the answers that you gave, particularly accepting that the spirit of the consultation had every best objective, and bearing mind that Swansea offered such an overwhelmingly cheaper option, what would Swansea have had to have done to have achieved the siting of the Assembly there?

[48] **Alun Cairns:** Diolch, Gadeirydd, am roi'r cyfle imi. Ac adeiladu ar yr hyn a ddywedodd Peter Law a'r atebion a roesoch, yn enwedig a derbyn bod yr ymghynghori wedi'i wneud yn yr ysbryd iawn a chyda'r bwriadau gorau, a chan gofio bod Abertawe wedi cynnig opsiwn a oedd gymaint â hynny'n rhatach, beth fyddai rhaid i Abertawe fod wedi'i wneud er mwyn llwyddo i ddenu'r Cynulliad yno?

Mr Shortridge: I am sorry. I think that is a speculative question and I cannot give a speculative answer.

Mr Shortridge: Mae'n ddrwg gennyf. Yr wyf yn meddwl mai cwestiwn damcaniaethol yw hwnnw ac ni allaf roi ateb damcaniaethol.

[49] **Alun Cairns:** I will ask the question in a different way, then. Bearing in mind that you have said that Swansea offered a much cheaper option, for Swansea to have been considered seriously as a viable option, what extra qualities would the project have needed?

[49] **Alun Cairns:** Gofynnaf y cwestiwn mewn ffordd arall, felly. A chofio eich bod wedi dweud bod Abertawe'n cynnig opsiwn llawer rhatach, er mwyn i Abertawe fod wedi cael ei ystyried o ddifrif fel opsiwn ymarferol, pa nodweddion ychwanegol y buasai eu hangen ar y prosiect?

Mr Shortridge: I cannot give you a factual answer to that question. I do not know whether Eric, who was more closely involved in the option appraisal, can refer to any sort of factual consideration that was taken into account in the decision-making process.

Mr Shortridge: Ni allaf roi ateb ffeithiol i'r cwestiwn hwnnw. Ni wn a all Eric, a oedd yn ymwneud mwy â gwerthuso'r opsiynau, gyfeirio at unrhyw fath o ystyriaeth ffeithiol a ystyriwyd yn y broses gwneud-penderfyniadau.

Mr McDonald: I do not think that there were any other factual issues that would have changed the economic appraisal. It came down to a political choice as to the distance between Cardiff and Swansea. Whether it was acceptable to be in Swansea was a choice that the politicians were able to make.

Mr McDonald: Ni chredaf fod unrhyw faterion ffeithiol eraill a fyddai wedi newid y gwerthusiad economaidd. Yr oedd yn ddewis gwleidyddol ynghylch y pellter rhwng Caerdydd ac Abertawe. Yr oedd penderfynu a oedd bod yn Abertawe'n dderbyniol yn ddewis yr oedd y gwleidyddion yn gallu ei wneud.

[50] **Alun Cairns:** With that in mind then, Mr Shortridge, would you like to reconsider your answer that the consultation exercise had every best objective if the location of Swansea just did not happen to be Cardiff?

[50] **Alun Cairns:** Gyda hynny mewn cof, felly, Mr Shortridge, a fyddech yn hoffi ailystyried eich ateb fod gan yr ymarfer ymgynghori bob bwriad gorau heblaw am y ffaith fod Abertawe yn anffodus heb ei lleoli yng Nghaerdydd?

Mr Shortridge: We had not prejudged the outcome at the time of the consultation. When the City Hall option fell, there were intensive discussions within the office as to how we should best go forward. The idea of a virtual Assembly with strong links across Wales was one that was thought to be really quite innovative and attractive and one that we thought that was appropriate to test out in a consultation process. That seemed to me, and still seems to me, to have been a valid and appropriate thing to do.

Mr Shortridge: Nid oeddem wedi rhagfarnu'r canlyniad adeg yr ymgynghori. Pan ddadfeiliodd opsiwn Neuadd y Ddinas, cafwyd trafodaethau dwys yn y swyddfa ynghylch y ffordd orau o fwrw ymlaen. Teimlid bod y syniad o Gynulliad rhithwir gyda chysylltiadau cryf ledled Cymru'n un a oedd yn eithaf blaengar a deniadol ac yn un y dylid ei brofi drwy broses ymgynghori yn ein barn ni. I mi ar y pryd, a hyd heddiw, yr oedd hynny'n gam dilys a phriodol i'w gymryd.

[51] **Peter Law:** May I come back on that?

[51] **Peter Law:** A gaf i ddod yn ôl ar hynny?

[52] **Janet Davies:** Well, we are running late.

[52] **Janet Davies:** Wel, yr ydym ar ei hôl hi.

[53] **Peter Law:** I have to say, Chair, that that is my concern. This is a major report—a multi-million one for the people of Wales. There are many people outside the Assembly who are trying to work out how the money is being spent and we are constrained by a time limit of three hours.

[53] **Peter Law:** Rhaid imi ddweud, Gadeirydd, mai hwn yw fy mhryder. Mae hwn yn adroddiad pwysig—adroddiad gwerth miliynau lu i bobl Cymru. Mae llawer o bobl y tu allan i'r Cynulliad yn ceisio gweld sut mae'r arian yn cael ei wario ac yr ydym yn cael ein gwasgu i gyfnod o dair awr.

[54] **Dafydd Wigley:** Let us have another session with the Government Ministers.

[54] **Dafydd Wigley:** Gadewch inni gael sesiwn arall gyda Gweinidogion y Llywodraeth.

[55] **Peter Law:** Can we do that? I am new to this Committee, but Dafydd seems to think that we can do that. I did not think that Ministers could come before the Committee, and the ones involved with this matter are probably no longer Ministers.

[55] **Peter Law:** A allwn wneud hynny? Yr wyf yn newydd i'r Pwyllgor hwn, ond mae Dafydd i bob golwg yn meddwl y gallwn wneud hynny. Nid oeddwn yn meddwl y gallai Gweinidogion ddod ger bron y Pwyllgor, ac mae'n debygol nad yw'r rhai a fu'n ymwneud â'r mater hwn yn Weinidogion ragor.

[56] **Janet Davies:** We can consider that at the end of the meeting, if we feel that it is necessary. Ask your question if you think that it will take things forward, but not if it will just repeat a previous question.

[56] **Janet Davies:** Gallwn ystyried hynny ar ddiwedd y cyfarfod, os teimlwn ei bod yn angenrheidiol. Gofynnwch eich cwestiwn os y credwch y bydd hynny'n gymorth inni fwrw ymlaen, ond nid os y bydd ddim ond yn ailadrodd cwestiwn blaenorol.

[57] **Peter Law:** We have a role to play in the interests of the public in Wales. Outside this city, many people are interested in what is going on down here and in where this money is being spent. From what I have heard from the Permanent Secretary, it was a case of heads, Cardiff wins, tails, Swansea loses. There is no way that Swansea had an opportunity. Its representatives could have come here dripping in gold, free, but they were not going to get the Assembly. With all the highest principles and standards of the civil service tradition, are you saying that the civil service and yourselves, as the people who advised the Secretary of State for Wales at the time, did not give positive advice that Swansea was the better option?

[57] **Peter Law:** Mae gennym rôl i'w chwarae er budd y cyhoedd yng Nghymru. Y tu allan i'r ddinas hon, mae gan lawer o bobl ddiddordeb yn yr hyn sydd yn digwydd i lawr yma ac ymhle y mae'r arian hwn yn cael ei wario. O'r hyn a glywais gan yr Ysgrifennydd Parhaol, os oedd y geiniog yn disgyn ar ei phen, Caerdydd oedd yn ennill ac os oedd hi'n disgyn ar ei chynffon, Abertawe oedd yn colli. Nid oedd gan Abertawe gyfle o gwbl. Gallai cynrychiolwyr y ddinas fod wedi dod yma'n gyforiog o aur a'i rhoi'n rhad, ond ni fyddai'r Cynulliad yn dod i'w dinas hwy. Ac ystyried holl egwyddorion a safonau uchel traddodiad y gwasanaeth sifil, a ydych chi'n dweud fod y gwasanaeth sifil a chi'ch hunain, sef y bobl a gynghorydd Ysgrifennydd Gwladol Cymru ar y pryd, heb roi cyngor cadarnhaol mai Abertawe oedd yr opsiwn gorau?

Mr Shortridge: I would have to check the files and submit a note, but I cannot recall advice going forward in such a specific way.

Mr Shortridge: Byddai rhaid imi archwilio'r ffeiliau a chyflwyno nodyn, ond ni allaf gofio bod cyngor mor benodol â hynny wedi'i roi.

[58] **Peter Law:** I take it from that, Chair, that no advice went forward on this.

[58] **Peter Law:** Cymeraf, ar sail hynny, Gadeirydd, na roddwyd cyngor o'r fath.

Mr Shortridge: As I say, I would have to check the files. However, I think that on a matter like this, we, as officials, would have presented the relevant information, the relevant costings and other considerations and we would then have left it as a matter for political judgment.

Mr Shortridge: Fel a ddywedaf, byddai rhaid imi archwilio'r ffeiliau. Fodd bynnag, credaf ar fater fel hyn, y byddem ni, fel swyddogion, wedi cyflwyno'r wybodaeth berthnasol, y costiadau perthnasol ac ystyriaethau eraill ac y byddem wedyn wedi gadael hynny i'r gwleidyddion lunio barn.

[59] **Peter Law:** So, value for money would not have been taken into account in the advice that you put forward?

[59] **Peter Law:** Felly, ni fyddai gwerth am arian wedi cael ei ystyried yn y cyngor a roesoch?

Mr Shortridge: Yes, it would, because it would have been included in the economic appraisal.

Mr Shortridge: Byddai, oherwydd byddai wedi'i gynnwys yn y gwerthusiad economaidd.

[60] **Jocelyn Davies:** There was no recommendation?

[60] **Jocelyn Davies:** Ni chafwyd unrhyw argymhelliad?

Mr Shortridge: I just do not know the answer. I would have to check the file, but I have not come here briefed to answer that question.

Mr Shortridge: Nid wyf yn gwybod yr ateb. Byddai rhaid imi archwilio'r ffeil, ond nid wyf wedi dod yma'n barod i ateb y cwestiwn hwnnw.

[61] **Peter Law:** I am sorry, but I would have thought that you would have been briefed on that for this Committee this afternoon, bearing in mind how crucial this point is in the report. However, we will now have to wait to see.

[61] **Peter Law:** Mae'n ddrwg gennyf, ond byddwn wedi meddwl y byddech wedi bod yn barod i ateb hynny ar gyfer y Pwyllgor hwn y prynhawn yma, ac ystyried pa mor bwysig yw'r pwynt hwn yn yr adroddiad. Fodd bynnag, bydd rhaid inni aros i weld yn awr.

[62] **Alison Halford:** I am sorry that this is so painful, Mr Shortridge, but I am sure that you understand the depth of feeling on this and that we are here to represent the people and ask the hard questions. Just to jog your memory, Swansea Guildhall was going to submit its bid at a rent of £260,000 per year. However, the important thing is that, according to page 19 of the Auditor General's report, the reasons for not choosing Swansea, quite frankly, get worse. Travel costs were included for the Swansea option only, and amounted to

[62] **Alison Halford:** Mae'n ddrwg gennyf fod hyn mor boenus, Mr Shortridge, ond yr wyf yn siwr eich bod yn deall dyfnder y teimladau ynghylch hyn a'n bod yma i gynrychioli'r bobl ac i ofyn y cwestiynau caled. I brocio'ch cof, yr oedd Neuadd y Ddinas Abertawe yn mynd i gyflwyno'i cynnig am rent o £260,000 y flwyddyn. Fodd bynnag, y peth pwysig yw, yn ôl tudalen 19 adroddiad yr Archwilydd Cyffredinol, mae'r rhesymau dros beidio â dewis Abertawe, a bod yn onest, yn gwaethygu. Dim ond ar gyfer opsiwn

£500,000 per year. According to the report, the travel costs for the Cardiff sites—and I am précising this—were excluded for certain reasons, therefore, the Swansea option had to include travel; the Cardiff one did not. Yet it was confirmed later that there was a travel cost of £2.9 million to get to Capital Waterside. Would you like to comment on that before I move on to my last question?

Abertawe y cynhwyswyd costau teithio, a chyfanswm y rheini oedd £500,000 y flwyddyn. Yn ôl yr adroddiad, hepgorwyd y costau teithio ar gyfer safleoedd Caerdydd—ac yr wyf yn crynhoi yma—am resymau penodol, felly, tra bo opsiwn Abertawe yn gorfod cynnwys teithio; nid oedd opsiwn Caerdydd. Eto i gyd, cadarnhawyd yn ddiweddarach mai cost teithio i Lanfa'r Brifddinas oedd £2.9 miliwn. Hoffech chi roi eich sylwadau ar hynny cyn imi ofyn fy nghwestiwn olaf?

Mr Shortridge: It would have been better if we had included the Cardiff travel costs in the appraisal.

Mr Shortridge: Byddai wedi bod yn well pe baem wedi cynnwys costau teithio Caerdydd yn y gwerthusiad.

[63] **Alison Halford:** So why did you not include them?

[63] **Alison Halford:** Felly pam na wnaethoch chi eu cynnwys?

Mr Shortridge: At the time that the decision was taken, it was thought that they would not be significant.

Mr Shortridge: Adeg gwneud y penderfyniad, teimlid na fyddent yn arwyddocaol.

[64] **Alison Halford:** Whose decision was it?

[64] **Alison Halford:** Penderfyniad pwy oedd hwnnw?

Mr Shortridge: I imagine that the decision was made by the economists who were doing the appraisal.

Mr Shortridge: Tybiaf mai'r economegwyr a oedd yn gwneud y gwerthusiad a wnaeth y penderfyniad.

[65] **Alison Halford:** It has been assessed that you were the project leader. Who would have allowed that unfairness to occur?

[65] **Alison Halford:** Casglwyd mai chi oedd arweinydd y prosiect. Pwy fyddai wedi caniatáu i'r annhegwch hwnnw ddigwydd?

Mr Shortridge: It was just something that was not taken into account at the time.

Mr Shortridge: Yn syml iawn, yr oedd yn rhywbeth nas ystyriwyd ar y pryd.

[66] **Alison Halford:** By whom?

[66] **Alison Halford:** Gan bwy?

Mr Shortridge: By the people involved in doing the technical appraisal.

Mr Shortridge: Gan y bobl a oedd yn ymwneud â'r gwerthusiad technegol.

[67] **Alison Halford:** Would that have been anybody sitting before this Committee today?

[67] **Alison Halford:** A fyddai hynny'n cynnwys unrhyw un sydd yn eistedd ger bron y Pwyllgor hwn heddiw?

Mr Shortridge: There was a shared accountability for all those people who had a responsibility for the project.

Mr Shortridge: Yr oedd yr holl bobl a oedd yn gyfrifol am y prosiect yn gyd-atebol.

[68] **Alison Halford:** But not one for which you are prepared to take responsibility?

[68] **Alison Halford:** Ond nid ydych chi yn barod i ysgwyddo'r cyfrifoldeb amdano?

Mr Shortridge: No, I will take my share of the accountability.

Mr Shortridge: Na, yr wyf yn barod i ysgwyddo fy rhan o'r atebolrwydd.

[69] **Alison Halford:** My final question addresses the cost of the proposed land for the new building. We were told that it would cost no more than £1. The Auditor General has calculated, because 200 car parking spaces were given up, that the true cost was £668,000. What are the other hidden costs of the acquisition of that land?

[69] **Alison Halford:** Mae fy nghwestiwn olaf yn ymwneud â chost y tir a gynigid ar gyfer yr adeilad newydd. Dywedwyd wrthym na fyddai'n costio mwy na £1. Mae'r Archwilydd Cyffredinol wedi cyfrifo, oherwydd bod 200 o leoedd parcio ceir wedi'u hildio, mai'r wir gost oedd £668,000. Pa gostau cudd eraill sydd ynghlwm wrth gaffael y tir hwnnw?

Mr Shortridge: I am not aware of any other hidden costs. The costs are as set out in the report. However, I will again defer to Eric, in case I have forgotten something.

Mr Shortridge: Nid wyf yn ymwybodol o unrhyw gostau cudd eraill. Mae'r costau fel y maent wedi'u gosod allan yn yr adroddiad. Fodd bynnag, unwaith eto, gofynnaf i Eric, rhag ofn fy mod wedi anghofio rhywbeth.

Mr McDonald: There are no other costs, Permanent Secretary.

Mr McDonald: Nid oes dim costau eraill, Ysgrifennydd Parhaol.

[70] **Alison Halford:** So you can give us an assurance that this total package gives us value for money?

[70] **Alison Halford:** Felly, gallwch ein sicrhau fod y pecyn hwn yn ei grynswth yn rhoi gwerth am arian inni?

Mr Shortridge: When you say ‘this total package’, you mean the establishment of the Assembly in Crickhowell House and—

Mr Shortridge: Pan ddywedwch ‘y pecyn hwn yn ei grynswth’, yr ydych chi’n sôn am sefydlu’r Cynulliad yn Nhy Crycywel a—

[71] **Alison Halford:** Well, the land itself is quite interesting, because in the end, you will probably agree that five out of the six project designs did not fit within the site boundaries.

[71] **Alison Halford:** Wel, mae’r tir ei hun yn eithaf diddorol, oherwydd yn y pen draw, mae’n siwr y cytunwch nad oedd pump o chwe chynllun y prosiect yn dod o fewn ffiniau’r safle.

Mr Shortridge: In terms of the acquisition of the land, I, as Accounting Officer, take assurance from Gooch and Wagstaff’s view, which is referred to in paragraph 2.37 of the report.

Mr Shortridge: O ran meddu’r tir, yr wyf i, fel Swyddog Cyfrifo, yn derbyn sicrwydd o farn Gooch a Wagstaff, y cyfeirir ato ym mharagraff 2.37 yr adroddiad.

[72] **Alison Halford:** Therefore, you are happy with the fact that the site was too small for the purpose and did not cost £1?

[72] **Alison Halford:** Felly, yr ydych chi’n hapus gyda’r ffaith fod y safle’n rhy fach at y diben ac nad £1 oedd y gost?

Mr Shortridge: Gooch and Wagstaff concluded that the proposed agreement was broadly value for money.

Mr Shortridge: Casglodd Gooch a Wagstaff fod y cytundeb a gynigiwyd ar y cyfan yn werth am arian.

[73] **Peter Law:** As Permanent Secretary, are you satisfied with the level of competence that has been shown by the Welsh Office and the civil service, in that the information about the costs of Cardiff was not passed on and the £668,000 for the lost parking spaces was not disclosed at that time?

[73] **Peter Law:** Fel Ysgrifennydd Parhaol, a ydych chi’n fodlon ar y lefel o fedrusrwydd a ddangoswyd gan y Swyddfa Gymreig a’r gwasanaeth sifil, ac ystyried na chafodd yr wybodaeth am gostau Caerdydd eu trosglwyddo ac na ddatgelwyd y £668,000 am y lleoedd parcio a gollwyd ar y pryd?

Mr Shortridge: I am satisfied that the way in which we established the Assembly in Cardiff Bay was a generally well-managed project—

Mr Shortridge: Yr wyf yn fodlon fod y ffordd y sefydlwyd y Cynulliad ym Mae Caerdydd yn brosiect a reolwyd yn dda ar y cyfan—

[74] **Peter Law:** That was not the question, with respect, Mr Shortridge.

[74] **Peter Law:** Nid hynny oedd y cwestiwn, gyda phob parch, Mr Shortridge.

Mr Shortridge: Sorry, I thought it was, I apologise.

Mr Shortridge: Mae'n ddrwg gennyf, yr oeddwn yn meddwl mai dyna ydoedd, mae'n ddrwg gennyf.

[75] **Peter Law:** It was about the competence of the civil service in failing to pass on this information.

[75] **Peter Law:** Gofynnais ynghylch medrusrwydd y gwasanaeth sifil gan iddo fethu â throsglwyddo'r wybodaeth hon.

Mr Shortridge: Sorry, which information did we fail to pass on?

Mr Shortridge: Mae'n ddrwg gennyf, pa wybodaeth na lwyddasom i'w throsglwyddo?

[76] **Peter Law:** Alison Halford referred to the costs, and the economy of the truth regarding the costs of Cardiff—

[76] **Peter Law:** Cyfeiriodd Alison Halford at y costau, a bod yn gynnil gyda'r gwirionedd gyda golwg ar gostau Caerdydd—

[77] **Janet Davies:** I think that the issue is the £668,000 for the parking—

[77] **Janet Davies:** Credaf mai'r mater dan sylw yw'r £668,000 ar gyfer y parcio—

[78] **Peter Law:** That is the second part of the question, the information that was discovered by the Auditor General. There were two points.

[78] **Peter Law:** Dyna ail ran y cwestiwn, yr wybodaeth a ganfuwyd gan yr Archwilydd Cyffredinol. Yr oedd dau bwynt.

Mr Shortridge: The second point refers to the £668,000 and the other one was—

Mr Shortridge: Mae'r ail bwynt yn cyfeirio at y £668,000 a'r llall oedd —

[79] **Peter Law:** The other one refers to the fact that the costs in Cardiff were never actually shown. The costs to which Alison Halford referred were never divulged. I think that is what you said.

[79] **Peter Law:** Mae'r llall yn cyfeirio at y ffaith na chafodd y costau yng Nghaerdydd erioed eu dangos mewn gwirionedd. Ni ddatgelwyd y costau y cyfeiriodd Alison Halford atynt erioed. Credaf mai hynny a ddywedasoch chi.

[80] **Alison Halford:** It is page 19 on the report, box 2, if members want to look it up, in case I have misread it—which, of course, I have not.

[80] **Alison Halford:** Mae hynny ar dudalen 19 yn yr adroddiad, blwch 2, pe bai aelodau'n dymuno cyfeirio ato, rhag ofn fy mod wedi'i gamddarllen—ond, nid wyf wedi gwneud hynny, wrth gwrs.

Mr Shortridge: I have agreed that in retrospect we should have shown the travel costs, but I do not regard those, in the overall decision-making process, as that significant or material. Taken as a whole, I think that the way in which this project has been managed reflects generally well on the competence of the people that were engaged in it.

Mr Shortridge: Yr wyf wedi cytuno, wrth edrych yn ôl, y dylem fod wedi dangos y costau teithio, ond nid wyf yn ystyried y rheini, gyda golwg ar y broses gyffredinol o wneud penderfyniadau, yn arbennig o arwyddocaol na phwysig. Yn ei gyfanrwydd, credaf fod y prosiect hwn wedi'i reoli mewn ffordd sydd yn adlewyrchu'n dda'n gyffredinol ar fedrusrwydd y bobl a oedd yn ymwneud ag ef.

[81] **Peter Law:** Therefore, as Permanent Secretary, you feel that failing to disclose costs of about £2.9 million on a project for Cardiff is competent, as far as the civil service is concerned, on such a crucial development for Wales?

[81] **Peter Law:** Felly, fel Ysgrifennydd Parhaol, yr ydych yn teimlo bod methu â datgelu costau o oddeutu £2.9 miliwn ar brosiect i Gaerdydd yn dangos medrusrwydd, cyn belled ag y bo'r gwasanaeth sifil yn y cwestiwn, gyda golwg ar ddatblygiad mor bwysig i Gymru.

Mr Shortridge: No. I have said that, in retrospect, I wish those costs had been brought out at the time.

Mr Shortridge: Nac ydwyf. Yr wyf wedi dweud, wrth edrych yn ôl, y byddai'n well gennyf pe bai'r costau hynny wedi'u hamlygu ar y pryd.

[82] **Peter Law:** Yes, but you said that you were satisfied with the level of competence that had been shown. I am saying to you that it seems to me, and to many people outside the Assembly, that it was incompetent.

[82] **Peter Law:** Ie, ond dywedasoch eich bod yn fodlon ar y lefel o fedrusrwydd a ddangoswyd. Yr wyf yn dweud wrthych chi ei bod yn ymddangos i mi, ac i lawer o bobl y tu allan i'r Cynulliad, ei fod yn dangos anfedrusrwydd.

Mr Shortridge: And I am saying that if you take the project as a whole, and consider the circumstances in which it was done, I think that there was a high degree of competence. However, I am not seeking to defend certain mistakes that were made in the process. I acknowledge those.

Mr Shortridge: Ac yr wyf fi yn dweud pe baech chi'n ystyried y prosiect yn ei gyfanrwydd, ac yn ystyried dan ba amgylchiadau y'i cyflawnwyd, fod safon uchel o fedrusrwydd. Fodd bynnag, nid wyf yn ceisio amddiffyn rhai camgymeriadau a wnaethpwyd yn y broses. Yr wyf yn cydnabod y rheini.

[83] **Jocelyn Davies:** If it was not incompetence, was it deliberate?

[83] **Jocelyn Davies:** Os nad anfedrusrwydd oedd yn gyfrifol, a oedd yn fwriadol?

Mr Shortridge: Well, I would be very surprised if it was deliberate. I would have to check the papers to give you an absolutely honest answer, but civil servants do not produce wilfully misleading advice.

Mr Shortridge: Wel, byddwn yn synnu'n fawr pe bai'n fwriadol. Byddai rhaid imi archwilio'r papurau i roi ateb cwbl onest ichi, ond nid yw gweision sifil yn rhoi cyngor camarweiniol yn fwriadol.

Mr Richards: Perhaps I could amplify a point about the travel costs, because it would have been misleading to try to compare the costs in the original economic appraisals for travel between Cardiff and Swansea, with the later costs of travel in Cardiff, between Cathays Park and the bay. When we did the earlier economic appraisal, using the kind of model that we were talking about, we assumed much less interchange between officials. If we were to go back and re-work the travel costs between Cardiff and Swansea on the same basis as they are calculated now for between Cathays Park and the bay—making allowances for down time and things—then we would come up with a much higher figure for Swansea than was in the original appraisal.

Mr Richards: Efallai y gallwn ddweud rhagor am y costau teithio, oherwydd byddai wedi bod yn gamarweiniol ceisio cymharu'r costau yn y gwerthusiadau economaidd gwreiddiol ar gyfer teithio rhwng Caerdydd ac Abertawe, gyda chostau diweddarach teithio yng Nghaerdydd, rhwng Parc Cathays a'r bae. Pan wnaethom y gwerthusiad economaidd cynharach, gan ddefnyddio'r math o fodel yr ydym yn sôn amdano, tybiwyd y byddai llawer llai o symud rhwng swyddogion. Pe baem yn mynd yn ôl i ailweithio'r costau teithio rhwng Caerdydd ac Abertawe ar yr un sail ag y maent yn cael eu pennu yn awr ar gyfer rhwng Parc Cathays a'r bae—gan ganiatáu ar gyfer cyfnodau segur ac yn y blaen—yna, byddem wedi cael ffigur uwch o lawer ar gyfer Abertawe nag a gafwyd yn y gwerthusiad gwreiddiol.

[84] **Peter Law:** So, you are challenging the Auditor General on that and the content of his report?

[84] **Peter Law:** Felly, yr ydych chi'n herio'r Archwilydd Cyffredinol ar hynny a chynnwys ei adroddiad?

Mr Richards: I do not think so.

Mr Richards: Nid wyf yn credu fy mod i.

[85] **Peter Law:** Do you disagree with his figures?

[85] **Peter Law:** Ydych chi'n anghytuno â'i ffigurau?

Mr Richards: No, I think that the Auditor General is providing a factual note of the calculations that were used at various times. All I am saying is that the calculations are not comparing like with like because there were two different calculations made at different times and on different bases.

Mr Richards: Nac ydw, yr wyf yn meddwl bod yr Archwilydd Cyffredinol yn darparu nodyn ffeithiol o'r ffigurau a gyfrifiwyd ac a ddefnyddiwyd ar wahanol adegau. Y cyfan yr wyf yn ei ddweud yw nad yw'r ffigurau yn cymharu dwy sefyllfa debyg oherwydd bod dau wahanol set o ffigurau wedi'u gwneud ar wahanol adegau ac ar wahanol seiliau.

[86] **Peter Law:** We did not get to the £668,000 cost from the loss of 200 to 400 parking spaces that we have now found out about. I wanted to hear the Permanent Secretary's view on that. That was never made public at the time. How and why was that not made public?

[86] **Peter Law:** Ni chyraeddasom y pwynt am y gost o £668,000 a ddeilliodd o golli rhwng 200 a 400 o leoedd parcio y gwyddom amdanynt erbyn hyn. Yr oeddwn am glywed barn yr Ysgrifennydd Parhaol ar hynny. Ni chafodd hynny erioed ei wneud yn gyhoeddus ar y pryd. Sut a pham na chafodd hynny ei wneud yn gyhoeddus?

Mr Shortridge: I do not know. I have addressed the financial accountability aspects of this report as opposed to presentational issues. I would need to check to see whether that was in relation to commercial confidentiality or whatever.

Mr Shortridge: Ni wn. Yr wyf wedi ymdrin â'r agweddau sydd yn ymwneud ag atebolrwydd ariannol yn yr adroddiad hwn, yn hytrach na materion sydd yn ymwneud â'r ffordd y'u cyflwynid. Byddai rhaid imi edrych i weld a oedd elfennau o gyfrinachedd masnachol neu rywbeth tebyg ynghlwm wrth hyn.

[87] **Peter Law:** With respect to the Permanent Secretary and his team, whom do we call before us to discover the truth about these matters? If it is in the report, I assume, Chair, that the Permanent Secretary would have received a copy and would have been briefed on it. There should be someone here to answer our questions, otherwise the whole point of being here today is pretty worthless.

[87] **Peter Law:** Â phob parch i'r Ysgrifennydd Parhaol a'i dîm, pwy ddylem ei alw ger ein bron i ganfod y gwirionedd am y materion hyn? Os ydyw wedi'i gynnwys yn yr adroddiad, yr wyf yn tybio, Gadeirydd, y byddai'r Ysgrifennydd Parhaol wedi derbyn copi ac y byddai wedi cael ei friffio yn ei gylch. Dylai fod rhywun yma i ateb ein cwestiynau, neu mae bod yma heddiw yn gwbl ofer.

The other question that I wanted to ask was why was there no break clause in the 150-year lease on the Grosvenor Waterside site?

Y cwestiwn arall yr oeddwn am ei ofyn oedd pam nad oedd cymal toriad yn y les 150 mlynedd ar safle Grosvenor Waterside?

Mr Shortridge: I will submit a note on the question of the £668,000. On the break clause, it was a 25-year lease, as I recall.

Mr Shortridge: Cyflwynaf nodyn ar fater y £668,000. O ran y cymal toriad, les 25-mlynedd oedd hi, os cofiaf.

Mr McDonald: On site 1E, it is a 150-year lease without a break, but it costs us nothing, Chair. So, there was no need to have a break clause in a 150-year land lease at £1, which is not costing us anything year-on-year.

Mr McDonald: Ar safle 1E, ceir les 150-mlynedd heb doriad, ond nid yw'n costio dim inni, Gadeirydd. Felly nid oedd angen cael cymal toriad mewn les tir 150-mlynedd am £1, nad yw'n costio dim inni o'r naill flwyddyn i'r llall.

[88] **Peter Law:** So that is a 150-year lease for £1?

[88] **Peter Law:** Felly, les 150-mlynedd yw hi am £1.

Mr McDonald: Yes.

Mr McDonald: Ie.

[89] **Alun Cairns:** Very briefly, Chair, I wanted to turn—

[89] **Alun Cairns:** Yn gryno iawn, Gadeirydd, yr oeddwn am droi—

[90] **Janet Davies:** Very briefly, Alun.

[90] **Janet Davies:** Yn gryno iawn, Alun

[91] **Alun Cairns:** I wanted to turn back to the question that Jocelyn asked Mr Shortridge, on whether, if it was not due to incompetence, it was deliberate. I was astounded by Mr Shortridge's response, which was very delayed. He stated that he needed to check the records and that civil servants did not wilfully mislead. Is there a difference between withholding information deliberately and being wilfully misleading?

[91] **Alun Cairns:** Yr oeddwn am droi yn ôl at y cwestiwn a ofynnodd Jocelyn i Mr Shortridge, ynghylch a oedd hyn yn fwriadol os nad anfedrusrwydd oedd yn gyfrifol. Cefais fy synnu o glywed ymateb Mr Shortridge. Oedodd gryn dipyn cyn ateb. Dywedodd fod rhaid iddo archwilio'r cofnodion ac nad oedd gweision sifil yn camarwain yn fwriadol. A oes gwahaniaeth rhwng dal gwybodaeth yn ôl yn fwriadol a bod yn fwriadol gamarweiniol?

Mr Shortridge: It is not like that at all, Chair. I take my position here very seriously. If I am asked a factual question and I do not have, in my recollection, the relevant facts, it would be wrong of me to give a glib answer like 'no', which is what I expect to be the answer. I felt that I had to choose my words carefully.

Mr Shortridge: Nid felly y mae o gwbl, Gadeirydd. Cymeraf fy swyddogaeth yma'n ddifrifol iawn. Os gofynnir cwestiwn ffeithiol imi ac nad wyf yn cofio'r ffeithiau perthnasol, byddai'n anghywir imi roi ateb slic fel 'na' sef yr hyn y disgwyliaf i'r ateb fod. Teimlais fod rhaid imi ddewis fy ngeiriau'n ofalus.

[92] **Janet Davies:** At some point I want to turn to questions on the Pierhead Building, but I will leave that for the moment, because it is important that we spend sufficient time on the issue of project management and procurement.

[92] **Janet Davies:** Ar ryw adeg, yr wyf am droi at gwestiynau ar Adeilad Pierhead, ond gadawaf hynny am y tro, oherwydd ei bod yn bwysig inni dreulio digon o amser ar fater rheoli'r prosiect a chaffael.

[93] **Kirsty Williams:** My apologies, Chair, it had not occurred to me before, but given that Mr Shortridge has mentioned it twice, perhaps I should have stated plainly—it is public knowledge—that I was a member of the National Assembly Advisory Group. I do not know whether that has any bearing on this.

[93] **Kirsty Williams:** Ymddiheuraf, Gadeirydd, nid oedd wedi fy nharo o'r blaen, ond gan fod Mr Shortridge wedi sôn amdano ddwywaith, efallai y dylwn fod wedi datgan yn blaen—mae'n wybodaeth gyhoeddus— fy mod yn aelod o Grwp Ymgynghorol y Cynulliad Cenedlaethol. Ni wn a yw hynny'n berthnasol i hyn o gwbl.

[94] **Janet Davies:** Not on what you say, but I think that it was wise to declare it.

[94] **Janet Davies:** Nid o ran yr hyn a ddywedwch, ond credaf mai peth doeth oedd datgan hynny.

Paragraph 3.16 of the report states that the cumulative effect of the cost increases on the Crickhowell House adaptation work was not adequately monitored at a senior level because of the absence of the project steering group. Part 4 of the report shows that the costs rose substantially during the course of the work. What assurance can you give us that the increases were tightly controlled and that unnecessary costs were avoided?

Dywed paragraff 3.16 yr adroddiad na chafodd effaith gronnol y cynnydd yng nghostau gwaith addasu Ty Crycywel ei monitro'n ddigonol ar lefel uchel oherwydd nad oedd grwp llywio prosiect yn bodoli. Dengys rhan 4 yr adroddiad fod y costau wedi codi'n sylweddol yn ystod y gwaith. Pa sicrwydd y gallwch chi ei roi inni fod rheolaeth dynn ar y cynnydd a bod costau diangen wedi'u hosgoi?

Mr Shortridge: I agree with the point made in the report that we should have had better steering group arrangements and a single project team looking at the whole of the Crickhowell House project. That would have related to the reconstruction and fitting out work, the IT, and the establishment of the Office of the Presiding Officer and all the systems around that. That, with hindsight, was a failing. What we had, therefore, were, in effect, three separate projects that were being controlled individually, but because there was no overarching project, the cumulative effects of the decisions being taken by the individual

Mr Shortridge: Cytunaf gyda'r pwynt yn yr adroddiad y dylem fod wedi llunio gwell trefniadau ar gyfer y grwp llywio ac un tîm prosiect i ofalu am brosiect Ty Crycywel yn ei gyfanrwydd. Byddai hynny wedi bod yn berthnasol i'r ailadeiladu a'r gwaith gosod ffitiadau, y dechnoleg gwybodaeth, a sefydlu Swyddfa'r Llywydd a'r holl systemau ynghlwm â hynny. Wrth edrych yn ôl, yr oedd hynny'n wendid. Yr hyn a oedd gennym felly, mewn gwirionedd, oedd tri phrosiect ar wahân a gâi eu rheoli fesul un, ond oherwydd nad oedd un prosiect yn drosfwaol, ni ddaeth effeithiau cronnol y penderfyniadau a gymerid

projects did not become apparent as early as I would have liked.

gan y prosiectau unigol yn amlwg cyn gynted ag y byddwn wedi hoffi.

In terms of whether I can give you an assurance that there was no wastage and so on, yes, I think that I can. The Auditor General has not in his report identified any nugatory expenditure. He has not criticised the former Welsh Office for the works that were undertaken, with the exception of the IT. I am sure that we will come on to the IT procurement.

A allaf eich sicrhau nad oedd dim gwastraff ac yn y blaen? Gallaf, credaf y gallaf. Nid yw'r Archwilydd Cyffredinol yn ei adroddiad wedi nodi unrhyw wariant diangen. Ni feirniadodd yr hen Swyddfa Gymreig am y gwaith a wnaethpwyd, ac eithrio'r dechnoleg gwybodaeth. Yr wyf yn siwr y deuwn at bwnc caffael TG.

I keep saying it, but we did have a difficult task. One of the difficulties was that we were having to create this building without really a customer. We were having to make judgments all the time as to what would be appropriate for the Assembly Members when they arrived. We were having to make judgments as to what standard and quality of finish and so on should be achieved. That meant that we had to secure a balance between on the one hand producing something that was manifestly too lavish and on the other hand producing something that was just too cheap and not fit for the purpose. I think that all of you as Members can make the judgment as to the extent to which we got that balance right. However, if, in your view, we got the balance right then there was no wasteful or nugatory expenditure.

Dywedaf yr un peth dro ar ôl tro, ond yr oedd yn dasg anodd. Un o'r anawsterau oedd ein bod yn gorfod creu'r adeilad hwn heb fod gennym gwsmer mewn gwirionedd. Yr oeddem yn gorfod llunio barn drwy'r amser ynghylch beth fyddai'n briodol ar gyfer Aelodau'r Cynulliad pan fyddent yn cyrraedd. Yr oedd yn rhaid inni wneud penderfyniadau ynghylch beth ddylai safon ac ansawdd y gorffeniad fod ac yn y blaen. Golygai hynny bod yn rhaid inni sicrhau cydbwysedd rhwng cynhyrchu rhywbeth ar y naill law a oedd yn amlwg yn rhy foethus ac ar y llall gynhyrchu rhywbeth a oedd yn rhy rhad a heb fod yn addas at y diben. Credaf y gall pob un ohonoch fel Aelodau benderfynu i ba raddau y llwyddwyd i daro'r cydbwysedd hwnnw. Fodd bynnag, os, yn eich barn chi, y llwydwyd i daro'r cydbwysedd iawn, yna nid oedd dim gwastraff na gwario diangen.

[95] **Janet Davies:** When you say 'we', Mr Shortridge, I understand that the variations to the design were approved by the Secretary of State for Wales at the time. Was he also aware of the increasing costs of the project?

[95] **Janet Davies:** Pan ddywedwch 'ni', Mr Shortridge, deallaf fod yr amrywiadau i'r cynllun wedi'u cymeradwyo gan Ysgrifennydd Gwladol Cymru ar y pryd. A oedd ef hefyd yn ymwybodol o gostau cynyddol y prosiect?

Mr Shortridge: When Ministers were being invited to agree significant matters, the costs would have been drawn to their attention. However, I repeat the point that I made earlier that because we were managing this as a series of comparatively small projects, the overall picture was one that was not in people's minds as much as it should have been, and I accept that.

Mr Shortridge: Pan wahoddwyd Gweinidogion i gytuno ar faterion pwysig, byddai'r costau wedi cael eu dwyn i'w sylw. Fodd bynnag, ailadroddaf y pwynt a wneuthum yn gynharach, sef, oherwydd ein bod yn rheoli'r gwaith fel cyfres o brosiectau cymharol fach, nid oedd y darlun yn ei gyfanrwydd ym meddyliau pobl i'r graddau y dylasai fod, a derbyniaf hynny.

[96] **Dafydd Wigley:** I would like to pursue the procurement matters. It is clear that there were serious shortcomings in the Welsh Office's handling of the contract with ICL to provide specialist IT applications for Assembly Members. How did that happen and what steps have you taken to ensure that it does not happen again?

[96] **Dafydd Wigley:** Hoffwn fynd i'r afael â'r materion caffael.Mae'n glir bod diffygion difrifol yn y ffordd yr ymdriniodd y Swyddfa Gymreig â'r contract gydag ICL i ddarparu cymwysiadau TG arbenigol ar gyfer Aelodau'r Cynulliad. Sut y digwyddodd hynny a pha gamau a gymerwyd gennych i sicrhau nad yw hyn yn digwydd eto?

Mr Shortridge: I will give you a short general answer and then David Richards can come in with some more detail if you like. I have looked at this carefully. I think that the basic issue in the division concerned—and I accept that this was a serious shortcoming—was that there was a systemic failure in its procurement arrangements. It was not helped by the sheer time pressure that everyone was under to get, in a very short space of time, this equipment procured and in place. We are talking here about not all of the equipment but certain, quite specific contracts. That is not an excuse. It is a consideration, but not an excuse. The problem that existed was a systemic one, and when I found out about it—we found out about it through our own systems of checking—I was obviously very concerned. In the division, we have put in place training on procurement and added a person with specific responsibility for procurement matters, who is being trained for a procurement qualification.

Mr Shortridge: Rhoddaf ateb byr cyffredinol ichi ac yna gall David Richards ddod i mewn gyda mwy o fanylion os dymunwch. Yr wyf wedi edrych ar hyn yn ofalus. Credaf mai'r broblem sylfaenol yn yr adran berthnasol—a derbyniaf fod hyn yn ddiffyg difrifol—oedd bod gwendid sylfaenol yn ei threfniadau caffael. Anhawster ychwanegol oedd y pwysau amser gwirioneddol a wynebai pawb i gaffael yr offer a sicrhau ei fod yn ei le mewn pryd. Yr ydym yn sôn yma nid am yr holl offer, ond am rai contractau arbennig, eithaf penodol. Nid esgus yw hyn. Mae'n ystyriaeth, ond nid yw'n esgus. Yr oedd y broblem yn un systemig, a phan ddeallais hyn—dysgasom amdano drwy gyfrwng ein systemau archwilio ni ein hunain—yr oeddwn yn amlwg yn bryderus iawn. Yn yr adran, yr ydym wedi darparu hyfforddiant ar gaffael ac wedi ychwanegu aelod at y staff sydd â chyfrifoldeb penodol am faterion caffael. Mae'n cael ei hyfforddi i ennill cymhwyster ym maes caffael.

[97] **Dafydd Wigley:** On page 33, there is a comment about the intellectual property rights:

‘the Welsh Office accepted ICL’s contract terms without amendment, although it had obtained legal advice to amend them so that intellectual property rights arising from the software applications belonged to the Welsh Office rather than ICL.’

Has the loss of intellectual property rights on this contract led to any financial loss to the Assembly?

Mr Shortridge: I do not think so, but I will hand over to David.

Mr Richards: No, it has not. It should not have happened, and it was a case where advice from the centre was simply not taken into account, and we take very seriously what was actually done. It has meant that we cannot actually make our own commercial exploitation of it. If we ever want to sell on the software, we cannot do that. It does not prevent us using the software and expanding, so we do not have any financial losses.

[98] **Dafydd Wigley:** So, in fact, two things arise from that: first, we must ensure that we do not make those kinds of mistakes again and, secondly, there is a systematic question with regard to advice in general. Are you happy that the type of circumstances that existed when these mistakes, as you acknowledge them to be, were made, will not be made under the ongoing pressure under which civil servants in the Assembly are working now?

[97] **Dafydd Wigley:** Ar dudalen 33, cyfeirir at yr hawliau eiddo deallusol:

‘derbyniodd y Swyddfa Gymreig dermau contract ICL heb unrhyw ddiwygiadau, er ei bod wedi derbyn cyngor cyfreithiol i’w diwygio fel bod unrhyw hawliau eiddo deallusol yn deillio o’r cymwysiadau meddalwedd yn eiddo i’r Swyddfa Gymreig yn hytrach nag ICL’

A arweiniodd colli’r hawliau eiddo deallusol ar y contract hwn at unrhyw golled ariannol i’r Cynulliad?

Mr Shortridge: Ni chredaf iddo wneud, ond trosglwyddaf yr awenau i David.

Mr Richards: Naddo. Ni ddylai erioed fod wedi digwydd, ac achos oedd hwn lle nad ystyriwyd y cyngor a gafwyd o’r canol, ac yr ydym yn ystyried beth a wnaethpwyd mewn gwirionedd yn ddifrifol iawn. Canlyniad hyn yw na allwn mewn gwirionedd ymelwa’n fasnachol arno ein hunain. Os byddwn eisiau gwerthu’r meddalwedd rywbryd, ni allwn wneud hynny. Nid yw’n ein hatal rhag defnyddio’r meddalwedd a’i ehangu, felly nid oes dim colledion ariannol.

[98] **Dafydd Wigley:** Felly, mewn gwirionedd, mae dau beth yn codi o hynny: yn gyntaf, rhaid inni wneud yn siwr nad ydym yn gwneud y mathau hynny o gamgymeriadau eto ac, yn ail, mae cwestiwn systematig ynghylch cyngor yn gyffredinol. A ydych yn fodlon na wneir y math yma o gamgymeriadau, ac yr ydych chi’n cydnabod mai camgymeriadau oeddent, a wnaethpwyd dan yr amgylchiadau a fodolai ar y pryd, dan y pwysau parhaus y mae gweision sifil yn y Cynulliad yn gweithio dano yn awr?

Mr Richards: Much as I would love to give you a cast iron guarantee, one can never do that. I can certainly tell you that the procedure for every contract over £10,000 into which the Assembly enters must involve a nominated member of my procurement unit. That person is involved in the invitation to tender, in the receipt of tender, looks after tender documents and chairs the project board. Legal advice and professional procurement advice should go into everything that we do above £10,000. In this instance, the advice from the centre was simply not taken into account. We have run a series of training seminars for staff across the office to ensure that the rules are not just there, but that staff understand the rules and know why they are there and abide by them.

Mr Richards: Gymaint ag y byddwn wrth fy modd o allu rhoi gwarant bendant ichi, ni all neb byth wneud hynny. Gallaf yn sicr ddweud wrthych, ar gyfer pob contract dros £10,000 a roddir gan y Cynulliad, bod yn rhaid i'r drefn gynnwys aelod enwebedig o fy uned caffael i. Bydd gan y person hwnnw ran yn y gwahoddiad i dendro, yn nerbyn y tendr, mae'n edrych ar ôl y dogfennau tendro ac yn cadeirio bwrdd y prosiect. Dylai cyngor cyfreithiol a chyngor caffael proffesiynol fod yn rhan o bopeth a wnawn uwchben £10,000. Yn yr achos hwn, ni ystyriwyd y cyngor o'r canol. Yr ydym wedi cynnal cyfres o seminarau hyfforddi i staff o bob rhan o'r swyddfa i sicrhau bod y rheolau nid yn unig yno ond bod staff yn deall y rheolau ac yn gwybod pam eu bod yno ac yn glynu wrthynt.

[99] **Dafydd Wigley:** You have already answered the next question that I was going to ask in that context. To turn to furniture and fittings, I see that those were procured from an existing call-off contract. Given that this new business more than doubled the volume of business procured on that contract, why did you not retest the market to see whether you could have obtained bulk purchase discounts better than those under the existing contract?

[99] **Dafydd Wigley:** Yr ydych eisoes wedi ateb y cwestiwn nesaf yr oeddwn am ei ofyn yn y cyd-destun hwnnw. I droi at ddodrefn ac addurniadau, gwelaf fod y rheini wedi'u caffael drwy gontract terfynu a oedd yn bodoli eisoes. Ac ystyried bod y busnes newydd hwn yn fwy na dyblu maint y busnes a gaffaeliwyd ar y contract hwnnw, pam na wnaethoch ailbrofi'r farchnad i weld a allech chi fod wedi cael gostyngiad am swmp-brynu a oedd yn well na'r rhai a gafwyd dan y contract a oedd yn bodoli eisoes?

Mr Richards: I think that it was a matter of fine judgment. I am not sure that if we were to go back to it again that we would necessarily take the same view, because there was a big increase. I think that the thing that swayed us most was that we had certainty. We were under a lot of pressure to get the furniture in. We could not afford to take the chance of going for a new supplier that would not deliver. We knew that the supplier we were working with would deliver.

Mr Richards: Credaf fod hyn yn fater o wneud penderfyniad anodd. Nid wyf yn siwr pe baem yn mynd yn ôl ato eto y byddem o anghenraid yn gwneud yr un penderfyniadau, oherwydd yr oedd y cynnydd yn un mawr. Credaf mai'r peth a'n tynnodd ni fwyaf oedd bod gennym sicrwydd. Yr oeddem dan lawer o bwysau i gael y dodrefn yn ei le. Ni allem fforddio mentro ar gyflenwr newydd na allai gyflawni'r dasg. Gwyddom y byddai'r cyflenwr yr oeddem yn gweithio gydag ef yn gallu cwrdd â'n gofynion.

[100] **Dafydd Wigley:** Could you not have at least put some pressure on the existing supplier to give better prices? Would that not have been a fairly reasonable thing to do?

[100] **Dafydd Wigley:** Oni allech chi fod, o leiaf, wedi rhoi rhywfaint o bwysau ar y cyflenwr presennol i gynnig gwell prisiau? Oni fyddai hynny wedi bod yn beth gweddol resymol i'w wneud?

Mr Richards: I will defer to Eric in a minute. I think that, given the time pressure, we felt that we had little option but to press on with the contract as we had it.

Mr Richards: Trof at Eric mewn munud. Credaf, ac ystyried y pwysau amser, ein bod yn teimlo mai ychydig o ddewis oedd gennym heblaw bwrw ymlaen gyda'r contract fel yr oedd.

Mr McDonald: We certainly spoke to the suppliers. It is not recorded in the documents, but their position was that they had already cut their margins as much as they could and they could not have offered us a better price. It was already a £1.5 million contract over three years. They had sharpened their pencils as much as they were able to do.

Mr McDonald: Yn sicr, siaradasom â'r cyflenwyr. Nid yw hynny wedi'i gofnodi yn y dogfennau ond eu safbwynt hwy oedd eu bod eisoes wedi tocio'u ffin elw gymaint ag yr oedd modd ac na allent fod wedi cynnig gwell pris inni. Yr oedd eisoes yn gontract gwerth £1.5 miliwn dros dair blynedd. Yr oeddent wedi minio'u pensiliau gymaint ag y gallent.

[101] **Dafydd Wigley:** That is your judgment. My suspicion would be that, in such circumstances, it is always worth trying to screw them tighter. However, that was the decision made at the time and I am sure that lessons have been learnt. Mr Shortridge, you wanted to comment?

[101] **Dafydd Wigley:** Eich barn chi yw hynny. Yr wyf innau'n amau, dan amgylchiadau o'r fath, ei bod bob amser yn werth eu sgriwio ychydig yn dynnach. Fodd bynnag, dyna'r penderfyniad a wnaethpwyd ar y pryd ac yr wyf yn siwr bod gwersi wedi'u dysgu. Mr Shortridge, yr oeddech am ddweud rhywbeth?

Mr Shortridge: I quite understand that viewpoint. The point that I would like to bring out of this is that one of the things that we had to do in this unique project, under huge time pressure, was to manage risk. One way that you manage risk is to go for certainty, to go, where you think that it is reasonable, with your existing supplier, and not to take risks in terms of the delay that could happen if you, in very constrained circumstances, seek to find an alternative supplier. One advantage that we had from retaining this contractor is that we have uniformity of furniture across the Assembly.

Mr Shortridge: Deallaf y safbwynt hwnnw'n iawn. Y pwynt yr hoffwn ei wneud yw mai un o'r pethau yr oedd rhaid inni ei wneud yn y prosiect unigryw hwn, dan bwysau amser anferth, oedd rheoli risg. Un ffordd o reoli risg yw dewis y llwybr sicr, lle credwch fod hynny'n rhesymol, dewis y cyflenwr sydd gennych eisoes, a pheidio â mentro wynebu'r oedi posibl, pe baech, dan amgylchiadau cyfyng iawn, yn ceisio canfod cyflenwr arall. Un fantais a gawsom o gadw'r contractwr hwn yw bod gennym ddodrefn unffurf ym mhob rhan o'r Cynulliad.

[102] **Dafydd Wigley:** I will not repeat myself, but we will need to consider the point about squeezing existing contractors as opposed to going to new ones. I am sure that you accept that point.

[102] **Dafydd Wigley:** Nid wyf am ailadrodd fy hun, ond bydd angen inni ystyried y pwynt ynghylch rhoi pwysau ar gontractwyr presennol yn hytrach na mynd at rai newydd. Yr wyf yn siwr eich bod yn derbyn y pwynt hwnnw.

Mr Shortridge: I accept that point.

Mr Shortridge: Yr wyf yn derbyn y pwynt hwnnw.

[103] **Dafydd Wigley:** I am grateful. I have one more area to cover as regards procurement. Perhaps the most important procurement decision of the whole project was the decision to adopt a management contracting strategy for the construction of the new building. The Auditor General for Wales recognises that this was an appropriate strategy,

[103] **Dafydd Wigley:** Yr wyf yn ddiolchgar. Mae gennyf un maes arall i ymdrin ag ef gyda golwg ar gaffael. Efallai mai'r penderfyniad caffael pwysicaf yn y prosiect i gyd oedd y penderfyniad i fabwysiadu strategaeth contractio rheoli ar gyfer codi'r adeilad newydd. Mae Archwilydd Cyffredinol Cymru'n cydnabod fod hyn yn strategaeth briodol,

'given the client's wish to maintain control of the design…and to achieve rapid completion'.

'yn seiliedig ar ddymuniad y client i gadw rheolaeth dros y cynllun drwy gydol y prosiect ac i gyflawni amser cwblhau cyflym'.

I have two questions in relation to that issue. First, in theory, there is less cost certainty with this procurement strategy than with a traditional strategy where the design and construction stages are kept separate. Yet you have decided not to require a guaranteed maximum price from the management contractor to mitigate this risk. Why is that?

Mae gennyf ddau gwestiwn gyda golwg ar hynny. Yn gyntaf, yn ddamcaniaethol, mae llai o sicrwydd ynghlwm wrth y math hwn o strategaeth gaffael o ran y costau nag wrth strategaeth draddodiadol lle cedwir y cam cynllunio a'r cam adeiladu ar wahân. Eto i gyd, yr ydych wedi penderfynu peidio â mynnu uchafswm pris gwarantedig gan y contractwr rheoli i liniaru'r risg hwn. Pam?

Mr Shortridge: I refer that question to Eric.

Mr Shortridge: Cyfeiriaf y cwestiwn hwnnw at Eric.

Mr McDonald: We have gone for a management contractor route because we believe that that way we get the building delivered in the best timescale and with the best control. We believe that a guaranteed maximum price would only add to the cost for which we would get the building delivered, because we believe that any management contractor would just front-load its costs in order to cover any risks that it may have to bear in giving a guaranteed maximum price.

Mr McDonald: Yr ydym wedi mynd ar drywydd contractwr rheoli am ein bod yn credu mai dyma'r ffordd o sicrhau bod yr adeilad yn barod o fewn yr amserlen orau a chyda'r rheolaeth orau. Credwn mai dim ond ychwanegu at gost darparu'r adeilad fyddai gosod uchafswm pris gwarantedig am ein bod yn credu y byddai unrhyw gontractwr rheoli yn blaen-lwytho'i gostau er mwyn gwrthbwyso unrhyw risg y gallai fod yn ei wynebu wrth roi uchafswm pris gwarantedig.

[104] **Dafydd Wigley:** I note the point that you made about working under time pressure. Would you perhaps have taken a different view had you not been under that time pressure?

[104] **Dafydd Wigley:** Nodaf y pwynt a wnaethoch am weithio dan bwysau amser. A fyddai eich barn wedi bod yn wahanol efallai pe na baech wedi bod dan bwysau amser o'r fath?

Mr McDonald: This has been reviewed recently by the policy steering group with regard to the new building. The policy steering group has endorsed that we stay with a management contractor route for the procurement of the new building.

Mr McDonald: Gyda golwg ar yr adeilad newydd, mae'r grwp llywio polisi wedi adolygu hyn yn ddiweddar. Mae'r grwp llywio polisi wedi cymeradwyo ein bod yn parhau i ddefnyddio contractwr rheoli ar gyfer caffael yr adeilad newydd.

[105] **Dafydd Wigley:** The design and construction stages overlap in a management contract. Is there not a risk that delays or variations to the design will cause substantial disruption and abortive costs during the construction stage?

[105] **Dafydd Wigley:** Mae'r cam cynllunio a'r cam adeiladu yn gorgyffwrdd mewn contract rheoli. Onid oes risg y gallai oedi neu amrywiadau i'r cynllun darfu'n sylweddol ar y gwaith a pheri costau ofer yn ystod y gwaith adeiladu?

Mr McDonald: It certainly is a risk of which we are conscious. It is part of our risk register, and is a risk that we believe can be managed successfully.

Mr McDonald: Mae'n sicr yn risg yr ydym yn ymwybodol ohoni. Mae'n rhan o'n cofrestr risgiau, ac yn risg y credwn y gellir ei rheoli'n llwyddiannus.

[106] **Janet Davies:** I believe that Alison Halford would like to return to the IT issue.

[106] **Janet Davies:** Credaf y byddai Alison Halford yn hoffi dychwelyd at fater TG.

[107] **Alison Halford:** I feel very agitated about the IT service. I was the first Member to have it installed in my constituency office in Delyn. We were given no way of testing what we wanted and I have been frustrated during the last 18 months by having to call the engineer out over and over again. I understand that Siemens' was the most expensive system—an untendered, most expensive system that we had foisted upon us. Can you confirm that or not?

[107] **Alison Halford:** Teimlaf yn anniddig iawn ynghylch y gwasanaeth TG. Fi oedd yr Aelod cyntaf i gael gosod y system yn fy swyddfa etholaethol yn Nelyn. Ni roddwyd cyfle inni brofi beth oedd ei eisiau arnom ac yr wyf wedi teimlo'n rhwystredig yn ystod y 18 mis diwethaf o orfod galw'r peiriannydd allan dro ar ôl tro. Deallaf mai system Siemens oedd y ddrutaf—system heb dendr, ofnadwy o ddrud a wthiwyd arnom. A allwch chi gadarnhau hynny ai peidio?

Mr Shortridge: In the case of the basic OSIRIS system, we carried forward our existing private finance initiative contract with Siemens. I think that to have done other than that and to have sought to have a separate system in place for the parliamentary end of the Assembly from the one that we as officials had, would have led to chaos.

Mr Shortridge: Gyda golwg ar system sylfaenol OSIRIS, parhawyd gyda'r contract cynllun cyllid preifat a oedd eisoes yn bodoli gyda Siemens. Credaf y buasai gwneud rhywbeth gwahanol i hynny a cheisio cael system ar wahân ar gyfer ochr seneddol y Cynulliad i'r system a oedd gennym ni fel swyddogion, wedi arwain at anrhefn llwyr.

[108] **Alison Halford:** You say that, but it is we, the Members, who are still living with a chaotic situation. I have asked the former Deputy Clerk over and over again why the system was so problematic, how much it cost and how much the maintenance calls were, bearing in mind that the engineer was regularly visiting Delyn. I was given very short shrift, even to the extent of being told that it was always user error and nothing to do with the system. Quite frankly, I resent that. So may we know the maintenance cost of the system?

[108] **Alison Halford:** Dyna eich barn chi, ond ni, yr Aelodau, sydd yn dal i fyw mewn anrhefn llwyr. Yr wyf wedi gofyn i'r cyn Ddirprwy Glerc dro ar ôl tro pam fod y system yn peri cymaint o broblemau, faint gostiodd hi a faint oedd cost y galwadau cynnal a chadw, gan gadw mewn cof fod y peiriannydd yn ymweld â Delyn yn aml. Ychydig iawn o ymateb a gefais, hyd yn oed i'r graddau o ddweud wrthyf mai camgymeriad y defnyddiwr oedd yn gyfrifol bob tro ac nad oedd a wnelo'r problemau ddim â'r system. A bod yn gwbl onest, mae hynny yn fy nghythruddo. Felly, a gawn wybod beth yw cost cynnal a chadw'r system?

Mr Shortridge: I will happily submit a note on that. I would just like to point out that in terms of IT procurement this report deals largely with the ICL contracts that we established and which were separate from the Siemens contract.

Mr Shortridge: Yr wyf yn ddigon bodlon cyflwyno nodyn ar hynny. Hoffwn dynnu sylw at y ffaith fod yr adroddiad hwn, o ran caffael TG, yn ymwneud yn bennaf â'r contractau ICL a sefydlwyd gennym a bod y rhain ar wahân i'r contract gyda Siemens.

[109] **Alison Halford:** This is my final question, and I thank you for indulging me. Would you not agree that it was somewhat arrogant of the civil service to give a system to Assembly Members, albeit that it was a new situation, without at least giving us an opportunity to try out a model to determine whether or not it was suitable for constituency needs 170 miles away at the end of a telephone line?

[109] **Alison Halford:** Dyma fy nghwestiwn olaf a diolchaf ichi am roi cymaint o amser imi. Oni fyddech chi'n cytuno ei bod ychydig yn drahaus ar ran y gwasanaeth sifil i roi system i Aelodau'r Cynulliad, a derbyn bod y sefyllfa'n un newydd, heb o leiaf roi cyfle inni arbrofi gyda model i benderfynu a oedd yn addas at ddibenion etholaethau 170 milltir i ffwrdd ar ben draw llinell ffôn ai peidio?

Mr Shortridge: I think that that returns to the point that we were seeking to establish a new institution that would operate from the very moment that Members arrived, as opposed to deferring a lot of decisions and giving Members the opportunity to contribute to whatever decisions were taken later.

Mr Shortridge: Credaf fod hynny yn ein dwyn yn ôl at y pwynt ein bod yn ceisio sefydlu sefydliad newydd a fyddai'n gweithredu o'r funud gyntaf pan fyddai'r Aelodau'n cyrraedd, yn hytrach na gohirio llawer o benderfyniadau a rhoi cyfle i Aelodau gyfrannu at ba benderfyniadau bynnag a gymerid yn ddiweddarach.

[110] **Jocelyn Davies:** May I come in on this one? Earlier on, you mentioned the vision of a virtual Assembly across Wales. You must agree with us that that is simply not possible under this system. My office is in Newport and we cannot get remote access. Do you think that, on the whole, we have just been a bit green? Perhaps the rush to set things up showed your inexperience in dealing with a project as big as setting up the National Assembly.

[110] **Jocelyn Davies:** A gaf i ddod i mewn ar hyn? Yn gynharach, soniasoch am y weledigaeth o rith-Gynulliad ledled Cymru. Rhaid ichi gytuno â ni nad yw hynny'n bosibl o gwbl dan y system hon. Mae fy swyddfa i yng Nghasnewydd ac ni allwn gael mynediad o bell. A ydych chi'n meddwl, ar y cyfan, ein bod wedi bod ychydig yn ddiniwed? Efallai fod y rhuthr i sefydlu pethau wedi dangos eich diffyg profiad wrth ymdrin â phrosiect mor fawr â sefydlu'r Cynulliad Cenedlaethol.

Mr Shortridge: I think that for preference, as officials, we would have liked more time to establish it.

Mr Shortridge: Credaf, pe baem yn cael dewis fel swyddogion, y byddem wedi hoffi cael mwy o amser i'w sefydlu.

[111] **Jocelyn Davies:** Do you think that a shadow period would have been useful?

[111] **Jocelyn Davies:** A ydych yn meddwl y byddai cyfnod cysgodi wedi bod yn fuddiol?

Mr Shortridge: We considered the shadow period. In the end, there was a shadow period of 10 weeks. I think that the judgment that we took—and you can tell us if we got it wrong—was that, if you establish a National Assembly for Wales and you tell the Members that they will have to wait up to a year before they exercise any powers, that would not have been a tenable outcome.

Mr Shortridge: Rhoddwyd ystyriaeth i gael cyfnod cysgodi. Yn y pen draw, cafwyd cyfnod cysgodi o 10 wythnos. Credaf mai ein barn ni—a chewch ddweud wrthym os oeddem yn anghywir—oedd, pe baech yn sefydlu Cynulliad Cenedlaethol Cymru ac yn dweud wrth yr Aelodau fod rhaid iddynt ddisgwyl hyd at flwyddyn cyn cael unrhyw rym i weithredu, na fyddai hynny'n dderbyniol.

[112] **Janet Davies:** Do you want to ask some questions, Peter?

[112] **Janet Davies:** A hoffech ofyn unrhyw gwestiynau, Peter?

[113] **Peter Law:** Yes, I have a few questions on procurement. We are in danger of getting into written evidence as the Permanent Secretary is submitting so many notes. I am getting concerned about that. Can you tell me about the background of the project team: how many people were in it and what were their professional backgrounds?

[113] **Peter Law:** Oes, mae gennyf rai cwestiynau ynghylch caffael. Yr ydym mewn perygl o fynd i faes tystiolaeth ysgrifenedig gan fod yr Ysgrifennydd Parhaol yn cyflwyno cymaint o nodiadau. Yr wyf yn dechrau pryderu am hynny. A allwch ddweud wrthyf am gefndir y tîm prosiect: faint o aelodau oedd yn y tîm a beth oedd eu cefndir proffesiynol?

Mr Shortridge: Are we talking about the project team in relation to the construction works on Crickhowell House?

Mr Shortridge: A ydym yn sôn am y tîm prosiect yng nghyswllt y gwaith adeiladu ar Dy Crycywel?

[114] **Peter Law:** I understand that there was a small team of civil servants in the Management Services Division called the project team. These were the people who controlled this project. Is that right?

[114] **Peter Law:** Yr wyf yn deall fod tîm bychan o weision sifil yn yr Adran Gwasanaethau Rheoli a elwid yn dîm prosiect. Y rheini oedd y bobl a oedd yn rheoli'r prosiect hwn. A yw hynny'n gywir?

Mr Shortridge: That is right, yes.

Mr Shortridge: Ydi, mae hynny'n gywir.

[115] **Peter Law:** How many of them were there?

[115] **Peter Law:** Faint ohonynt oedd yno?

Mr Shortridge: Although he was not in that post at the time, Gerry is now the head of the relevant division. He can tell you.

Mr Thomas: I can certainly tell you about the current team that is under my command. I was not around at the time when the Crickhowell House project was going ahead. I do not know what the make-up of that team was precisely. Perhaps Eric can fill you in on the detail—

[116] **Peter Law:** Were any of you part of the team?

Mr Thomas: Eric McDonald was part of that team.

[117] **Peter Law:** Well, perhaps Eric—

Mr Thomas: I just wanted to make the general point that the team would have been administrative civil servants experienced in managing accommodation. They were not professionals themselves, but they drew on the support of professionals, as we are doing now, from PACE, the Property Advisors to the Civil Estate, which is the Government agency set up to advise departments on property matters, and through our contracted professional project managers. That was the general background. Perhaps Eric would like to answer the question about the precise make-up of the team.

Mr McDonald: In terms of the members on the team, I was heading the team. I have had PRINCE project training and I had been in the Management Services Division for four years at that stage.

Mr Shortridge: Er nad oedd yn y swydd honno ar y pryd, Gerry yw pennaeth yr adran berthnasol erbyn hyn. Gall ef ddweud wrthych.

Mr Thomas: Gallaf yn sicr ddweud wrthych am y tîm sydd dan fy rheolaeth ar hyn o bryd. Nid oeddwn o gwmpas pan oedd prosiect Ty Crycywel yn mynd rhagddo. Ni wn pwy yn union oedd aelodau'r tîm hwnnw. Efallai y gall Eric roi'r manylion ichi—

[116] **Peter Law:** Oedd unrhyw un ohonoch chi'n rhan o'r tîm?

Mr Thomas: Yr oedd Eric McDonald yn rhan o'r tîm hwnnw.

[117] **Peter Law:** Wel, efallai y gall Eric—

Mr Thomas: Yr oeddwn am wneud y pwynt cyffredinol mai gweision sifil gweinyddol gyda phrofiad o reoli adeiladau fyddai aelodau'r tîm hwnnw. Nid oeddent yn bobl broffesiynol eu hunain, ond byddent yn manteisio ar gefnogaeth pobl broffesiynol, fel y gwnawn yn awr, gan PACE, Ymgynghorwyr Eiddo'r Ystâd Sifil, sef asiantaeth dan y Llywodraeth a sefydlwyd i gynghori adrannau ar faterion sydd yn ymwneud ag eiddo, a thrwy ein rheolwr prosiect proffesiynol dan gontract. Dyna'r cefndir cyffredinol. Efallai yr hoffai Eric ateb y cwestiwn ynghylch union aelodaeth y tîm.

Mr McDonald: Gyda golwg ar aelodau'r tîm, fi oedd y pennaeth. Yr wyf wedi cael hyfforddiant prosiect PRINCE ac yr oeddwn bryd hynny wedi bod yn yr Adran Gwasanaethau Rheoli am bedair blynedd.

[118] **Peter Law:** You are not an engineer, are you, Eric, or an architect?

[118] **Peter Law:** Nid ydych yn beiriannydd, nac yn bensaer ydych chi, Eric?

Mr McDonald: I am an administrative civil servant.

Mr McDonald: Gwas sifil gweinyddol ydwyf.

[119] **Peter Law:** What about the other members of the team?

[119] **Peter Law:** Beth am aelodau eraill y tîm?

Mr McDonald: The other members of the team were administrative civil servants of the Welsh Office, who had also had some PRINCE project training and who were working to me. We had four other members of the team over the period. We had a quantity surveyor and an estate surveyor working in the team from PACE. We had a qualified project manager, a qualified quantity surveyor and a qualified architect working for the Symonds Group, which was providing all of the professional input to make this adaptation of Crickhowell House happen.

Mr McDonald: Gweision sifil gweinyddol y Swyddfa Gymreig oedd aelodau eraill y tîm, yr oeddent hwythau wedi cael rhywfaint o hyfforddiant prosiect PRINCE ac yn gweithio oddi tanaf fi. Bu pedwar arall yn aelodau o'r tîm yn ystod y cyfnod. Bu maintfesurwr a syrfewr ystadau o PACE yn gweithio yn y tîm. Yr oedd gennym reolwr prosiect cymwys, maintfesurwr cymwys a phensaer cymwys yn gweithio i Grwp Symonds, a oedd yn darparu'r holl gyfraniad proffesiynol er mwyn sicrhau bod y gwaith addasu ar Dy Crycywel yn mynd rhagddo.

[120] **Peter Law:** But, in the project team, there were no professionally qualified people who had any experience in the construction of something of this nature—a £37 million major development—before?

[120] **Peter Law:** Ond, yn y tîm prosiect, nid oedd dim pobl gymwys broffesiynol a oedd yn meddu ar unrhyw brofiad o adeilad rhywbeth o'r natur hwn—datblygiad mawr £37 miliwn—o'r blaen?

Mr McDonald: The quantity surveyor from PACE who was part of the Welsh Office team certainly had experience of many projects.

Mr McDonald: Yn sicr, yr oedd gan y maintfesurwr o PACE, a oedd yn rhan o dîm y Swyddfa Gymreig, brofiad o lawer o brosiectau.

[121] **Peter Law:** That was an added person, though. That was not one of the original—

[121] **Peter Law:** Ond, yr oedd hwnnw'n berson a ychwanegwyd. Nid oedd yn un o'r [tîm] gwreiddiol—

Mr McDonald: He was working in the Welsh Office full-time throughout the period, and was specifically sat alongside us because he had that very good professional experience to bring to the team.

Mr McDonald: Yr oedd yn gweithio yn y Swyddfa Gymreig yn llawn-amser drwy gydol y cyfnod, ac yr oedd wedi cael ei roi i eistedd ochr yn ochr â ni'n benodol am fod ganddo brofiad proffesiynol da iawn i'w gyfrannu i'r tîm

[122] **Peter Law:** Who was the project sponsor?

[122] **Peter Law:** Pwy oedd noddwr y prosiect?

Mr McDonald: That was I.

Mr McDonald. Fi oedd hwnnw.

[123] **Peter Law:** That was?

[123] **Peter Law** Pwy oedd hwnnw?

Mr McDonald: That was I.

Mr McDonald: Fi oedd hwnnw.

[124] **Peter Law:** I understand that the budget to cover the costs was not monitored at a senior level. How high up was this monitoring taking place? Was it at your level?

[124] **Peter Law:** Yr wyf yn deall nad oedd y gyllideb ar gyfer y costau'n cael ei fonitro ar lefel uchel. Ar ba lefel yr oedd y monitro hwn yn digwydd? Ai ar eich lefel chi?

Mr McDonald: I was certainly monitoring it. We had a project manager's report at least every month throughout the period. As the scheme progressed, we were having project manager reports at fortnightly intervals. We have 35 reports from the professional project manager. Throughout, he was able to provide me with estimates and was able to track the expenditure from day one. We knew exactly what we were spending.

Mr McDonald: Yr oeddwn yn sicr yn ei fonitro. Yr oeddem yn cael adroddiad gan reolwr y prosiect o leiaf bob mis drwy gydol y cyfnod. Wrth i'r cynllun fynd rhagddo, yr oeddem yn cael adroddiadau gan reolwr y prosiect bob pythefnos. Mae gennym 35 adroddiad gan y rheolwr prosiect proffesiynol. Drwy gydol y prosiect, bu modd iddo roi amcangyfrifon imi ac yr oedd yn gallu olrhain y gwariant o'r diwrnod cyntaf. Gwyddem yn union faint yr oeddem yn ei wario.

[125] **Peter Law:** But you were the senior person monitoring all of it?

[125] **Peter Law:** Ond chi oedd yr uwch berson a oedd yn monitro'r cyfan?

Mr McDonald: I was making sure that I was keeping Gerry's predecessor—my head of division—informed of the expenditure that was being undertaken.

Mr McDonald: Yr oeddwn yn gwneud yn siwr fy mod i'n rhoi gwybod i ragflaenydd Gerry—pennaeth fy is-adran—am yr holl wariant a wnaethpwyd.

[126] **Peter Law:** But you had the responsibility, not the head of division? You were keeping him informed as a matter of courtesy, which—

[126] **Peter Law:** Ond chi oedd yn gyfrifol, nid pennaeth yr is-adran? Yr oeddech yn trosglwyddo gwybodaeth iddo fel mater o gwrteisi, a oedd—

Mr McDonald: No, I was doing it as a matter of accountability. I must account to my head of division for what I do.

Mr McDonald: Nage, yr oeddwn yn gwneud hyn fel mater o atebolrwydd. Rhaid imi fod yn atebol i bennaeth fy is-adran am fy ngwaith.

[127] **Peter Law:** Yes, but that person was not monitoring it. You were monitoring it.

[127] **Peter Law:** Oes, ond nid oedd y person hwnnw'n ei fonitro. Chi oedd yn ei fonitro.

Mr McDonald: I was monitoring it and he was checking the information that I was providing.

Mr McDonald: Yr oeddwn i yn ei fonitro ac yr oedd ef yn gwirio'r wybodaeth yr oeddwn i'n ei darparu.

[128] **Peter Law:** I will now ask about the procurement, generally, and about the information technology. I understand that four of the six contracts that were put out were not awarded to the lowest bidder. I listened to what you said earlier on, Eric. You said that you spoke to the contractors to confirm this and that they told you that it was the best price. Do you always listen to these contractors in that way? Do you always believe what they tell you?

[128] **Peter Law:** Gofynnaf yn awr am y caffael, yn gyffredinol, ac am y dechnoleg gwybodaeth. Deallaf fod pedair o'r chwe chontract a ddyfarnwyd heb eu rhoi i'r bidiwr isaf. Gwrandewais ar yr hyn a ddywedasoch yn gynharach, Eric. Dywedasoch eich bod wedi siarad â'r contractwyr i gadarnhau hyn a'u bod wedi dweud wrthych mai dyna'r pris gorau. A fyddwch bob amser yn gwrando ar y contractwyr hyn fel hynny? A fyddwch bob amser yn credu yr hyn a ddywedant wrthych?

Mr McDonald: On the furniture contract—I cannot speak about the IT contract, as that was not part of my responsibility—

Mr McDonald: Ar y contract dodrefn—ni allaf sôn am y contract TG, gan nad oedd hynny'n rhan o'm cyfrifoldeb—

[129] **Peter Law:** The furniture will do to start with.

[129] **Peter Law:** Gwnaiff y dodrefn y tro i ddechrau.

Mr McDonald: Certainly, as regards the furniture contract, we had only just awarded it. Therefore, we knew that we had been in a competitive situation and that the price of the furniture contract was already very competitive. We knew from the figures that we had from other contractors that that was the case. We sought as to whether they were likely to be responsive to a further reduction for work that we were seeking. I accept that that is not recorded, Chair.

Mr McDonald: Yn sicr, gyda golwg ar y contract dodrefn, dim ond newydd ei ddyfarnu yr oeddem. Gwyddem felly ein bod wedi bod mewn sefyllfa gystadleuol a bod pris y contract dodrefn eisoes yn gystadleuol iawn. Gwyddem o'r ffigurau a gawsom gan gontractwyr eraill mai dyna'r sefyllfa. Ceisiwyd gweld a fyddent yn debygol o ymateb i ostyngiad pellach ar gyfer y gwaith yr oeddem yn ei geisio. Yr wyf yn derbyn nad yw hynny wedi'i gofnodi, Gadeirydd.

[130] **Peter Law:** This figure was doubled from £1.5 million to £3.5 million. That is an awful lot of furniture. If you take the best value—and, coincidentally, a document on best value in local government has turned up on my computer—would you accept that a considerable number of people, not to mention furniture suppliers, outside this building, would feel that a matter of public expenditure like this should at least be put out to competitive tender?

[130] **Peter Law:** Dyblwyd y ffigur hwn o £1.5 miliwn i £3.5 miliwn. Mae hynny'n lot fawr o ddodrefn. Os cymerwch chi'r gwerth gorau—a, chyda llaw, mae dogfen ar werth gorau ym maes llywodraeth leol wedi ymddangos ar fy nghyfrifiadur—a fyddech yn derbyn bod nifer sylweddol o bobl, heb sôn am gyflenwyr dodrefn, y tu allan i'r adeilad hwn, yn teimlo y dylai mater o wariant cyhoeddus fel hyn o leiaf gael ei roi allan i dendr cystadleuol?

Mr McDonald: It had already been out to competitive tender. The only difference was that there was an increase in the value of a call-off contract.

Mr McDonald: Yr oedd eisoes wedi'i osod ar dendr cystadleuol. Yr unig wahaniaeth oedd bod gwerth y contract terfynu wedi cynyddu.

[131] **Peter Law:** It more than doubled.

[131] **Peter Law:** Yr oedd wedi mwy na dyblu.

Mr McDonald: There is no guarantee in any call-off contract as to what the value will be. Therefore, there is always a certain element of risk in the tenders that are provided as to whether, in fact, we will purchase the figure that is indicated might be the value of the tender. There is always some risk anyway.

Mr McDonald: Nid oes dim gwarant mewn unrhyw gontract terfynu ynghylch beth fydd ei werth. Felly, mae bob amser rhyw elfen o risg yn y tendrau a roddir ynghylch a fyddwn, mewn gwirionedd, yn prynu'r ffigur yr awgrymir y gall gwerth y tendr fod. Mae rhywfaint o risg bob amser beth bynnag.

[132] **Janet Davies:** Can you clarify that by a call-off contract, you mean that you were not certain as to how much you were actually going to require?

[132] **Janet Davies:** A allwch egluro eich bod yn golygu wrth gontract terfynu nad oeddech chi'n sicr faint yr oeddech chi wir yn mynd i fod â'i angen?

Mr McDonald: A call-off contract establishes a price and a discount rate, item by item, for the furniture that we get.

Mr McDonald: Mae contract terfynu yn sefydlu pris a chyfradd ddisgownt, fesul eitem, ar gyfer y dodrefn a gawn.

[133] **Peter Law:** If I can carry on—

[133] **Peter Law:** Os caf fwrw ymlaen —

[134] **Janet Davies:** Yes. I just wanted to clarify that.

[134] **Janet Davies:** Cewch. Yr oeddwn am gael eglurhad ar hynny, dyna i gyd.

[135] **Peter Law:** Of course, Chair. I have mentioned the furniture. Quite frankly, the figure of £3.5 million is in another world compared to the original figure of £1.5 million. It is a terrific increase. I think that most people outside would say that that should have been subject to a further tendering procedure. To turn to the information technology, as I understand it, its cost increased from £215,000 to £550,000. As far as these contracts were concerned, there appears to have been a sort of 'make it up as you go along' culture. What kind of example does this give to people outside in terms of the best value traditions of procurement and the best examples of probity, Mr Shortridge? All of these things are being watched very carefully by people outside, and we are the National Assembly for Wales. I can imagine that if this had happened in local government, quite a number of Members in this Assembly might be saying that there should be an inquiry. The District Auditor would be working overtime. What kind of example do you think that this gives outside, as far as procurement in the public sector is concerned?

[135] **Peter Law:** Wrth gwrs, Gadeirydd. Yr wyf wedi sôn am y dodrefn. A bod yn gwbl agored, mae'r ffigur o £3.5 miliwn mewn byd cwbl wahanol i'r ffigur gwreiddiol o £1.5 miliwn. Mae'r cynnydd yn aruthrol. Credaf y byddai'r rhan fwyaf o bobl y tu allan yn dweud y dylasai fod yn destun trefn dendro arall. I droi at y dechnoleg gwybodaeth, fel y'i deallaf, cynyddodd ei chost o £215,000 i £550,000. Cyn belled â bo'r contractau hyn yn y cwestiwn, ymddengys bod rhyw fath o ddiwylliant 'creu wrth fynd'. Pa fath o esiampl y mae hyn yn ei rhoi i bobl y tu allan o ran traddodiadau caffael ar sail gwerth gorau a'r enghreifftiau gorau o uniondeb, Mr Shortridge? Mae pobl ar y tu allan yn gwylio'r pethau hyn i gyd yn ofalus iawn, a ni yw Cynulliad Cenedlaethol Cymru. Gallaf ddychmygu pe bai hyn wedi digwydd ym myd llywodraeth leol, byddai nifer sylweddol o Aelodau yn y Cynulliad hwn yn dweud y dylid cynnal ymchwiliad. Byddai'r Archwilydd Dosbarth yn gweithio goramser. Pa fath o esiampl yr ydych yn meddwl y mae hyn yn ei rhoi oddi allan cyn belled ag y bo caffael yn y sector cyhoeddus yn y cwestiwn?

Mr Shortridge: In relation to the information technology contract, I have acknowledged that it is a serious criticism and I accept that.

Mr Shortridge: O ran y contract technoleg gwybodaeth, yr wyf wedi cydnabod ei bod yn feirniadaeth ddifrifol ac yr wyf yn derbyn hynny.

[136] **Peter Law:** And on the furniture?

[136] **Peter Law:** Ac ynghylch y dodrefn?

Mr Shortridge: The furniture, which we have discussed, was more of a judgment call. If we had not had the time pressure, clearly it should have gone out to tender. What we were doing was taking a view, managing the risk—given the overwhelming priority that we had—to ensure that when the Members arrived, they had properly fitted and furnished accommodation.

Mr Shortridge: Yr oedd y dodrefn, yr ydym wedi'i drafod, yn fwy o fater o farn. Pe na bai'r pwysau amser arnom, mae'n amlwg y dylai fod wedi mynd allan i dendr. Yr hyn a wnaethom oedd llunio barn, rheoli'r risg—ac ystyried y flaenoriaeth lethol a'n hwynebai—sef sicrhau pan fyddai'r Aelodau'n cyrraedd bod ganddynt adeilad a oedd wedi'i osod a'i ddodrefnu'n iawn.

[137] **Peter Law:** So it was acceptable to break all the rules to ensure that the building was open in May 1999?

[137] **Peter Law:** Felly yr oedd torri'r rheolau i gyd yn dderbyniol er mwyn sicrhau bod yr adeilad ar agor ym mis Mai 1999?

Mr Shortridge: We were not breaking all the rules. As Eric said, we had a call-off contract, which had only recently been competitively secured. To that extent, we had some assurance about the situation, but I accept that if we had had more time, or were prepared to take more risks, it would have been better to re-tender that contract.

Mr Shortridge: Nid oeddem yn torri'r rheolau i gyd. Fel y dywedodd Eric, yr oedd gennym gontract terfynu nad oedd ond newydd ei ennill drwy dendr cystadleuol. I'r graddau hynny, yr oedd gennym rywfaint o sicrwydd ynghylch y sefyllfa, ond yr wyf yn derbyn, petasai gennym fwy o amser, neu petasem yn barod i fentro mwy, y buasai wedi bod yn well aildendro'r contract hwnnw.

[138] **Peter Law:** That call-off contract was increased by double the original amount. That is a very good deal for somebody.

[138] **Peter Law:** Yr oedd y contract terfynu hwnnw'n ddwbl gwerth y contract gwreiddiol. Cafodd rhywun fargen dda iawn.

[139] **Jocelyn Davies:** How recently was recent?

[139] **Jocelyn Davies:** Pa mor ddiweddar oedd diweddar?

Mr Shortridge: It was something like October 1997.

Mr Shortridge: Oddeutu mis Hydref 1997.

Mr McDonald: It was August 1997 and we were working on this in April 1998, so it was less than 12 months that it had been let. It was a three-year call-off contract.

Mr McDonald: Awst 1997 oedd hi ac yr oeddem yn gweithio ar hyn yn Ebrill 1998, felly yr oedd y contract wedi'i osod lai na 12 mis ynghynt. Yr oedd yn gontract terfynu am dair blynedd.

[140] **Jocelyn Davies:** And it was for refurbishment at the then Welsh Office?

[140] **Jocelyn Davies:** Ac ar gyfer gwaith ailddodrefnu'r Swyddfa Gymreig ar y pryd yr oedd hwnnw?

Mr McDonald: It was for the provision of furniture and fittings for the whole of the Welsh Office's estate on a call-off basis.

Mr McDonald: Yr oedd ar gyfer darparu dodrefn a ffitiadau ar gyfer holl ystâd y Swyddfa Gymreig ar sail terfynu.

[141] **Peter Law:** Do you think it sends a good message to the public sector that out of six contracts, four of them were not awarded to the lowest bidder?

[141] **Peter Law:** A ydych chi'n meddwl ei fod yn cyfleu neges dda i'r sector cyhoeddus fod pedair o blith chwe chontract heb eu dyfarnu i'r cynigiwr isaf?

Mr Shortridge: I think that that has to be put in context. If you look at procurement appraisals, you do not just award the contract on cost. Some of the tenderers were not complying with the specification. We have very thorough procedures for assessing what is the best value for money from the tenders that we receive. I do not think that there was anything in this report that comments adversely on the actual value for money approach that we took to the individual contracts.

Mr Shortridge: Credaf fod rhaid rhoi hynny yn ei gyd-destun. Os edrychwch chi ar werthusiadau caffael, nid dim ond ar sail cost y dyfernir y contract. Nid oedd rhai o'r tendrwyr yn cydymffurfio â'r fanyleb. Mae gennym weithdrefnau trwyadl iawn ar gyfer asesu beth yw'r gwerth gorau am arian o blith y tendrau a dderbyniwn. Ni chredaf fod unrhyw sylw negyddol yn yr adroddiad hwn ar y safbwynt gwir werth am arian a gymerasom wrth ymdrin â'r contractau unigol.

[142] **Peter Law:** So you do accept that if you had tested the market further, which you could not do, you say, because of time constraints, you might have got a better deal?

[142] **Peter Law:** Felly a ydych yn derbyn pe baech wedi profi'r farchnad ymhellach, na allech wneud, meddech chi, oherwydd cyfyngiadau amser, y gallech chi fod wedi cael gwell bargen?

Mr Shortridge: On the furniture, I do accept that, yes.

Mr Shortridge: O ran y dodrefn, ydwyf, yr wyf yn derbyn hynny.

[143] **Janet Davies:** I think that the Committee is rightly concerned about this. Not only about the actual issue of getting the prices down, but as a Committee we have made strong recommendations to other public bodies over the past year regarding the way in which they procure their goods and services. If we are going to do that, as an Assembly, we have to be seen to be leading the way in good practice. I will turn back a bit and ask a couple of questions about the Pierhead building, which I left out earlier, because I knew that Dafydd Wigley was constrained in getting back to Caernarfon. It apparently took him 11 hours to get here.

[143] **Janet Davies:** Credaf fod y Pwyllgor hwn yn iawn i boeni am hyn. Nid dim ond ynghylch y mater penodol o ostwng y prisiau, ond fel Pwyllgor yr ydym wedi gwneud argymhellion cryf i gyrff cyhoeddus eraill yn ystod y flwyddyn ddiwethaf ynghylch y ffordd y maent yn caffael eu nwyddau a'u gwasanaethau. Os ydym am wneud hynny, fel Cynulliad, rhaid inni gael ein gweld yn cynnig arweiniad o ran arfer da. Trof yn ôl ychydig a gofyn ychydig o gwestiynau am adeilad Pierhead, a hepgorais ynghynt, oherwydd fy mod yn gwybod bod gan Dafydd Wigley broblem o ran cyrraedd yn ôl i Gaernarfon. Cymerodd 11 awr iddo gyrraedd yma, mae'n debyg.

[144] **Alison Halford:** On a train?

[144] **Alison Halford:** Ar drên?

[145] **Janet Davies:** No, but he had many problems. On the Pierhead building, Mr Shortridge, how was the acquisition of the building justified when subsequent decisions demonstrated that the Cabinet could be more conveniently accommodated in this building and there is already provision for an education and information area in the proposed new building?

[145] **Janet Davies:** Nage, ond fe gafodd lawer o broblemau. Gyda golwg ar adeilad Pierhead, Mr Shortridge, sut oedd modd cyfiawnhau caffael yr adeilad pan ddangosodd penderfyniadau wedi hynny y byddai'n fwy cyfleus lleoli'r Cabinet yn yr adeilad hwn a bod darpariaeth eisoes ar gyfer ardal addysg a gwybodaeth yn yr adeilad newydd arfaethedig?

Mr Shortridge: This was a decision taken by Ministers at the time.

Mr Shortridge: Penderfyniad a wnaethpwyd gan Weinidogion ar y pryd oedd hwn.

[146] **Janet Davies:** Could you give any information on whether it is thought that education and information activities will occupy the whole building?

[146] **Janet Davies:** A allech chi ddweud wrthym ai'r bwriad yw i weithgareddau addysg a gwybodaeth ddefnyddio'r adeilad i gyd?

Mr Shortridge: At the time that the decision was taken, as the report indicates, the view was that it would accommodate the Cabinet. I think that it was only when the decision was taken subsequently that the Cabinet should stay in Crickhowell House that particular consideration was given to using the building for education and information.

Mr Shortridge: Pan wnaethpwyd y penderfyniad, fel y dengys yr adroddiad, y farn oedd y byddai'n darparu lle ar gyfer y Cabinet. Credaf mai dim ond pan wnaethpwyd y penderfyniad wedi hynny y dylai'r Cabinet aros yn Nhy Crycywel y rhoddwyd ystyriaeth benodol i ddefnyddio'r adeilad ar gyfer addysg a gwybodaeth.

[147] **Janet Davies:** I have wondered whether it might be possible to make some money out of the building, while, of course, continuing to safeguard its architectural value. It seems to me that the information and education activities will not perhaps occupy the whole building.

[147] **Janet Davies:** Yr wyf wedi bod yn meddwl tybed a fyddai'n bosibl gwneud rhywfaint o arian o'r adeilad, tra, wrth gwrs, yn parhau i warchod ei werth pensaernïol. Ymddengys i mi na fydd y gweithgareddau gwybodaeth ac addysg efallai yn defnyddio'r adeilad i gyd.

Mr Shortridge: It is the case that we will want to take a close look at the use that is made of the Pierhead building, particularly in the light of the comments in this report.

Mr Shortridge: Mae'n wir y byddwn am edrych yn ofalus ar y defnydd a wneir o adeilad Pierhead, yn enwedig yng ngoleuni'r sylwadau yn yr adroddiad hwn.

[148] **Janet Davies:** The Auditor General for Wales pointed out potential savings of about £350,000 if the Assembly bought, rather than continued to rent, the building. Has the Assembly determined whether it has a long-term requirement for the Pierhead building and, if so, do you intend to optimise the potential savings through an early purchase of this building?

[148] **Janet Davies:** Tynnodd Archwilydd Cyffredinol Cymru sylw at arbedion posibl o oddeutu £350,000 pe bai'r Cynulliad yn prynu, yn hytrach nag yn parhau i rentu'r adeilad. A yw'r Cynulliad wedi penderfynu a oes ganddo ddefnydd i adeilad Pierhead yn y tymor hir ac, os oes, a ydych yn bwriadu manteisio i'r eithaf ar yr arbedion posibl drwy brynu'r adeilad hwn yn fuan?

Mr Shortridge: The question of purchase is clearly something that we must take a particularly close look at in the light of this report. The deal that we struck on the Pierhead building was one to maximise the flexibility of the Assembly in terms of whether it wanted to lease it or buy it or, indeed, whether it wanted to retain it. So, again, this was an element of risk management. That arrangement fixes an acquisition price for the Pierhead, most recently between the period of June this year

Mr Shortridge: Mae mater prynu'r adeilad yn amlwg yn rhywbeth y mae'n rhaid inni edrych yn ofalus iawn arno yng ngoleuni'r adroddiad hwn. Bwriad y fargen a darwyd ar adeilad Pierhead oedd sicrhau cymaint o hyblygrwydd ag y bo modd i'r Cynulliad o ran a oedd am ei brydlesu ynteu ei brynu ynteu, yn wir, a oedd am ei gadw. Felly, unwaith eto, yr oedd elfen o reoli risg ynghlwm wrth hyn. Mae'r trefniant hwnnw'n gosod pris ar gyfer caffael adeilad Pierhead, a hynny yn fwyaf diweddar ar gyfer

to, I think, December next year. We have that period to take a view as to whether we acquire the building for that particular fixed price, before it rises again.

y cyfnod rhwng Mehefin eleni tan, credaf, Ragfyr y flwyddyn nesaf. Mae'r cyfnod hwnnw gennym i lunio barn ynghylch a ddylem gaffael yr adeilad am y pris penodol arbennig hwnnw, cyn iddo godi eto.

[149] **Janet Davies:** Do you think that refurbishment can be justified if the Assembly does not buy the building?

[149] **Janet Davies:** A ydych yn meddwl y gellir cyfiawnhau'r adnewyddu oni fydd y Cynulliad yn prynu'r adeilad?

Mr Shortridge: I think that the relevant Assembly Members will have to consider that question very carefully, and we will have to put advice to them on that.

Mr Shortridge: Credaf y bydd yn rhaid i'r Aelodau Cynulliad perthnasol ystyried y cwestiwn hwnnw'n ofalus iawn, a bydd yn rhaid inni roi cyngor iddynt ynghylch hynny.

[150] **Janet Davies:** Is there a timescale for this consideration?

[150] **Janet Davies:** A oes amserlen ar gyfer ystyried hyn?

Mr Shortridge: The responsibility for the Pierhead building rests with the Office of the Presiding Officer. I tend not to involve myself personally in that office's business, unless I am drawn into it or unless I feel that I have an overriding concern as the Assembly's Accounting Officer. I think that, in the short term, it will be a matter for the Clerk to consider.

Mr Shortridge: Swyddfa'r Llywydd sydd yn gyfrifol am adeilad Pierhead. Yr wyf yn tueddu i beidio ag ymwneud yn bersonol â busnes y swyddfa honno, oni bai fy mod yn cael fy nhynnu i mewn iddo neu oni bai fy mod yn teimlo bod gennyf gonsýrn gorlywodraethol fel Swyddog Cyfrifo'r Cynulliad. Credaf, yn y tymor byr, mai mater i'r Clerc fydd ystyried hyn.

[151] **Alison Halford:** I only studied this report cursorily last night, but I thought that it was only until 2006 that we had a right to purchase the building and that after that we would then lose that right.

[151] **Alison Halford:** Dim ond yn fras yr astudiais yr adroddiad hwn neithiwr, ond yr oeddwn yn meddwl mai dim ond tan 2006 yr oedd gennym yr hawl i brynu'r adeilad ac y byddem yn colli'r hawl hwnnw wedi hynny.

Mr Shortridge: Yes, sorry. I hope that I was not misleading the Committee. What I am saying is—

Mr Shortridge: Ie, mae'n ddrwg gennyf. Gobeithiaf nad oeddwn yn camarwain y Pwyllgor. Yr hyn yr wyf yn ei ddweud yw—

[152] **Alison Halford:** You were asked whether there was a time constraint.

[152] **Alison Halford:** Gofynnwyd ichi a oedd cyfyngiad amser.

Mr Shortridge: I thought that it was more in terms of whether there is an immediate time constraint that we are about to hit.

Mr Shortridge: Yr oeddwn yn meddwl mai gofyn a oes cyfyngiad amser yn y dyfodol agos sydd ar fin ein taro.

[153] **Alison Halford:** But you only have until 2006 to decide whether the building can be purchased or not?

[153] **Alison Halford:** Ond dim ond tan 2006 sydd gennych i benderfynu a ellir prynu'r adeilad ai peidio?

Mr Shortridge: Yes, but in terms of the price on offer at the moment, we have until, I think, December 2001 to decide.

Mr Shortridge: Ie, ond o ran y pris sydd ar gynnig ar hyn o bryd, mae gennym tan fis Rhagfyr 2001 i benderfynu, yr wyf yn meddwl.

Mr McDonald: Yes, 2001. That expires in total on 31 August 2003, Chair.

Mr McDonald: Oes, 2001. Mae hynny'n dod i ben yn llwyr ar 31 Awst 2003, Gadeirydd.

[154] **Alison Halford:** I got it wrong again. Thank you.

[154] **Alison Halford:** Yr oeddwn yn anghywir eto. Diolch.

[155] **Janet Davies:** To clarify what I was asking, I was concerned that we were continuing to rent, and possibly spending money on refurbishment, without having made the decision on how long we were going to stay with the building. So it was a rather shorter timescale than 2006.

[155] **Janet Davies:** I egluro'r hyn yr oeddwn yn ei ofyn, yr oeddwn yn poeni ein bod yn parhau i rentu, ac efallai'n gwario arian ar adnewyddu, heb inni wneud y penderfyniad ynghylch pa mor hir yr oeddem am aros yn yr adeilad. Felly, yr oedd yr amserlen dipyn byrrach na 2006.

Mr Shortridge: I acknowledge that this matter is something to be looked at urgently.

Mr Shortridge: Yr wyf yn cydnabod bod y mater hwn yn rhywbeth y dylid ei ystyried ar frys.

[156] **Janet Davies:** Thank you. I will move to questions on the adaptation works at Crickhowell House and the Pierhead building. I would like to open this section and then we will break for coffee. Peter Law will continue with questions after the break.

[156] **Janet Davies:** Diolch. Symudaf ymlaen at gwestiynau ar y gwaith addasu ar Dy Crycywel ac adeilad Pierhead. Hoffwn agor yr adran hon ac yna cawn doriad am goffi. Bydd Peter Law yn parhau gyda'r cwestiynau ar ôl y toriad.

It has already been shown clearly that it took longer than expected to decide on the site for the new Assembly, leaving only 12 months for the Welsh Office to adapt Crickhowell House. That placed the project team under a great deal of pressure. However, you successfully met the deadline. What, in your opinion, were the key factors in achieving that deadline?

Dangoswyd yn glir eisoes ei bod wedi cymryd mwy o amser na'r disgwyl i benderfynu ar safle'r Cynulliad newydd, gan adael dim ond 12 mis i'r Swyddfa Gymreig addasu Ty Crycywel. Golygai hynny fod tîm y prosiect dan lawer iawn o bwysau. Fodd bynnag, llwyddasoch i gwblhau'r gwaith mewn pryd. Beth, yn eich barn chi, oedd y ffactorau allweddol o ran cyflawni hynny?

Mr Shortridge: I think that the key factors were recognising the flaws that I have indicated and the project management arrangements that we put in place. There was also an incredibly strong drive to ensure that we completed the project to time, to what we regarded as an acceptable standard.

Mr Shortridge: Credaf mai'r ffactorau allweddol oedd cydnabod y gwendidau a nodais a'r trefniadau rheoli prosiect a sefydlwyd gennym. Hefyd, yr oedd awydd cryf iawn i sicrhau ein bod yn cwblhau'r prosiect mewn pryd, yn unol â'r hyn yr oeddem yn ei hystyried yn safon dderbyniol.

[157] **Janet Davies:** However, I notice from the report that broadcasting and accommodation task groups did not meet to monitor progress and cost at a high level after the works had begun. Was this due to insufficient resources allocated to the monitoring project, and if so, most importantly, can you confirm that the new building project team is adequately resourced?

[157] **Janet Davies:** Fodd bynnag, sylwaf o'r adroddiad na chyfarfu'r tasgluoedd darlledu ac adeiladau i fonitro'r cynnydd a'r gost ar lefel uchel ar ôl i'r gwaith ddechrau. Ai oherwydd nad oedd digon o adnoddau wedi'u dyrannu i'r prosiect monitro oedd hyn, ac os felly, yn bwysicaf oll, a allwch chi gadarnhau bod gan dîm prosiect yr adeilad newydd adnoddau digonol?

Mr Shortridge: I acknowledge that the project management arrangements were not as efficient and as effective as they could have been and as I would have liked them to have been. In terms of the new building, the report endorses the arrangements that we have put in place. We have learnt the lessons from the constrained period that we had to establish Crickhowell House. I am satisfied that we are adopting best practice in terms of the arrangements for the new building.

Mr Shortridge: Yr wyf yn cydnabod nad oedd y trefniadau rheoli prosiect mor effeithlon ac effeithiol ag y gallasent fod nac ychwaith fel yr hoffaswn iddynt fod. O ran yr adeilad newydd, mae'r adroddiad yn cymeradwyo'r trefniadau a sefydlwyd gennym. Yr ydym wedi dysgu'r gwersi o'r cyfnod prin a oedd gennym i sefydlu Ty Crycywel. Yr wyf yn fodlon ein bod yn mabwysiadu'r ymarfer gorau o ran y trefniadau ar gyfer yr adeilad newydd.

[158] **Janet Davies:** Could you give any indication of the resources in terms of staffing that are going into this?

[158] **Janet Davies:** A allech chi roi unrhyw awgrym o'r adnoddau staffio a neilltuwyd ar gyfer y prosiect hwn?

Mr Shortridge: I think that as Gerry is very closely involved with the new building, I will ask him to answer that.

Mr Shortridge: Credaf gan fod Gerry yn ymwneud cryn dipyn â'r adeilad newydd, y gofynnaf iddo ef ateb hynny.

Mr Thomas: The administrative project team now comprises eight people, under Eric, who report to me. In the terminology of the project, Eric is the project sponsor, I am the project owner, and I am closely involved in it as well, with the team reporting to me. The eight administrative members of the team are supported by two professionals from Property Advisors to the Civil Estate: an estate surveyor and a quantity surveyor. We have taken on board a professional private sector property manager, our project manager under a contract, to manage the professional element in the delivery of the project: the architect, the management contractor and so on. So we work closely together as a team and we are supplemented by advice from the legal side of the office and also we are closely in touch with the procurement unit on all the contractual matters involved. That is basically the team. The team for the new building is substantially bigger than the team for the previous project, even though in some senses it is a more high profile project. However, it is less complex.

Mr Thomas: Mae tîm gweinyddu'r prosiect bellach yn cynnwys wyth o bobl, dan Eric, sydd yn adrodd i mi. Yn nherminoleg y prosiect, Eric yw noddwr y prosiect, fi yw perchennog y prosiect, ac mae gennyf ran allweddol ynddo hefyd, gyda'r tîm yn adrodd i mi. Mae wyth aelod gweinyddol y tîm yn cael cefnogaeth gan ddau berson proffesiynol sydd yn Ymgynghorwyr Eiddo i'r Ystâd Sifil: syrfëwr ystadau a maintfesurwr. Yr ydym wedi sicrhau gwasanaeth rheolwr eiddo proffesiynol o'r sector preifat, ein rheolwr prosiect dan gontract, i reoli elfen broffesiynol cyflwyno'r prosiect: y pensaer, y contractwr rheoli ac yn y blaen. Felly, yr ydym yn gweithio'n agos gyda'n gilydd fel tîm gan dderbyn cyngor ategol gan ochr gyfreithiol y swyddfa ac yr ydym hefyd mewn cysylltiad agos gyda'r uned caffael ynghylch yr holl faterion contractaidd perthnasol. Yn ei hanfod, dyna'r tîm. Mae'r tîm ar gyfer yr adeilad newydd yn sylweddol fwy na'r tîm ar gyfer y prosiect blaenorol, er, mewn ambell ystyr, ei fod yn brosiect uwch ei phroffil. Fodd bynnag, mae'n llai cymhleth.

[159] **Janet Davies:** You are meeting already, are you? How often do you meet?

[159] **Janet Davies:** Yr ydych chi'n cyfarfod eisoes, ydych chi? Pa mor aml y byddwch chi'n cyfarfod?

Mr Thomas: The team itself reports to a project management structure that has two facets. The first is a senior level project management board that is chaired by the director of the Personnel, Management and Business Services Group. It comprises the Principal Finance Officer and Mr George Craig, one of our other senior officers, plus relevant professionals. That meets monthly to ensure that we are on track in terms of budget and timetable. That in turn reports to the policy steering group chaired by the Minister for Finance, Local Government and Communities, and also consists of Mr Michael German, representatives of Plaid Cymru, The Presiding Officer and the Permanent Secretary. That looks after taking the decisions on important things such as design and ensuring that the building meets the needs of the Assembly in terms of its fitness for use. No additional cost can be incurred without the approval of that group.

Mr Thomas: Mae'r tîm ei hun yn adrodd i strwythur rheoli prosiect sydd â dwy haen iddo. Y cyntaf yw bwrdd rheoli prosiect ar lefel uwch dan gadeiryddiaeth cyfarwyddwr y Grwp Gwasanaethau Personél, Rheoli a Busnes. Mae'n cynnwys y Prif Swyddog Cyllid a Mr George Craig, un o'n huwch swyddogion eraill, yn ogystal â phobl broffesiynol berthnasol eraill. Mae'n cyfarfod bob mis i sicrhau ein bod ar y trywydd iawn o ran y gyllideb a'r amserlen. Yn ei dro, bydd yn adrodd i'r grwp llywio polisi dan gadeiryddiaeth y Gweinidog dros Gyllid, Llywodraeth Leol a Chymunedau, ac mae hefyd yn cynnwys Mr Michael German, cynrychiolwyr o Blaid Cymru, Y Llywydd a'r Ysgrifennydd Parhaol. Mae'n edrych ar ôl y penderfyniadau ar faterion pwysig megis y dylunio a sicrhau bod yr adeilad yn cyflawni anghenion y Cynulliad o ran ei fod yn addas at y diben. Ni cheir ychwanegu unrhyw gostau heb gymeradwyaeth y grwp hwnnw.

[160] **Janet Davies:** We will break for coffee for 15 minutes.

[160] **Janet Davies:** Cymerwn egwyl goffi am 15 munud.

[*Cynhaliwyd egwyl goffi rhwng 3.20 a 3.35 p.m.*]

[*A coffee break was held between 3.20 and 3.35 p.m.*]

[161] **Janet Davies:** We shall continue with questions on the adaptation works at Crickhowell House and the Pierhead building. Peter, I believe that you wish to pursue a line of questioning.

[161] **Janet Davies:** Awn ymlaen gyda chwestiynau am y gwaith addasu ar Dy Crycywel ac adeilad Pierhead. Peter, credaf eich bod am fynd ar drywydd arbennig.

[162] **Peter Law:** I have a couple of questions, Chair. I was interested to read about the broadcasting group, which you mentioned earlier. In fairness, from what I have read, the early part of the process of negotiation went quite well. I was quite pleased to see that, in fact, you were able to achieve a 50 per cent contribution here, which I think has to be recognised in comparison to Scotland where there was about a 36 per cent contribution. However, it did appear later that some confusion arose and put the completion of the adaptation works in time for the opening of the Assembly at risk. I would be interested to know how this confusion arose. Did you make any financial concessions to the broadcasting companies in order to secure their agreement to a course of action that enabled you to meet the final deadline? That would be of interest to me.

[162] **Peter Law:** Mae gennyf ychydig o gwestiynau, Gadeirydd. Yr oedd gennyf ddiddordeb mewn darllen am y grwp darlledu, y soniasoch amdano'n gynharach. A bod yn deg, o'r hyn a ddarllenais i, aeth rhan gyntaf y broses negodi'n eithaf da. Yr oeddwn yn eithaf balch o weld eich bod, mewn gwirionedd, wedi gallu sicrhau cyfraniad 50 y cant yma, sydd, credaf, yn rhywbeth y mae rhaid inni ei gydnabod o'i gymharu â'r Alban lle cafwyd cyfraniad o oddeutu 36 y cant. Fodd bynnag, ymddengys bod rhywfaint o ddryswch wedi codi'n ddiweddarach gan beryglu cwblhau'r gwaith addasu mewn pryd ar gyfer agor y Cynulliad. Byddai gennyf ddiddordeb mewn clywed sut y cododd y dryswch hwn. A wnaethoch chi unrhyw gonsesiynau ariannol i'r cwmnïau darlledu er mwyn cael eu cytundeb i ffordd o weithredu a'ch galluogodd i gwrdd â'r dyddiad terfynol? Byddai hynny o ddiddordeb imi.

Mr Shortridge: I am confident that we did not make any financial concessions, but I will ask David Richards to respond to that.

Mr Shortridge: Yr wyf yn hyderus na wnaethom ddim consesiynau ariannol, ond gofynnaf i David Richards ymateb i hynny.

Mr Richards: I think that the reason that there was a delay at the end was because the initial negotiations were conducted at a pretty high level and agreement was reached on heads of terms. What we should have done then, straight away, was send in the lawyers and accountants who can sweep through the heads of terms and turn it into the small print of a detailed contract. That was not done straight away and it should have been. It took us some time to put the arrangements in place, but in the meantime the bills were being paid so we did not have financial losses.

Mr Richards: Credaf mai'r rheswm dros yr oedi tua'r diwedd oedd oherwydd bod y negodi cychwynnol wedi digwydd ar lefel eithaf uchel a bod cytundeb wedi'i sicrhau ar benawdau'r telerau. Yr hyn y dylid fod wedi'i wneud wedyn, yn syth, fyddai rhoi'r cyfan yn nwylo cyfreithwyr a'r cyfrifwyr er mwyn iddynt ysgubo drwy benawdau'r telerau a'u troi'n brint mân contract manwl. Ni wnaethpwyd hynny'n syth a dylai fod wedi ei wneud. Cymerodd beth amser inni sefydlu'r trefniadau, ond yn y cyfamser, yr oedd y biliau'n cael eu talu felly ni chawsom golledion ariannol.

[163] **Peter Law:** Good. On capital costs, paragraph 4.5 of the report states that the estimate for adaptation costs in the economic appraisals was only £500,000. The final expenditure is estimated at £5.7 million for Crickhowell House and the Pierhead building. Why was the estimate so inadequate? A lot of people outside find it very difficult to understand that sort of difference.

[163] **Peter Law:** Da iawn. Gyda golwg ar gostau cyfalaf, dywed paragraff 4.5 yr adroddiad nad oedd yr amcangyfrif ar gyfer y costau addasu yn y gwerthusiadau economaidd ond yn £500,000. Amcangyfrifir mai'r gwariant terfynol yw £5.7 miliwn ar gyfer Ty Crycywel ac adeilad Pierhead. Pam fod yr amcangyfrif mor annigonol? Mae llawer o bobl ar y tu allan yn ei chael yn anodd iawn deall y math hwnnw o wahaniaeth.

Mr Shortridge: The initial estimate of £500,000 was the one that was put into the economic appraisal, and, as the report makes clear, that was an assumption which was applied to all the options with the intrinsic assumption that this would be a genuinely temporary solution, and that you do not want to incur more expenditure than you need to on something which is going to be overtaken by events. Once the decision had been taken to use Crickhowell House, which was to be part of the permanent home of the Assembly, then clearly you are not producing some short-term quick fix. So I think that the fairer comparison, if you look at figure 13 on page 37, is between £3.8 million, which is estimate 2, and the actual expenditure of £5.72 million, bearing in mind that the figures are for Crickhowell House and the Pierhead building together.

Mr Shortridge: Yr amcangyfrif cychwynnol o £500,000 oedd yr un a roddwyd yn y gwerthusiad economaidd, ac, fel y mae'r adroddiad yn ei wneud yn glir, y dybiaeth honno a ddefnyddiwyd ar gyfer yr holl opsiynau ar sail y dybiaeth sylfaenol mai ateb dros dro yn wir fyddai hyn, ac nad oeddem am wario mwy nag oedd rhaid ar rywbeth sydd yn mynd i gael ei ddisodli ymhen amser. Unwaith y gwnaethpwyd y penderfyniad i ddefnyddio Ty Crycywel, a oedd i fod yn rhan o gartref parhaol y Cynulliad, yna mae'n amlwg nad cynhyrchu ateb cyflym dros dro yr ydych. Felly, credaf mai'r gymhariaeth decach, os edrychwch ar ffigur 13 ar dudalen 37, yw rhwng £3.8 miliwn, sef amcangyfrif 2, a'r gwir wariant o £5.72 miliwn, gan gofio bod y ffigurau ar gyfer Ty Crycywel ac adeilad Pierhead gyda'i gilydd.

[164] **Peter Law:** Do you think that we should have confidence in the lower figures, bearing in mind our experience up to now?

[164] **Peter Law:** A ydych chi'n meddwl y dylai fod gennym hyder yn y ffigurau is, ac ystyried ein profiad hyd yn hyn?

Mr Shortridge: Sorry, are you—

Mr Shortridge: Mae'n ddrwg gennyf, ydych chi—

[165] **Peter Law:** In any estimates of anything in this project, do you think that we should have any confidence in using the lower figures of two extremes, bearing in mind our experience up to now as far as this whole project has been concerned?

[165] **Peter Law:** Mewn unrhyw amcangyfrifon ar gyfer unrhyw beth yn y prosiect hwn, a ydych chi'n meddwl y dylai fod gennym unrhyw hyder mewn defnyddio ffigurau isaf dau eithaf, ac ystyried ein profiad hyd yn hyn cyn belled ag y mae'r prosiect hwn yn ei grynswth yn y cwestiwn?

Mr Shortridge: I do accept that throughout the project we have consistently underestimated the cost. I think that in relation to the new building we have much clearer circumstances. We have had exhaustive work on the design and the Assembly has had the opportunity to scrutinise and give its views on the proposals. We are in a very different situation with the new building than we were with the adaptation and development of Crickhowell House, which was taking place simultaneously with the development of the thinking about what the Assembly's requirements would be.

Mr Shortridge: Yr wyf yn derbyn drwy gydol y prosiect ein bod wedi tanamcangyfrif y gost yn gyson. Credaf, gyda golwg ar yr adeilad newydd, fod yr amgylchiadau'n llawer mwy clir. Gwnaethpwyd gwaith sylweddol ar y cynllun ac mae'r Cynulliad wedi cael cyfle i archwilio'r cynigion a mynegi ei farn arnynt. Yr ydym mewn sefyllfa wahanol iawn gyda'r adeilad newydd i'r hyn yr oeddem gydag addasu a datblygu Ty Crycywel, a oedd yn digwydd ar yr un pryd â datblygu'r syniadau ynghylch beth fyddai gofynion y Cynulliad.

[166] **Peter Law:** A major reason for the increase that we see in both capital and running costs has been the need for additional space, primarily to accommodate a large increase in the number of staff. I understand that about 500 or so staff work in the building compared with the original estimate of 250. I probably know the answer to this but I need to ask you it publicly. Why was the original estimate so unrealistically low?

[166] **Peter Law:** Un o'r prif resymau dros y cynnydd a ragwelwn yn y costau cyfalaf a chynnal fu'r angen am fwy o le, yn bennaf ar gyfer y cynnydd mawr yn nifer y staff. Deallaf fod oddeutu 500 o staff yn gweithio yn yr adeilad o'i gymharu â'r amcangyfrif gwreiddiol o 250. Mae'n debyg fy mod yn gwybod yr ateb i hyn ond rhaid imi ei ofyn ichi'n gyhoeddus. Pam fod yr amcangyfrif gwreiddiol mor afreal o isel?

Mr Shortridge: There are two parts to the answer to that. I am certain that the initial estimate, which I think was of 100 additional staff, was again prepared at the very early stages of the development of this concept, not the building. As we realised what a complex institution this was going to be, that figure increased substantially. In terms of the numbers of staff in Crickhowell House, there is a small proportion of those who are not directly servicing—if I can put it this way—the Member end, the Parliamentary end of the Assembly. Once the decision was taken to acquire the whole of Crickhowell House, obviously we wanted to ensure that the best use was made of the space that we had acquired.

Mr Shortridge: Mae dwy ran i'r ateb i'r cwestiwn hwnnw. Yr wyf yn sicr fod yr amcangyfrif gwreiddiol, sef yr wyf yn meddwl 100 o staff ychwanegol, unwaith eto wedi'i baratoi yn ystod camau cynnar iawn datblygu'r cysyniad hwn, nid yr adeilad. Wrth inni sylweddoli pa mor gymhleth fyddai'r sefydliad hwn, cynyddodd y ffigur hwnnw'n sylweddol. O ran nifer y staff yn Nhy Crycywel, mae cyfran fach o'r rheini nad ydynt yn gwasanaethu'n uniongyrchol—os caf ddweud y peth fel hyn—ochr yr Aelodau, ochr Seneddol y Cynulliad. Unwaith y penderfynwyd meddu Ty Crycywel yn ei gyfanrwydd, yr oedd yn amlwg ein bod am sicrhau bod y defnydd gorau'n cael ei wneud o'r lle yr oeddem wedi'i feddu.

[167] **Peter Law:** So, in effect, it was the decision to locate the Cabinet here that had a knock-on effect? Is that right? Did that have an effect?

[167] **Peter Law:** Felly, mewn gwirionedd, y penderfyniad i leoli'r Cabinet yma a gafodd sgîl-effeithiau? A yw hynny'n iawn? A gafodd hynny effaith?

Mr Shortridge: That would have been an element in it. Another consideration was that I think that there was a growing feeling that it was not appropriate for a democratic institution like the Assembly to share its accommodation with another organisation. I think that that was one of the drivers—only one of them—in terms of acquiring the whole of the building.

Mr Shortridge: Buasai hynny'n un elfen. Ystyriaeth arall, credaf, yw bod teimlad cynyddol nad oedd yn briodol i sefydliad democrataidd megis y Cynulliad rannu ei adeilad gyda sefydliad arall. Credaf mai dyna un o'r prif ysgogiadau—dim ond un ohonynt—o ran meddu'r adeilad cyfan.

[168] **Peter Law:** How many extra staff would the inclusion of the Cabinet here have meant, roughly?

[168] **Peter Law:** Faint o staff ychwanegol y byddai cynnwys y Cabinet yn y fan hon wedi'i olygu, yn fras?

Mr Shortridge: I have those figures. The Cabinet Secretariat and the supporting Press Office account for 70 staff.

Mr Shortridge: Mae'r ffigurau hynny gennyf. Mae Ysgrifenyddiaeth y Cabinet a Swyddfa'r Wasg sydd yn gefn iddi yn cynnwys 70 o staff.

[169] **Peter Law:** So that is 70. Coming to the original decision, it was decided to move the Cabinet here from the original suggestion of the Pierhead building. That decision was obviously a political decision made by the Secretary of State at the time.

[169] **Peter Law:** Felly mae hynny'n 70. A dod at y penderfyniad gwreiddiol, penderfynwyd symud y Cabinet yma o'r awgrym gwreiddiol o adeilad Pierhead. Mae'n amlwg mai penderfyniad gwleidyddol a wnaethpwyd gan yr Ysgrifennydd Gwladol ar y pryd oedd hwnnw.

Mr Shortridge: Yes.

Mr Shortridge: Ie.

[170] **Jocelyn Davies:** On advice from civil servants?

[170] **Jocelyn Davies:** Ar sail cyngor gweision sifil?

Mr Shortridge: We always provide advice, but I would like to make the point, Chair, that as civil servants, we have always operated on the convention that the advice that we provide to Ministers is not revealed. Ministers account for the decisions and they take those decisions on the basis of advice and any other considerations that they consider appropriate.

Mr Shortridge: Byddwn bob amser yn darparu cyngor, ond hoffwn wneud y pwynt, Gadeirydd, fel gweision sifil, ein bod bob amser wedi gweithredu ar sail yr arfer nad yw'r cyngor a rown i Weinidogion yn cael ei ddatgelu. Gweinidogion sydd yn atebol am y penderfyniadau ac maent yn gwneud y penderfyniadau hynny ar sail cyngor ac unrhyw ystyriaethau eraill sydd yn eu barn hwy'n briodol.

[171] **Jocelyn Davies:** But they do not account for those decisions because you are accounting for them today. Ministerial decisions have been made in the past. You are accounting for those today as a civil servant and those Ministers are not here to answer those questions and they will not answer them anywhere else.

[171] **Jocelyn Davies:** Ond nid ydynt yn atebol am y penderfyniadau hynny oherwydd yr ydych chi'n ateb drostynt heddiw. Mae penderfyniadau gweinidogol wedi'u gwneud yn y gorffennol. Yr ydych chi'n ateb dros y rheini heddiw fel gwas sifil ac nid yw'r Gweinidogion hynny yma i ateb y cwestiynau hynny ac ni fyddant yn eu hateb yn unman arall.

Mr Shortridge: I am accountable for the financial accountability of this project. Where things could have been done better or mistakes were made by officials, I, as Accounting Officer, account for those. I also have a responsibility if Ministers are minded to take a decision which I regard as irregular, improper or which seriously affects value for money. I have a responsibility to draw that to their attention as Accounting Officer. If they continue with that decision I should seek a direction from them and, were I ever to do that, I would inform the Chair of this Committee. That is the way the accountability process works.

Mr Shortridge: Yr wyf yn atebol dros atebolrwydd ariannol y prosiect hwn. Lle gallesid gwneud pethau'n well neu lle gwnaeth swyddogion gamgymeriadau, yr wyf fi, fel y Swyddog Cyfrifo'n atebol am y rheini. Mae gennyf gyfrifoldeb hefyd os yw Gweinidogion yn bwriadu gwneud penderfyniadau sydd yn fy marn i yn afreolaidd, yn amhriodol neu sydd yn effeithio'n ddifrifol ar werth am arian. Mae'n gyfrifoldeb arnaf i dynnu hynny i'w sylw fel Swyddog Cyfrifo. Os byddant yn parhau gyda'r penderfyniad hwnnw, dylwn geisio cyfarwyddyd ganddynt, a phetawn yn gwneud hynny, ar unrhyw adeg, byddwn yn rhoi gwybod i Gadeirydd y Pwyllgor hwn. Dyna sut mae'r broses atebolrwydd yn gweithio.

[172] **Janet Davies:** We must remember that this Committee does not investigate and has no power to look at political decisions, only at how those decisions are carried out.

[172] **Janet Davies:** Rhaid inni gofio nad yw'r Pwyllgor hwn yn archwilio, ac nad oes ganddo rym i edrych ar benderfyniadau gwleidyddol, dim ond ar sut y gweithredir y penderfyniadau hynny.

[173] **Jocelyn Davies:** I can see that Janet, but I feel that we are looking back at decisions that were made in a time when the political context was quite different. Since these decisions were made there have been three Secretaries of State and two First Ministers, the creation of devolution, the doing away with the old Welsh Office and the creation of the Welsh Government. I feel that we are questioning the wrong people about decisions that were made, whether they were made on the advice of civil servants or not. I do not think that those people can be questioned anywhere else about those decisions.

[173] **Jocelyn Davies:** Gallaf weld hynny Janet, ond teimlaf ein bod yn edrych yn ôl ar benderfyniadau a wnaethpwyd ar adeg pan oedd y cyd-destun gwleidyddol yn eithaf gwahanol. Ers gwneud y penderfyniadau hynny, bu tri Ysgrifennydd Gwladol a dau Brif Weinidog, crëwyd datganoli, cafwyd gwared â'r hen Swyddfa Gymreig a chrëwyd Llywodraeth Cymru. Teimlaf ein bod yn holi'r bobl anghywir am benderfyniadau a wnaethpwyd, boed y rheini'n benderfyniadau a wnaethpwyd yn unol â chyngor gweision sifil ai peidio. Ni chredaf y gellir holi'r bobl hynny yn unman arall am y penderfyniadau hynny.

[174] **Janet Davies:** I think that there is a problem here that we will have to discuss at the end of this hearing.

[174] **Janet Davies:** Credaf fod yma broblem y bydd rhaid inni ei thrafod ar ddiwedd y gwrandawiad hwn.

[175] **Jocelyn Davies:** Okay.

[175] **Jocelyn Davies:** Iawn.

[176] **Janet Davies:** The Accounting Officer and the other officers and civil servants are here to be asked questions in a specific way.

[176] **Janet Davies:** Mae'r Swyddog Cyfrifo a'r swyddogion a'r gweision sifil eraill yma inni ofyn cwestiynau iddynt mewn ffordd benodol.

[177] **Alun Cairns:** May I come in with a supplementary to the last question? I hope that it will be in order. I am sure that it will. Bearing in mind that it was a political decision to locate the Cabinet and support staff in Crickhowell House, would the costing implications have been given also to the Secretary of State at that time?

[177] **Alun Cairns:** A gaf ofyn cwestiwn ategol i'r cwestiwn diwethaf? Gobeithiaf y bydd mewn trefn. Yr wyf yn siwr y bydd. A chofio mai penderfyniad gwleidyddol oedd lleoli'r Cabinet a'r staff cefnogi yn Nhy Crycywel, a fyddai goblygiadau'r costau wedi cael eu rhoi i'r Ysgrifennydd Gwladol ar y pryd hefyd?

Mr Shortridge: Normally, if a decision of that significance is to be taken, the financial implications would be drawn to that Minister's attention.

Mr Shortridge: Fel arfer, os cymerir penderfyniad mor bwysig, tynnid sylw'r Gweinidog hwnnw at y goblygiadau ariannol.

[178] **Peter Law:** I want to carry on. I appreciate Jocelyn's point, Chair. Your ruling is absolutely right and I accept that, but I think that as new members of this Committee it is reasonable that we raised that question. Some of us find it strange that we are unable to get to the bottom of some of these things, bearing in mind that the people we represent—some 3 million of them—are looking for answers to some of the things that are before us today. It is incumbent on us to ask these questions for our own credibility as well as that of the National Assembly.

[178] **Peter Law:** Yr wyf am fwrw ymlaen. Yr wyf yn gwerthfawrogi pwynt Jocelyn, Gadeirydd. Mae eich dyfarniad yn gwbl gywir a derbyniaf hynny, ond credaf fel aelodau newydd o'r Pwyllgor hwn ei fod yn rhesymol inni godi'r cwestiwn hwnnw. Mae rhai ohonom yn ei chael yn rhyfedd na allwn fynd at wraidd rhai o'r pethau hyn, ac ystyried bod y bobl a gynrychiolwn—oddeutu 3 miliwn ohonynt—yn chwilio am atebion i rai o'r pethau sydd ger ein bron yma heddiw. Ein dyletswydd ni yw gofyn y cwestiynau hyn er lles ein hygrededd ein hunain yn ogystal â hygrededd y Cynulliad Cenedlaethol.

On the point that you mentioned earlier when we were talking about political decisions, did you ever feel at any time during this project that you had to draw to the attention of any Secretary of State your concern about a decision on accommodation?

Gyda golwg ar y pwynt a godasoch ynghynt wrth inni sôn am benderfyniadau gwleidyddol, a wnaethoch deimlo erioed ar unrhyw adeg yn ystod y prosiect hwn fod rhaid ichi dynnu sylw unrhyw Ysgrifennydd Gwladol at eich pryder ynghylch penderfyniad am adeiladau?

Mr Shortridge: Not personally, because I was not Accounting Officer at the time but, clearly, these were matters that were of a continuing concern to us as officials because there were risks associated with certain options, and our responsibility is to draw such risks to Ministers' attention. The nature of the policy advice that we gave to Ministers is not something that, according to my understanding, is within the remit of this Committee.

Mr Shortridge: Nid yn bersonol, oherwydd nid fi oedd y Swyddog Cyfrifo ar y pryd, ond mae'n amlwg fod y rhain yn faterion a oedd yn destun pryder parhaus inni fel swyddogion oherwydd bod risgiau ynghlwm wrth rai opsiynau, a'n cyfrifoldeb yw tynnu sylw Gweinidogion at risgiau o'r fath. Yn ôl yr hyn a ddeallaf, nid yw natur y cyngor polisi a roesom i Weinidogion yn rhywbeth sydd o fewn cylch gwaith y Pwyllgor hwn.

[179] **Peter Law:** So you cannot comment further on that because of that principle?

[179] **Peter Law:** Felly ni allwch ddweud rhagor am hynny oherwydd yr egwyddor honno?

Mr Shortridge: That is right. Just to say, Chair, I do not want to give the appearance of being unhelpful to the Committee.

Mr Shortridge: Mae hynny'n gywir. Ond hoffwn ddweud, Gadeirydd, nad wyf am ymddangos fel pe na bawn am gynorthwyo'r Pwyllgor.

[180] **Peter Law:** I do not feel that he is, in fairness to Jon Shortridge, who has acquitted himself ably and honestly this afternoon in a very difficult situation, to be fair. That is the way the system is and we have to do our best to work with what we have.

[180] **Peter Law:** Nid wyf yn teimlo ei fod, a bod yn deg â Jon Shortridge, sydd wedi ymddwyn yn feistrolgar ac yn onest y prynhawn hwn, mewn sefyllfa anodd iawn, a bod yn deg. Dyna sut y mae'r drefn yn gweithio a rhaid inni wneud ein gorau i weithio gyda'r hyn sydd gennym.

Do you envisage a time when additional space may be needed here in the foreseeable future? I add to that the question that when the new building is completed, will there be spare accommodation on the ground floor or is it likely all to be taken?

A ydych yn rhagweld adeg y gall fod angen rhagor o le yma yn y dyfodol rhagweladwy? Ychwanegaf at hynny y cwestiwn ynghylch pan fydd yr adeilad newydd wedi'i gwblhau, a fydd lle dros ben ar y llawr gwaelod ynteu a yw'r cyfan yn debygol o fod yn cael ei ddefnyddio?

Mr Shortridge: I will give a general answer and then invite Gerry, who is much closer to the new building arrangements, to speak. I personally am particularly concerned about the whole of the Assembly's estate. The arrival of the Assembly means that there have also been increases in policy staff. I certainly want to see how we can make best use of the accommodation that is available to us, not only in Cardiff but elsewhere. Part of that will be to look at this part of the estate here. As for any proposals that may be around for this building, Gerry can answer on that.

Mr Shortridge: Rhoddaf ateb cyffredinol ac yna gwahoddaf Gerry, sydd yn ymwneud llawer mwy â threfniadau'r adeilad newydd, i siarad. Yn bersonol, yr wyf yn arbennig o bryderus ynghylch holl ystâd y Cynulliad. Gyda dyfodiad y Cynulliad, bu cynnydd hefyd yn y staff polisi. Yn sicr, yr wyf am weld beth yw'r ffordd orau o ddefnyddio'r adeiladau sydd ar gael inni, nid yn unig yng Nghaerdydd ond mewn mannau eraill. Rhan o hynny fydd edrych ar y rhan hon o'r ystâd yma. Gyda golwg ar unrhyw gynigion a all fod yn y gwynt ar gyfer yr adeilad hwn, gall Gerry ateb ynghylch hynny.

Mr Thomas: There are no immediate proposals to make much more use of space in this building, Mr Law. There are one or two vacant areas and staff will go in there in the relatively near future. As things stand, we do not see a demand for additional space in this building at the moment. It remains the case that once the new building is in operation, there will be questions to be decided in relation to the use of existing Committee rooms and the Chamber. I think that it will be a matter for the Office of the Presiding Officer to take a view on that as it is now responsible for the management of this building.

Mr Thomas: Nid oes dim cynigion yn y dyfodol agos i wneud llawer mwy o ddefnydd o'r lle yn yr adeilad hwn, Mr Law. Mae un neu ddwy ardal sydd yn wag a bydd staff yn mynd i'r rheini yn y dyfodol cymharol agos. Fel y mae pethau yn awr, ni ragwelwn y bydd galw am le ychwanegol yn yr adeilad hwn ar hyn o bryd. Wedi dweud hynny, unwaith y bydd yr adeilad newydd ar waith, bydd angen gwneud penderfyniadau ynghylch sut y defnyddir yr ystafelloedd Pwyllgora presennol a'r Siambr. Credaf mai mater i Swyddfa'r Llywydd benderfynu arno fydd hynny gan mai'r Swyddfa honno bellach sydd yn gyfrifol am reoli'r adeilad hwn.

[181] **Peter Law:** Thank you. Chair, although the refurbishment of Crickhowell House was a multi-million pound project, the Welsh Office did not consider it necessary to apply the techniques of whole-life costing and value engineering. This surprised me, bearing in mind the way in which we project this to local government and to other organisations that are sponsored by us. Given the savings that these techniques can realise, why was this not in fact included?

[181] **Peter Law:** Diolch. Gadeirydd, er bod adnewyddu Ty Crycywel yn brosiect gwerth miliynau o bunnoedd, nid oedd y Swyddfa Gymreig o'r farn bod angen defnyddio technegau costio oes-gyfan a pheirianneg gwerth. Yr oedd hyn yn syndod imi, a chofio sut y byddwn yn argymell hyn i lywodraeth leol a sefydliadau eraill a noddir gennym. Ac ystyried yr arbedion a all ddod yn sgîl y technegau hyn, pam, mewn gwirionedd, na chynhwyswyd hyn?

Mr Shortridge: I will bring in Eric, but the short answer is that the view is taken that those techniques are applicable to the design of a new building rather than the adaptation of an old one.

Mr Shortridge: Gofynnaf i Eric gyfrannu, ond yr ateb byr yw mai'r farn gyffredinol yw bod y technegau hynny'n berthnasol i gynllunio adeilad newydd yn hytrach nag i addasu hen adeilad.

Mr McDonald: Essentially, what we were doing in this building was putting in partitions. There is nothing very clever about partition work, so the value engineering was hardly an issue in the context of the very limited structural work that was being done. That is very much a matter for structures and initial design and the way in which a building would need to be maintained in the future. We had the building and those who constructed it would have done the value engineering.

Mr McDonald: Yn ei hanfod, yr hyn yr oeddem yn ei wneud yn yr adeilad hwn oedd gosod parwydydd. Nid oes dim byd cymhleth ynghylch gwaith parwydydd, felly, prin bod peirianneg gwerth yn berthnasol yng nghyd-destun yr ychydig waith strwythurol a wnaethpwyd. Mae'n ymwneud i raddau helaeth iawn â strwythurau a'r gwaith cynllunio cychwynnol a'r ffordd y byddai angen cynnal a chadw adeilad yn y dyfodol. Yr oedd yr adeilad gennym a byddai'r rhai a oedd wedi'i adeiladu wedi gwneud y beirianneg gwerth.

[182] **Peter Law:** I see. It will be applied to the new building?

[182] **Peter Law:** Gwelaf i. Bydd yn cael ei ddefnyddio ar gyfer yr adeilad newydd?

Mr McDonald: It will be applied to the new building as soon as we are beyond the present stage of scheme design and into detail design.

Mr McDonald: Bydd yn cael ei ddefnyddio ar gyfer yr adeilad newydd cyn gynted ag y byddwn y tu hwnt i gam presennol dylunio'r cynllun ac yn dechrau ar y dylunio manwl.

[183] **Kirsty Williams:** I refer you to paragraph 4.5 of the report on page 37. It states that that the original budget was based on a presumption of a basic standard of accommodation being provided. This was decided later to be inadequate. Basics were inadequate and we needed something fancier than that. I would be interested to know what was regarded as inadequate, what have we got instead for that money and when was that decided? Secondly, before we start complaining about other people's actions, let us look at our own. What additional demands were placed on the adaptation budget by the arrival of the 60 Members in this building?

[183] **Kirsty Williams:** Fe'ch cyfeiriaf at baragraff 4.5 yr adroddiad ar dudalen 37. Mae'n dweud bod y gyllideb wreiddiol wedi'i seilio ar dybiaeth y darperid adeilad o safon sylfaenol. Penderfynwyd yn ddiweddarach fod hyn yn annigonol. Yr oedd safon sylfaenol yn annigonol ac yr oedd angen rhywbeth gwell na hynny arnom. Byddai gennyf ddiddordeb mewn gwybod beth a ystyrid yn annigonol, beth a gawsom yn ei le am yr arian hwnnw a pha bryd y penderfynwyd hynny? Yn ail, cyn inni ddechrau cwyno am weithredoedd pobl eraill, gadewch inni edrych ar ein rhai ein hunain. Pa ofynion ychwanegol a roddwyd ar y gyllideb addasu pan gyrhaeddodd y 60 Aelod yr adeilad hwn?

Mr Shortridge: That is a very long and complex question. Initially, the best way to answer it is to refer you to figure 14 in the report. That essentially accounts for the differences between column 2 and column 3 in figure 13. I can take you through that very quickly or you can take me through the relevant parts, whichever you like.

Mr Shortridge: Mae hwnnw'n gwestiwn hir a chymhleth iawn. I ddechrau, y ffordd orau o'i ateb yw eich cyfeirio at ffigur 14 yn yr adroddiad. Yn ei hanfod mae hwnnw'n dangos y gwahaniaeth rhwng colofn 2 a cholofn 3 yn ffigur 13. Gallaf fynd â chi drwy hwnnw'n gyflym iawn neu gallwch chithau fynd â mi drwy'r rhannau perthnasol, beth bynnag sydd orau gennych.

[184] **Kirsty Williams:** No, that is fine.

[184] **Kirsty Williams:** Na, mae hynny'n iawn.

Mr Shortridge: Let us just go through it. From figure 14 we see that £536,000 was spent as a result of the relocation of the Cabinet. The next £719,000 was, I think, for matters of detail which had not been anticipated and arguably could not necessarily have been fully anticipated until you got into the building, started adapting it and realised certain inadequacies that it had, particularly bearing in mind the nature of the end user, if I could describe it in that way. The safety and security considerations are very important and the disabled access is very important. Eric can help me on the infrastructure and rooftop plant but, to a significant extent, that was the first phase of the air cooling where we had not—I certainly had not—anticipated the poor quality of air conditioning that we were going to inherit in this building. So, that was the £719,000. Those matters were largely, as this report indicates, recommendations from

Mr Shortridge: Gadewch inni fynd drwyddo. Yn ffigur 14, gwelwn fod £536,000 wedi'i wario o ganlyniad i adleoli'r Cabinet. Yr oedd y £719,000 arall, fe gredaf, ar gyfer manylion nad oeddent wedi'u rhagweld a gellid dadlau nad oedd modd i neb, o anghenraid, fod wedi'u rhagweld yn llwyr nes ichi fynd i'r adeilad, dechrau ei addasu a sylweddoli bod ynddo rai elfennau annigonol, yn enwedig o gofio beth oedd natur y defnyddiwr yn y pen draw, os caf ddisgrifio'r peth felly. Mae'r ystyriaethau diogelwch a gwarchodaeth yn bwysig iawn ac mae'r mynediad i'r anabl hefyd yn bwysig iawn. Gall Eric fy helpu gyda golwg ar y seilwaith a'r offer ar ben y to ond, i raddau sylweddol, hwnnw oedd cam cyntaf y system oeri aer gan nad oeddem—yn sicr nid oeddwn i—wedi rhagweld pa mor wael oedd safon yr aerdymheru y byddem yn ei etifeddu yn yr adeilad hwn. Felly, dyna beth oedd y £719,000. Yr oedd y pethau hyn gan fwyaf,

officials and professional advisers once we got into the place.

fel y mae'r adroddiad hwn yn ei awgrymu, yn argymhellion gan swyddogion a chynghorwyr proffesiynol unwaith inni fynd i mewn i'r lle.

There was a larger political involvement, if I can put it that way, in the next £385,000, because these were inadequacies that we, with Ministers, perceived in the building in terms of its usability. The staff restaurant and coffee shop that you would have inherited were not fit for purpose for Members. A decision was taken that we had to spend money to enhance that part of Crickhowell House and, similarly, the public end—the milling area end—of the building. We considered it very important, without being lavish, to have an acceptable environment there. Those, without going into too much detail, were matters that were partly officials' and partly Ministers' decisions. Where there was involvement with the Members themselves, that is certainly the additional expenditure, the £3 million or so at the bottom of that table. I think that everyone accepted that the air cooling was something that had to be done. The decision that I have referred to on making use of the whole of Crickhowell House and not sharing it had that consequence. Similarly, the Pierhead building was something that Members felt very strongly about.

Cafodd y gwleidyddion fwy o ran, os gallaf ei roi felly, yn y £385,000 nesaf, oherwydd bod y rhain yn elfennau annigonol yr oeddem ni, gyda'r Gweinidogion, yn eu gweld yn yr adeilad o ran ei ddefnyddiolrwydd. Nid oedd bwyty'r staff a'r siop goffi y byddech wedi'u hetifeddu yn addas at ddibenion Aelodau. Penderfynwyd bod yn rhaid gwario arian i wella'r rhan honno o Dy Crycywel, ac yn yr un modd, ochr gyhoeddus—ochr ymgynnull—yr adeilad. Yr oeddem o'r farn ei bod yn bwysig iawn, heb fod yn rhy afradlon, inni ddarparu amgylchedd derbyniol yno. Yr oedd y rheini, heb fynd i ormod o fanylion, yn faterion a oedd yn rhannol yn benderfyniadau gan swyddogion ac yn rhannol yn benderfyniadau gan Weinidogion. Lle bu gan yr Aelodau eu hunain ran yn y penderfyniadau, hynny'n sicr yw'r gwariant ychwanegol, y £3 miliwn neu oddeutu hynny sydd ar waelod y tabl. Credaf fod pawb yn derbyn bod y system oeri aer yn rhywbeth yr oedd yn rhaid ei wneud. Canlyniad y penderfyniad y cyfeiriais ato i ddefnyddio Ty Crycywel yn ei gyfanrwydd a pheidio â'i rannu oedd hynny. Yn yr un modd, yr oedd adeilad Pierhead yn rhywbeth y teimlai Aelodau'n gryf iawn yn ei gylch.

[185] **Peter Law:** The air cooling was an extra. We have heard all about it here, the £1 million or whatever it cost. I found it extraordinary that, given the expertise that is in this organisation, nobody planned air conditioning in a building like this in advance. Would anybody like to comment on why it was not foreseen?

[185] **Peter Law:** Yr oedd y system oeri aer yn ychwanegol. Clywsom y cyfan am hynny yma, y £1 miliwn ychwanegol neu beth bynnag a gostiodd. Yr oedd yn rhyfeddod i mi, ac ystyried yr arbenigedd sydd yn y sefydliad hwn, nad oedd neb wedi cynllunio ar gyfer tymheru adeilad fel hwn ymlaen llaw. A fyddai unrhyw un yn hoffi rhoi sylwadau ar pam na ragwelwyd hyn?

Mr Shortridge: Eric, can you help on that?

Mr Shortridge: Eric, a allwch chi helpu gyda hynny?

Mr McDonald: Well, certainly, it was a building that was designed without air cooling. It was regarded as satisfactory for occupation. There are many buildings that do not have air cooling. It was one of those items of expenditure that we did not feel that we could justify at the outset. Given that we have a responsibility for sustainable development and issues like that, and there are windows that open, air cooling was just a step beyond what we felt we had the finance to cope with.

Mr McDonald: Wel, yn sicr, yr oedd yn adeilad a gynlluniwyd heb system oeri aer. Fe'i hystyrid yn un boddhaol i'w ddefnyddio. Ceir llawer o adeiladau sydd heb system oeri aer. Yr oedd yn un o'r eitemau gwariant hynny nad oeddem yn teimlo y gallem ei chyfiawnhau ar y dechrau. Ac ystyried bod gennym gyfrifoldeb dros ddatblygu cynaliadwy a materion o'r fath, a bod yno ffenestri sydd yn agor, yr oedd oeri aer yn un cam y tu hwnt i'r hyn y teimlem y gallem ymdopi ag ef gyda'r cyllid a oedd gennym.

[186] **Peter Law:** However, air conditioning was installed in the debating Chamber at the time, so that was thought about. It was thought necessary to install it there, but not in any of the other offices or Committee rooms?

[186] **Peter Law:** Fodd bynnag, gosodwyd system dymheru yn y Siambr ddadlau ar y pryd, felly yr oedd rhywun wedi ystyried hynny. Teimlid bod angen ei gosod yno, ond nid mewn unrhyw swyddfa neu ystafell Bwyllgora arall?

Mr McDonald: It was very important to put it in the Chamber because of the nature of that space, because of the number of cameras and lighting and because of the fact that that was a room in which a number of people would gather for a considerable period. That was an area where air conditioning was critical, whereas office space is used much more intermittently.

Mr McDonald: Yr oedd yn bwysig ei gosod yn y Siambr oherwydd natur y lle hwnnw, oherwydd nifer y camerâu a'r goleuadau ac oherwydd ei bod yn ystafell lle byddai nifer o bobl yn ymgasglu am gyfnod sylweddol. Yr oedd honno'n ystafell lle'r oedd cael system dymheru yn holl bwysig, tra bo swyddfeydd yn cael eu defnyddio'n llawer mwy ysbeidiol.

[187] **Peter Law:** On reflection, bearing in mind that this country's climate has become warmer over the last decade, and the fact that it was 1999—and you expect the most up to date conditions when you move into a building and are entering a new era—would it not have been reasonable to have foreseen this?

[187] **Peter Law:** Ac edrych yn ôl, gan gofio bod hinsawdd y wlad hon wedi cynhesu yn ystod y degawd diwethaf, a'r ffaith mai 1999 oedd hi—a'ch bod yn disgwyl y cyfleusterau diweddaraf wrth symud i adeilad newydd a dechrau ar gyfnod newydd—oni fyddai wedi bod yn rhesymol rhagweld hyn?

Mr McDonald: Well, it is a balance between sustainable development priorities and personal preferences in terms of the conditions in which we work.

Mr McDonald: Wel, mater o daro cydbwysedd yw hi rhwng blaenoriaethau datblygu cynaliadwy a'r math o amgylchiadau y byddai'n well gennym weithio ynddynt.

[188] **Kirsty Williams:** The air conditioning helps create global warming, Peter.

[188] **Kirsty Williams:** Mae'r system dymheru yn cyfrannu at gynhesu byd-eang, Peter.

[189] **Peter Law:** Yes, but on the other hand, we have obligations to the staff that work for us. They work very ably throughout these buildings, as in all other buildings. We are in a climate that is becoming increasingly warm. It would have been reasonable for people to have thought, from their own experience of sitting in offices, that, perhaps, air conditioning was necessary in this building, before the final costings were arrived at.

[189] **Peter Law:** Ydyw, ond ar y llaw arall, mae gennym gyfrifoldebau i'r staff sydd yn gweithio inni. Maent yn gwneud eu gwaith yn fedrus iawn yn yr adeiladau hyn i gyd, fel y maent ym mhob adeilad arall. Yr ydym yn byw mewn hinsawdd sydd yn cynhesu fwyfwy o hyd. Byddai wedi bod yn rhesymol i bobl fod wedi meddwl, o'u profiad hwy eu hunain o eistedd mewn swyddfeydd, bod system dymheru yn angenrheidiol yn yr adeilad hwn, cyn llunio'r costiadau terfynol.

[190] **Janet Davies:** I do not know whether I should declare an interest here, because my office was one of the ones that had air conditioning from the start.

[190] **Janet Davies:** Ni wn a ddylwn ddatgan diddordeb yma, oherwydd fy swyddfa i oedd un o'r rhai lle'r oedd system dymheru o'r dechrau.

[191] **Alun Cairns:** I am not sure whether I am satisfied with Mr McDonald's response. It seemed to me quite flippant in terms of striking a balance between global warming and air conditioning in the unit. Surely that would have been a political decision and, therefore, was advice given to the relevant Minister at the time to take that decision or was it a complete oversight?

[191] **Alun Cairns:** Nid wyf yn siwr a ydwyf yn fodlon ar ymateb Mr McDonald. Yr oedd yn ymddangos yn eithaf gwamal i mi o ran taro cydbwysedd rhwng cynhesu byd-eang a thymheru yn yr uned. Penderfyniad gwleidyddol fuasai hynny, onide, ac, felly, a roddwyd cyngor i'r Gweinidog perthnasol ar y pryd i gymryd y penderfyniad hwnnw, ynteu ai amryfusedd llwyr oedd hyn?

Mr McDonald: Certainly, on a question of detail like that, we relied on our professional advisers. We were conscious that this was a building that had been occupied satisfactorily for five years without air conditioning, and our professional advisers did not consider that it was necessary. Bearing in mind that we have a green policy—the Welsh Office had a green policy and the Assembly now has one—it was an issue that we did not take further than that.

Mr McDonald: Yn sicr, ar bwnc mor fanwl â hwn, yr oeddem yn dibynnu ar ein hymgynghorwyr proffesiynol. Sylweddolem fod hwn yn adeilad yr oedd pobl wedi bod yn ei ddefnyddio'n foddhaol am bum mlynedd heb system dymheru, ac nid oedd ein hymgynghorwyr proffesiynol o'r farn ei fod yn angenrheidiol. A chofio bod gennym bolisi gwyrdd—yr oedd gan y Swyddfa Gymreig bolisi gwyrdd ac mae gan y Cynulliad un yn awr—yr oedd yn fater na wnaethom fynd ag ef ymhellach na hynny.

[192] **Alun Cairns:** Therefore, bearing in mind that you received professional advice, is it possible to make a claim against the advice that was given?

[192] **Alun Cairns:** Felly, a chadw mewn cof ichi gael cyngor proffesiynol, a oes modd ichi wneud hawliad yn erbyn y cyngor a roddwyd?

Mr McDonald: Well, the advice certainly did not cost us anything.

Mr McDonald: Wel, yn sicr ni chostiodd y cyngor ddim inni.

[193] **Alun Cairns:** If you received professional advice, would you not normally pay for it and then there would be a contractual obligation?

[193] **Alun Cairns:** Os cawsoch gyngor proffesiynol, oni fyddech chi fel arfer yn talu amdano ac yna byddai cyfrifoldeb contractaidd?

Mr McDonald: The professional advice did not cause us to spend money. We would have had to spend money if we had chosen to install the air cooling, if we had been given different professional advice.

Mr McDonald: Ni fu'n rhaid inni wario arian i gael y cyngor proffesiynol. Byddem wedi gorfod gwario arian pe baem wedi dewis gosod y system oeri aer, pe baem wedi cael cyngor proffesiynol gwahanol.

[194] **Alun Cairns:** Let me rephrase the question. You said in your answer that professional advice was given regarding the state and condition of the building, and whether air conditioning was needed would have been part of those considerations. Advice was given that air conditioning was not needed, but, since that time, that advice has proven to be incorrect. Therefore, is there a recourse for the taxpayer to make a claim against the advice that was given to you as officials, because you mentioned that professional advice was received?

[194] **Alun Cairns:** Gadewch imi aralleirio'r cwestiwn. Dywedasoch yn eich ateb fod cyngor proffesiynol wedi'i roi ynghylch cyflwr ac amgylchiadau'r adeilad, ac y byddai penderfynu a oedd angen system oeri aer yn rhan o'r ystyriaethau hynny. Rhoddwyd cyngor nad oedd angen system dymheru, ond ers hynny, mae'r cyngor hwnnw wedi profi'n anghywir. Felly, a oes modd i'r trethdalwr wneud hawliad yn erbyn y cyngor a roddwyd ichi fel swyddogion, gan ichi ddweud eich bod wedi cael cyngor proffesiynol?

Mr McDonald: I do not believe that there is.

Mr McDonald: Ni chredaf fod.

[195] **Peter Law:** Who suggested, six months after moving into this building, that air cooling was appropriate and necessary? Where did that advice come from?

[195] **Peter Law:** Pwy a awgrymodd, chwe mis ar ôl symud i mewn i'r adeilad hwn, fod cael system oeri aer yn briodol ac yn angenrheidiol? O ba le y daeth y cyngor hwnnw?

Mr Shortridge: I actually felt very strongly that this was a health and safety issue. I was a strong advocate of the air cooling, and I am conscious of the fact that this was a view that was being expressed by the House Committee as well. However, I did feel, as head of paid service, that I had a particular obligation to ensure that we were creating a satisfactory environment, not just for Members, but also for staff.

Mr Shortridge: Yr oeddwn i mewn gwirionedd yn teimlo'n gryf iawn mai mater iechyd a diogelwch oedd hyn. Yr oeddwn yn gryf o blaid y system oeri aer, ac yr wyf yn ymwybodol fod hon yn farn a oedd yn cael ei mynegi gan Bwyllgor y Ty hefyd. Fodd bynnag, yr oeddwn yn teimlo, fel pennaeth y gwasanaeth cyflog, fod gennyf gyfrifoldeb arbennig i sicrhau ein bod yn creu amgylchedd boddhaol, nid yn unig i'r Aelodau, ond i'r staff hefyd.

[196] **Peter Law:** I applaud that.

[196] **Peter Law:** Yr wyf yn cymeradwyo hynny.

[197] **Janet Davies:** I am not prepared to pursue this any longer. I do not think that it is going to be a particularly productive line of argument because—whatever the advice was—if it had been decided to put in air-conditioning sooner, it would probably have cost the same amount of money. We still have quite a lot to go through; I am a bit concerned about whether we are going to get through it.

[197] **Janet Davies:** Nid wyf yn barod i fwrw ymlaen ragor ar y pwynt hwn. Ni chredaf ei fod yn debygol o fod yn drywydd dadlau arbennig o gynhyrchiol oherwydd—beth bynnag oedd y cyngor—pe bai'r penderfyniad i osod y system dymheru wedi'i wneud ynghynt, mae'n debyg mai'r un faint o arian y byddai wedi'i gostio. Mae gennym gryn dipyn i'w drafod eto; yr wyf ychydig yn bryderus a ydym am ddod i ben â'r gwaith.

[198] **Peter Law:** My concern, Chair, is that it would not have become the major issue that it did become if the forethought had been there on the part of people who were advising us just six or eight months before. I find it hard to understand how that forethought was not there, particularly after the last statement that the Permanent Secretary made. I applaud his concern for staff.

[198] **Peter Law:** Fy mhryder i, Gadeirydd, yw na fyddai hyn wedi troi'n bwnc o bwys fel y gwnaeth pe bai'r bobl a oedd yn ein cynghori chwech i wyth mis ynghynt wedi meddwl ychydig ymlaen llaw. Yr wyf yn ei chael yn anodd deall sut nad oedd neb wedi meddwl am hyn ymlaen llaw, yn enwedig ar ôl datganiad diwethaf yr Ysgrifennydd Parhaol. Yr wyf yn cymeradwyo ei gonsýrn am staff.

[199] **Alison Halford:** I know that you want to get on, but there is so much here.

[199] **Alison Halford:** Gwn eich bod am fwrw ymlaen, ond mae cymaint yma i'w drafod.

This is mopping up on Peter's comment when the broadcasting issue was addressed. I know that Mr Richards has commented on that. Page 28 of the document accepts that the Welsh Office recognised the importance of proper broadcasting. They even appointed external consultants to advise on it. Yet everything was done on oral agreement. I cannot believe that it was left to oral agreement and not firmed up in a written legal framework. I just find that terribly incompetent. Am I being unfair in making that assessment of the situation?

Hoffwn ail afael yn y drafodaeth ar ddarlledu yn dilyn sylw Peter. Gwn fod Mr Richards wedi sôn am hynny. Mae tudalen 28 y ddogfen yn derbyn bod y Swyddfa Gymreig yn cydnabod pwysigrwydd gwasanaeth darlledu iawn. Penodwyd ymgynghorwyr allanol hyd yn oed i ddarparu cyngor ar hyn. Eto i gyd, gwnaethpwyd popeth ar sail cytundeb llafar. Ni allaf gredu y gadawyd y cytundeb yn un llafar ac na chadarnhawyd ef ar ffurf fframwaith cyfreithiol. Mae hynny'n ymddangos yn ofnadwy o aneffeithiol i mi. A ydwyf yn bod yn annheg wrth asesu'r sefyllfa yn y fath fodd?

Mr Richards: Certainly I think that it should have been tied up at the time. It is tied up now. It took quite a lot of time, actually, to tie it up. I think that the fault was in the delay, as opposed to it not being done. Certainly, as soon as the heads of terms were agreed, we should have tied it right up and nailed it down then.

Mr Richards: Yn sicr, credaf y dylai fod wedi'i setlo ar y pryd. Mae wedi setlo erbyn hyn. Cymerodd gryn dipyn o amser, a dweud y gwir, i derfynu'r cytundeb. Credaf mai'r drwg oedd arafwch y broses yn hytrach na diffyg gweithredu. Yn sicr, unwaith yr oedd penawdau'r telerau wedi'u cytuno arnynt, dylem fod wedi llunio'r cytundeb terfynol a'i hoelio bryd hynny.

[200] **Alison Halford:** Did you have to pay for this expert external advice?

[200] **Alison Halford:** A fu'n rhaid ichi dalu am y cyngor allanol arbenigol hwn?

Mr Richards: We paid for the external advice. However, I do not think that the external advice related to transferring the head of terms of agreement into a written contract, which I think was done using our own legal service.

Mr Richards: Talwyd am y cyngor allanol. Fodd bynnag, ni chredaf fod y cyngor allanol yn ymwneud â throi penawdau telerau cytundeb yn gontract ysgrifenedig. Credaf fod hynny wedi'i wneud drwy ddefnyddio ein gwasanaeth cyfreithiol ni ein hunain.

[201] **Alison Halford:** So we pay for external advice and still end up in a mess because it was not formalised on paper?

[201] **Alison Halford:** Felly, yr ydym yn talu am gyngor allanol ac yn dal i gael ein hunain mewn cawl oherwydd nad oedd wedi'i ffurfioli ar bapur?

Mr Richards: No, I do not think so.

Mr Richards: Na, ni chredaf fod hynny'n wir.

[202] **Alison Halford:** If I am being unfair, tell me, but I am only reading the report.

[202] **Alison Halford:** Os wyf yn bod yn annheg, dywedwch wrthyf, ond dim ond darllen yr adroddiad yr wyf i.

[203] **Janet Davies:** Perhaps Mr Shortridge would like to come in on that?

[203] **Janet Davies:** Efallai yr hoffai Mr Shortridge ddod i mewn ar hynny?

Mr Shortridge: The external advice was in relation to the technical requirements, and the administrative matter in terms of converting the heads of terms into a legal document was one that we should have got right. We could not blame a technical adviser for not helping us to get that right. I accept that criticism. I have two things to say on it: this was something which our own systems of review identified. So, to that extent, we had that amount of professionalism about it. Again, it is important that Members at least understand the sheer pressure that was on colleagues in the Welsh Office at the time over those last six months, to convert this building pretty much out of nothing. That is not an excuse. I acknowledge the point but I think that it is quite important, nonetheless, to recall the context.

Mr Shortridge: Yr oedd y cyngor allanol yn ymwneud â'r gofynion technegol ac yr oedd y gwaith gweinyddol o droi penawdau'r telerau yn ddogfen gyfreithiol yn waith y dylem fod wedi'i wneud yn iawn. Ni allem feio ymgynghorydd technegol am beidio â'n helpu i gael hynny'n iawn. Yr wyf yn derbyn y feirniadaeth honno. Mae gennyf ddau beth i'w dweud am hyn: yr oedd yn rhywbeth y tynnwyd sylw ato yn ein systemau adolygu ni ein hunain. Felly, i'r graddau hynny, ymdriniwyd â'r peth yn broffesiynol. Unwaith eto, mae'n bwysig bod Aelodau o leiaf yn deall y pwysau mawr a oedd ar ein cydweithwyr yn y Swyddfa Gymreig ar y pryd yn ystod y chwe mis diwethaf hynny, i addasu'r adeilad hwn o ddim, fwy neu lai. Nid esgus mo hynny. Yr wyf yn cydnabod y pwynt ond credaf, fodd bynnag, ei fod yn eithaf pwysig cofio beth oedd y cyd-destun.

[204] **Alison Halford:** Thank you.

[204] **Alison Halford:** Diolch.

[205] **Janet Davies:** We have had a look at the decision to come to this particular site, and the costs of adapting this building and the Pierhead building. I would like to go on to looking at the issues of the new building. Perhaps we could take a look at some issues arising out of the design competition assessment panel, mentioned in paragraph 5.9. Why were the competitors' fees bids not included in the costs considered by the panel? Was this a deliberate decision or was it an oversight?

[205] **Janet Davies:** Yr ydym wedi edrych ar y penderfyniad i ddod i'r safle arbennig hwn, ac ar gostau addasu'r adeilad hwn ac adeilad Pierhead. Hoffwn yn awr fynd ymlaen i edrych ar y pynciau sydd yn ymwneud â'r adeilad newydd. Efallai y gallem edrych ar rai materion sydd yn codi o banel asesu'r gystadleuaeth gynllunio, y cyfeiriwyd atynt ym mharagraff 5.9. Pam nad oedd bidiau ffioedd y cystadleuwyr wedi'u cynnwys yn y costau a ystyriwyd gan y panel? Ai penderfyniad bwriadol oedd hyn ynteu amryfusedd?

Mr Shortridge: I am pretty sure that it was not a deliberate decision, I am just stumbling over the word ‘oversight’. I think that the focus was very much on the cost of the building, as opposed to the supporting fees. Eric, do you want to comment further?

Mr Shortridge: Yr wyf yn eithaf siwr nad penderfyniad bwriadol oedd hyn, ond yr wyf yn baglu dros y gair ‘amryfusedd’. Credaf fod y ffocws i raddau helaeth iawn ar gost yr adeilad, yn hytrach nag ar y ffioedd ategol. Eric, a hoffech chi ychwanegu at hyn?

Mr McDonald: The remit of the design competition panel was to look at the design and to select the design, and not to look at the other issues, because it was believed that it was the design that those people had the expertise to look at, and contribute towards.

Mr McDonald: Cylch gwaith panel y gystadleuaeth gynllunio oedd edrych ar y cynllun, a dewis y cynllun, nid edrych ar faterion eraill, oherwydd credid mai arbenigedd y bobl hynny oedd edrych ar y cynllun a chyfrannu ato.

[206] **Janet Davies:** Nevertheless, it appears that there was no way of knowing what effects the fees would have had on the relative costs of each option, was there?

[206] **Janet Davies:** Fodd bynnag, mae’n ymddangos, onid ydyw, nad oedd dim modd gwybod beth fyddai effaith y ffioedd ar gostau cymharol pob dewis?

Mr McDonald: Certainly not for the design competition panel but that advice was available immediately after the design competition panel had met. It was submitted with the design and opened afterwards.

Mr McDonald: Yn sicr nid i banel y gystadleuaeth gynllunio ond yr oedd y cyngor hwnnw ar gael yn syth ar ôl i banel y gystadleuaeth gynllunio gyfarfod. Fe’i cyflwynwyd gyda’r cynllun a’i agor wedyn.

[207] **Alun Cairns:** Paragraph 5.8 of the report states that the technical advisers to the assessment panel identified several problems with the designs. Five of the six designs had features that exceeded the site boundary, most of them exceeded the growth area specified in the project brief and the costs were understated. To what extent did these significant flaws affect the judgment of the assessment panel?

[207] **Alun Cairns:** Dywed paragraff 5.8 yr adroddiad fod ymgynghorwyr technegol y panel asesu wedi nodi nifer o broblemau gyda’r cynlluniau. Yr oedd pump o’r chwe chynllun yn cynnwys nodweddion a oedd yn mynd y tu hwnt i ffin y safle, yr oedd y rhan fwyaf ohonynt yn mynd y tu hwnt i’r ardal twf a bennid ym mrîff y prosiect ac yr oedd y costau wedi’u tanamcangyfrif. I ba raddau yr effeithiodd y gwendidau sylweddol hyn ar farn y panel asesu?

Mr Shortridge: Let me give an initial response and again move on to Eric. I think that the assessment panel focused very much on the design issue and that they saw these matters as secondary and resolvable and therefore not things that they had to treat on an equal basis with the fundamental issue of design. Eric, you wanted to comment further.

Mr Shortridge: Gadewch imi roi ymateb cychwynnol ac unwaith eto symud ymlaen at Eric. Credaf fod y panel asesu wedi canolbwyntio i raddau helaeth iawn ar y cynllun ei hun a'u bod yn gweld yr elfennau hyn yn bethau eilradd ac yn bethau y gellid eu datrys ac nid felly yn bethau yr oedd yn rhaid iddynt roi'r un faint o sylw iddynt ag a roddent i hanfodion y cynllun. Eric, yr oeddech am gynnig sylwadau ychwanegol.

Mr McDonald: Yes. One of the things that the designers had been asked to do was to suggest how the external areas could be treated as part and parcel of dealing with the area beyond the building, so it was not unexpected that they did deal with some of the external areas. In terms of the designs exceeding the gross floor area, there was an indication of certain areas which needed to be accommodated. The design competition brief did permit the designers to look at how they might deal with the whole design and allow them some freedom. In terms of cost, the advice of Symonds Group certainly looked at the views and reviewed the extent to which any of the costs were or were not deliverable. That information was made known to the design competition panel before it interviewed the six designers who had submitted the final designs.

Mr McDonald: Oeddwn. Un o'r pethau y gofynnwyd i'r cynllunwyr ei wneud oedd awgrymu sut y gellid trin yr ardaloedd allanol fel rhan hanfodol o ymdrin â'r ardal y tu hwnt i'r adeilad, felly nid oedd yn annisgwyl eu bod wedi ymdrin â rhai o'r ardaloedd allanol. O ran y cynlluniau a oedd yn mynd y tu hwnt i arwynebedd gros y llawr, cafwyd awgrym ynghylch rhai ardaloedd yr oedd angen darparu lle ar eu cyfer. Yr oedd brîff y gystadleuaeth yn caniatáu i'r cynllunwyr edrych ar sut y byddent yn ymdrin â'r cynllun yn ei grynswth gan ganiatáu rhywfaint o ryddid iddynt. O ran y gost, yr oedd cyngor Grwp Symonds yn sicr yn ystyried y safbwyntiau ac adolygasant i ba raddau yr oedd modd cyflawni'r cynlluniau o fewn yr amcangost ai peidio. Rhoddwyd yr wybodaeth honno i banel y gystadleuaeth gynllunio cyn iddo gyfweld y chwe chynllunydd a gyflwynodd y cynlluniau terfynol.

[208] **Alun Cairns:** Thank you for that answer, but surely in any competition should there not be automatic disqualification if an entry does not meet the stated criteria? I refer back to an issue that I raised in my earlier question. Five of the six had features that exceeded the site boundary. Surely that is a fundamental principle. If you have an area of land to build a building in, you cannot go over that. If any members of the public who have ever built a house or something were observing this, they would say that that is completely

[208] **Alun Cairns:** Diolch ichi am yr ateb hwnnw, ond mewn unrhyw gystadleuaeth, oni ddylid gwahardd rhywun yn syth onid yw cais yn cwrdd â'r meini prawf a bennwyd? Cyfeiriaf yn ôl at fater a godais yn fy nghwestiwn blaenorol. Yr oedd gan bump o'r chwech nodweddion a oedd yn mynd y tu hwnt i ffin y safle. Onid yw hynny'n egwyddor sylfaenol? Os oes gennych ardal o dir i godi adeilad arno, ni allwch fynd y tu hwnt iddo. Pe bai unrhyw aelodau o'r cyhoedd sydd erioed wedi codi ty neu rywbeth yn edrych ar hyn,

unacceptable. What would the Local Government and Housing Committee say?

byddent yn dweud bod hynny'n gwbl annerbyniol. Beth fyddai'r Pwyllgor Llywodraeth Leol a Thai yn ei ddweud?

Mr McDonald: They were invited to suggest how the external areas might be treated. That was something that they were specifically invited to do as part and parcel of the design.

Mr McDonald: Fe'u gwahoddwyd i awgrymu sut y gellid ymdrin â'r ardaloedd allanol. Yr oedd hynny'n rhywbeth y gwahoddwyd hwy i'w wneud yn benodol fel rhan hanfodol o'r cynllun.

[209] **Alun Cairns:** Did they not put the Assembly under an obligation to purchase an additional area surrounding the earmarked site, which has driven costs up still further as a result?

[209] **Alun Cairns:** Oni roesant y Cynulliad dan orfodaeth i brynu tir ychwanegol o gwmpas y safle a glustnodwyd, sydd wedi gyrru'r costau'n uwch byth o ganlyniad?

Mr McDonald: That was a decision to be taken once the design competition panel reported. The design competition panel did not make the final decision. It made a recommendation.

Mr McDonald: Yr oedd hwnnw'n benderfyniad i'w wneud ar ôl i banel y gystadleuaeth gynllunio gyflwyno'i adroddiad. Nid panel y gystadleuaeth gynllunio a wnaeth y penderfyniad terfynol. Ggwneud argymhelliad a wnaeth.

[210] **Alun Cairns:** Bearing in mind those issues, should not it have set alarm bells ringing that not all figures quoted were necessarily accurate, bearing in mind the point that you made in relation to the Symonds Group?

[210] **Alun Cairns:** A chofio'r materion hynny, oni ddylai hynny fod wedi canu cloch i rybuddio nad oedd yr holl ffigurau a ddyfynnwyd o anghenraid yn gywir, a chofio eich pwynt ynglyn â Grwp Symonds?

Mr McDonald: I think that it is fair to say that the figures were adjusted by the review that Symonds Group did and that that brought all the figures into a comparable situation.

Mr McDonald: Credaf ei bod yn deg dweud i'r ffigurau gael eu haddasu ar sail yr adolygiad a wnaeth Grwp Symonds a bod hynny wedi golygu bod yr holl ffigurau ar ffurf lle y gellid eu cymharu.

[211] **Alun Cairns:** But not the architects' fees, and should not that have again set alarm bells ringing? It was in the interests of the architects and designers to win the contract, and bearing in mind that it was a public rather than a private sector project, cost was going to be paramount in the selection. Did not that set alarm bells ringing?

[211] **Alun Cairns:** Ond nid ffioedd y penseiri, ac oni ddylai hynny unwaith eto fod wedi canu'r gloch rybudd? Yr oedd ennill y contract er budd y penseiri a'r cynllunwyr, a chan gofio mai prosiect yn y sector cyhoeddus, yn hytrach nag yn y sector preifat oedd hwn, y gost fyddai un o'r prif ystyriaethau wrth ddethol. Oni wnaeth hynny ganu'r gloch rybudd?

Mr McDonald: I am not sure what the connection is between the adjustment in the costs that Symonds Group made, which would invalidate the design being acceptable and being a basis on which those fees could then be assessed. I think that an assessment of the fees based on the work that Symonds Group did was a valid way to look at what the fees would be.

Mr McDonald: Nid wyf yn siwr beth yw'r cysylltiad rhwng yr addasiad a wnaeth Grwp Symonds i'r costau a fyddai'n annilysu'r cynllun o ran bod yn dderbyniol ac yn sail ar gyfer asesu'r ffioedd hynny wedyn. Credaf fod asesu'r ffioedd ar sail y gwaith a wnaeth Grwp Symonds yn ffordd ddilys o edrych ar beth fyddai'r ffioedd.

[212] **Alun Cairns:** Surely, if people are tendering for a contract, they largely underestimate the cost of the contract. It is then adjusted by independent professional people to bring it up to a level playing field. Is it fair to assume that, if you have not been given the whole story at the outset, costs could well rise thereafter?

[212] **Alun Cairns:** Ond onid yw pobl, wrth dendro ar gyfer contract, yn tanamcangyfrif cost y contract i raddau helaeth. Yna, bydd pobl broffesiynol annibynnol yn addasu'r gost honno er mwyn creu cae chwarae gwastad. A yw hi'n deg tybio, os nad ydych wedi cael y stori gyflawn ar y dechrau, ei bod yn ddigon posibl y gall y costau gynyddu wedyn?

Mr McDonald: I do not think that that is necessarily so, because the Symonds Group was able to look at the cost with its knowledge of ground conditions in the area and the extent, particularly, to which ground conditions might affect the estimates that had been made by people who had not had the benefit of the information that the Symonds Group had, from its local knowledge, about ground conditions.

Mr McDonald: Ni chredaf fod hynny'n dilyn o anghenraid, oherwydd yr oedd Grwp Symonds yn gallu edrych ar y gost gan wybod beth oedd cyflwr tir yr ardal ac i ba raddau, yn benodol, y gallai cyflwr y tir hwnnw effeithio ar amcangyfrifon pobl nad oeddent wedi gallu manteisio ar yr wybodaeth am gyflwr y tir a oedd gan Grwp Symonds, yn sgîl ei wybodaeth leol.

[213] **Alun Cairns:** There have been significant delays to the new building project to date and you now plan a completion date in January 2003. Does this programme include any contingency time and are you satisfied that that date is realistic, given the overruns that have occurred at the initial stages of the design process?

[213] **Alun Cairns:** Bu oedi sylweddol gyda phrosiect yr adeilad newydd hyd yn hyn ac yn awr, y dyddiad cwblhau, yn ôl eich cynlluniau, yw mis Ionawr 2003. A yw'r rhaglen hon yn cynnwys unrhyw amser rhag-ofn ac a ydych chi'n fodlon fod y dyddiad hwn yn realistig, ac ystyried y gor-redeg sydd wedi bod gyda chamau cychwynnol y broses gynllunio?

Mr Shortridge: I do not think that we have built in any significant contingency time. The Assembly has a strong desire to see this building completed as soon as possible, and that is driving the programme that we have.

Mr Shortridge: Ni chredaf ein bod wedi cynnwys unrhyw amser wrth gefn sylweddol. Mae'r Cynulliad yn awyddus iawn i weld yr adeilad hwn yn cael ei gwblhau cyn gynted ag y bo modd, a hynny sydd yn llywio'r rhaglen sydd gennym.

[214] **Alun Cairns:** Paragraph 5.14 mentions Turner and Townsend, which made a recommendation. The firm suggested extending the programme by 31 weeks to reduce the risk of an overrun occurring. Is it not time to be completely frank about the project and about the whole scheme, rather than committing to unrealistic objectives?

[214] **Alun Cairns:** Mae paragraff 5.14 yn sôn am Turner and Townsend, a wnaeth argymhelliad. Awgrymodd y cwmni ymestyn y rhaglen 31 wythnos er mwyn lleihau'r risg y byddai'r rhaglen yn gor-redeg. Onid yw'n bryd bod yn gwbl agored am y prosiect a'r cynllun drwyddo draw, yn hytrach nag ymrwymo i amcanion afrealistig?

Mr Shortridge: I think that I will ask Gerry Thomas to respond in detail but, certainly, I can say that that recommendation of the Turner and Townsend report was considered very carefully before we fixed on the date of January 2003.

Mr Shortridge: Credaf y gofynnaf i Gerry Thomas ymateb yn fanwl, ond, yn sicr, gallaf ddweud bod argymhelliad adroddiad Turner a Townsend wedi'i ystyried yn ofalus iawn cyn inni bennu dyddiad Ionawr 2003.

Mr Thomas: If I could just add to that, Turner and Townsend also concluded that the existing timetable was tight but deliverable, and it was against that background that we considered it. It was considered by the policy steering group, I think, back in July, when we went through the arguments, and at that point it decided to stick with the original timetable, given the desire to which Jon alluded for the building to be available as soon as possible. However, let us not lose sight of the fact that Turner and

Mr Thomas: Petawn i'n gallu ychwanegu at hynny, casglodd Turner a Townsend hefyd bod yr amserlen bresennol yn dynn ond ei bod yn un y gellid ei chyflawni, ac ar sail y cefndir hwnnw yr ystyriwyd hyn. Credaf i'r pwyllgor llywio polisi ei ystyried yn ôl ym mis Gorffennaf, pan drafodwyd y dadleuon, a phryd hynny, penderfynwyd glynu wrth yr amserlen wreiddiol, ac ystyried yr awydd y cyfeiriodd Jon ato i'r adeilad fod ar gael cyn gynted ag y bo modd. Fodd bynnag, gadewch

Townsend agree with our professional advisers that, although it is tight, that timetable is deliverable.

inni beidio â cholli golwg ar y ffaith fod Turner a Townsend yn cytuno â'n hymgynghorwyr proffesiynol, bod yr amserlen, er yn dynn, yn un y gellir ei chyflawni.

[215] **Alun Cairns:** We must bear in mind our existing record to date on this, not only in terms of cost but in terms of timescale. I think that it was Peter Law who said at the outset that, when two options or two variances are given, it is safer to go for the other one, and that, if it comes in cheaper or finishes early, that is a bonus for the taxpayer.

[215] **Alun Cairns:** Rhaid inni gadw mewn cof ein record bresennol hyd yn hyn yn hyn o beth, nid yn unig o ran cost ond o ran amserlen. Yr wyf yn meddwl mai Peter Law a ddywedodd ar y cychwyn, pan fo dau ddewis neu ddau amrywiad yn cael eu cynnig, mai'r peth mwyaf diogel yw dewis y llall, ac os yw hwnnw yn y pen draw yn rhatach neu'n gorffen yn gynnar, mae hynny'n fonws i'r trethdalwr.

Mr Thomas: There might be an element of risk reduction if we extended the timescale. There would certainly be an element of cost increase if we did so, arising through inflation. There was a judgment to be made about whether one gives priority to the desire to have the building open earlier rather than later. That judgment has been made and it has been decided to stick with the original timetable, which we believe, on the basis of professional advice, is deliverable.

Mr Thomas: Efallai y byddai elfen o ostwng y risg ynghlwm wrth ymestyn yr amserlen. Yn sicr, byddai elfen o ychwanegu at y gost pe baem yn gwneud hynny, oherwydd chwyddiant. Yr oedd rhaid gwneud penderfyniad ynghylch a ddylid rhoi blaenoriaeth i sicrhau bod yr adeilad yn agor yn gynt yn hytrach nag yn hwyrach. Gwnaethpwyd y penderfyniad hwnnw a phenderfynwyd glynu wrth yr amserlen wreiddiol, sydd, fe gredwn, ar sail cyngor proffesiynol, yn un y gellir ei chyflawni.

[216] **Alun Cairns:** First of all, let me come back on that. I do not accept the answer in terms of cost inflation that, if the timescale were extended, that would necessarily lead to additional charges, because, surely, it would be the objective to complete it as quickly as possible. However, let us be rather frank about the timescale rather than pretend that we can complete it by one date and then see it run on thereafter, undermining public confidence in the building once again.

[216] **Alun Cairns:** Yn gyntaf, gadewch imi ddod yn ôl ar hynny. Nid wyf yn derbyn yr ateb yn nhermau chwyddo'r costau, y byddai ymestyn yr amserlen o anghenraid yn arwain at gostau ychwanegol, oherwydd onid y nod fyddai ei gwblhau cyn gynted ag y byddai modd. Fodd bynnag, gadewch inni fod braidd yn agored ynghylch yr amserlen yn hytrach nag esgus ein bod yn gallu ei gwblhau erbyn un dyddiad ac yna'i weld yn rhedeg ymlaen ar ôl y dyddiad hwnnw, gan danseilio hyder y cyhoedd yn yr adeilad unwaith eto.

Mr Thomas: There is no pretence in this. We are not pretending that we can deliver it by this date; we are advised that we can. There is some risk because one does not know what is going to happen when we get on site. There is always some risk but, on the basis of the information that we have, we were advised by our professional advisers—and this was accepted by Turner and Townsend—that it is deliverable within this timetable. None of us are in a position to give you a guarantee on that, obviously, because we are subject to things outside our control. This is the best estimate that we can make at the moment, and we believe that it is deliverable.

Mr Thomas: Nid oes elfen o esgus yn hyn. Nid ydym yn esgus ein bod yn gallu cyflawni'r gwaith erbyn y dyddiad hwn; y cyngor a gawsom yw y gallwn. Mae elfen o risg oherwydd ni wyr neb beth sydd yn mynd i ddigwydd pan gyrhaeddwn y safle. Mae rhywfaint o risg bob amser, ond ar sail yr wybodaeth sydd gennym, cawsom gyngor gan ein hymgynghorwyr proffesiynol—a derbyniwyd hyn gan Turner a Townsend—bod modd cyflawni hynny o fewn yr amserlen hon. Nid oes neb ohonom mewn sefyllfa i warantu hynny ichi, mae'n amlwg, oherwydd ein bod yn agored i bethau sydd y tu hwnt i'n rheolaeth. Dyma'r amcangyfrif gorau y gallwn ei roi ar hyn o bryd, a chredwn fod modd ei gyflawni.

[217] **Alun Cairns:** Madam Chair, I want us to be frank and honest to the public about this issue. We need to bear in mind the lack of public confidence that exists in the building. If we are setting ourselves goals that are potentially unachievable, when suggestions from Turner and Townsend said that we should add another 31 weeks to reduce the risk of an overrun occurring, at least that would do something to instil greater confidence by the end of the project.

[217] **Alun Cairns:** Madam Gadeirydd, yr wyf am inni fod yn agored ac yn onest gyda'r cyhoedd ynghylch y mater hwn. Rhaid inni gofio diffyg hyder y cyhoedd yn yr adeilad. Os ydym yn gosod nodau inni'n hunain sydd o bosibl yn rhai nad oes modd eu cyflawni, pan fo Turner a Townsend yn awgrymu y dylem ychwanegu 31 wythnos arall i leihau'r risg o or-redeg, o leiaf byddai hynny'n gwneud rhywbeth i greu mwy o hyder erbyn diwedd y prosiect.

Mr Thomas: The judgment on this—and there is a judgment to be made—is that the issues have been exposed to the policy steering group, which decides in the end what it wants us to achieve. Issues have been exposed to the group, along with all the professional advice, and it concluded that we should stick to the timetable that we have.

Mr Thomas: Y farn ar hyn—a rhaid llunio barn—yw bod y pynciau dan sylw wedi'u rhoi ger bron y pwyllgor llywio polisi, sydd yn penderfynu yn y pen draw beth y mae am inni ei gyflawni. Rhoddwyd y pynciau hyn ger bron y grwp, ynghyd â'r holl gyngor proffesiynol a'i gasgliad oedd y dylem lynu wrth yr amserlen sydd gennym.

[218] **Alun Cairns:** Okay, I will try another tack in relation to another question. Thank you for that answer. Can we turn now to the contingency provision of £3.5 million that exists in addition to the £23.2 million budget? How did you determine this figure and how certain are you that it is sufficient to cover the project's total cost?

[218] **Alun Cairns:** Iawn, ceisiaf ddilyn trywydd arall gyda golwg ar gwestiwn arall. Diolch am yr ateb hwnnw. A gawn droi yn awr at y ddarpariaeth wrth gefn o £3.5 miliwn ar ben y gyllideb o £23.2 miliwn? Sut y pennwyd y ffigur hwn a pha mor sicr ydych ei fod yn ddigon i gwrdd â chyfanswm cost y prosiect?

Mr Thomas: This figure was determined by our professional advisers in relation to their assessment of risk with the project. Turner and Townsend have looked at that issue, of course, and its average risk figure, which is the one that it would suggest we use in terms of budgeting, came out with a total cost of about £26.9 million, including contingency. Our figure, arrived at independently, was £26.8 million, including contingency. Therefore, we have the comfort that Turner and Townsend has gone over the same ground as our professional advisers and arrived at pretty much the same conclusion.

Mr Thomas: Pennwyd y ffigur hwn gan ein hymgynghorwyr proffesiynol gyda golwg ar eu hasesiad o'r risg sydd ynghlwm wrth y prosiect. Mae Turner a Townsend wedi edrych ar y mater hwnnw, wrth gwrs, a'i ffigur risg gyfartalog, sef yr un y mae'n awgrymu y dylem ei ddefnyddio wrth gyllidebu, yw cyfanswm cost o oddeutu £26.9 miliwn, gan gynnwys arian wrth gefn. Ein ffigur ni, y cyrhaeddwyd ato'n annibynnol, oedd £26.8 miliwn, gan gynnwys arian wrth gefn. Felly, mae'n gysur inni fod Turner a Townsend wedi mynd dros yr un tir â'n hymgynghorwyr proffesiynol ac wedi dod i'r un casgliad fwy neu lai.

[219] **Alun Cairns:** Paragraph 5.9 mentions the recommendation to amend the contingency fund. Another report from Turner and Townsend is 10 per cent higher again than the Assembly's estimate which, incidentally, was close to the surveyor's estimate. Why has that recommendation not been acted upon?

[219] **Alun Cairns:** Sonia paragraff 5.9 am yr argymhelliad i ddiwygio'r gronfa wrth gefn. Mae adroddiad arall gan Turner a Townsend 10 y cant yn uwch eto nag amcangyfrif y Cynulliad sydd, gyda llaw, yn agos at amcangyfrif y syrfëwr. Pam na weithredwyd ar sail yr argymhelliad hwnnw?

Mr Thomas: Sorry, I do not understand that question.

Mr Thomas: Mae'n ddrwg gennyf, nid wyf yn deall y cwestiwn hwnnw.

[220] **Alun Cairns:** There is a recommendation in paragraph 5.9 that mentions the contingency fund. It recommends a higher contingency fund, bearing in mind the risk, which is very close to the original surveyor's estimate. Why have we not acted on that?

[220] **Alun Cairns:** Mae argymhelliad ym mharagraff 5.9 sydd yn sôn am y gronfa wrth gefn. Mae'n argymell cronfa wrth gefn uwch, a chofio am y risg, sydd yn agos iawn at amcangyfrif y syrfëwr gwreiddiol. Pam nad ydym wedi gweithredu ar hynny?

Mr Thomas: Paragraph 5.9 refers to the original design.

Mr Thomas: Mae paragraff 5.9 yn cyfeirio at y cynllun gwreiddiol.

[221] **Alun Cairns:** Paragraph 5.19.

[221] **Alun Cairns:** Paragraff 5.19.

Mr Thomas: I beg your pardon. We have decided to keep the project budget as it is—as the estimate was, and it is still the estimate that we can deliver for—at £23.2 million in order to keep downward pressure on the costs.

Mr Thomas: Mae'n ddrwg gennyf. Yr ydym wedi penderfynu cadw cyllideb y prosiect fel y mae—fel yr oedd yr amcangyfrif, a dyma'r amcangyfrif o hyd ar gyfer cyflawni'r gwaith—sef £23.2 miliwn er mwyn gwthio i lawr ar y costau.

[222] **Alun Cairns:** I was talking about the difference between the expected cost as well as the contingency. Turner and Townsend has made a recommendation to reduce the contingency and transfer it to the actual cost of the building. Why have you not followed that recommendation? My theme is consistent. I do not believe that we are necessarily being completely honest in this regard—the Assembly, not you as officials—when we are potentially setting ourselves goals that are unachievable.

[222] **Alun Cairns:** Yr oeddwn yn sôn am y gwahaniaeth rhwng y gost a ragwelir yn ogystal â'r arian wrth gefn. Mae Turner a Townsend wedi gwneud argymhelliad i leihau'r arian wrth gefn a'i drosglwyddo i wir gost yr adeilad. Pam nad ydych wedi dilyn yr argymhelliad hwnnw? Yr un thema sydd gennyf. Ni chredaf ein bod o anghenraid yn bod yn gwbl onest yn hyn o beth—y Cynulliad, nid chi fel swyddogion—wrth inni, o bosibl, osod amcanion inni'n hunain nad oes modd eu cyflawni.

Mr Thomas: We looked at this when Turner and Townsend made its recommendation and again took our own advice, which remained that we believe that the project is deliverable within our earlier estimate. We thought that it would be wrong to transfer half the contingency fund into the estimated cost because that would reduce the downward pressure on costs. We are very anxious to keep a downward pressure on costs, Chair. We are very anxious to stay within the original estimate. That is the way in which we are working with our architects.

Mr Thomas: Edrychwyd ar hyn pan wnaeth Turner a Townsend ei argymhelliad ac unwaith eto, dilynwyd ein cyngor ni'n hunain, sef ein bod yn dal i feddwl bod modd cyflawni'r prosiect o fewn ein hamcangyfrif cynharach. Teimlwyd y byddai'n anghywir trosglwyddo hanner y gronfa wrth gefn i'r amcangost oherwydd y byddai hynny'n ysgafnu'r gwasgu ar gostau. Yr ydym yn awyddus iawn i barhau i wasgu ar y costau, Gadeirydd. Yr ydym yn awyddus iawn i aros o fewn yr amcangyfrif gwreiddiol. Dyna'r ffordd yr ydym yn gweithio gyda'n penseiri.

[223] **Alun Cairns:** Surely the size of the contingency or the size of the expected costs of the building excluding the contingency, is irrelevant. It will cost whatever it costs to actually build whether we use a contingency or not. I am trying to gain as much public confidence in the building as possible. Surely, should we not be honest rather than having to use, later down the road, a larger amount of the contingency budget?

[223] **Alun Cairns:** Ond onid yw maint y gronfa wrth gefn neu faint costau disgwyliedig yr adeilad heb y gronfa wrth gefn yn amherthnasol? Mewn gwirionedd, bydd y gwaith adeiladu'n costio beth bynnag y bydd yn ei gostio, a hynny os defnyddiwn arian wrth gefn ai peidio. Ceisio ennyn cymaint o hyder y cyhoedd yn yr adeilad ag y bo modd yr wyf i. Oni ddylem fod yn onest, yn hytrach na gorfod defnyddio, yn ddiweddarach, swm mwy o'r gyllideb wrth gefn?

Mr Shortridge: May I try to answer it in this way? We certainly want to have a discipline over costs and that means, I am sure, that we want to be very careful and only acknowledge an increase in costs if we have very sound reasons to do so. On the contingency, I am sure that there has not been any dishonesty. I think that the Minister for Finance, Local Government and Communities has made it very clear that she is the person who will release money from that contingency sum. So there was a very strong public political acknowledgement of the way in which any further increase in the cost of this project will be managed.

Mr Shortridge: A gaf geisio'i ateb fel hyn? Yn sicr, yr ydym am reoli'r costau ac mae hynny'n golygu, yr wyf yn siwr, ein bod am fod yn ofalus iawn, a dim ond am gydnabod cynnydd yn y costau os oes gennym resymau cadarn iawn dros wneud hynny. Ar y gyllideb wrth gefn, yr wyf yn siwr na fu unrhyw anonestrwydd. Credaf fod y Gweinidog dros Gyllid, Llywodraeth Leol a Chymunedau wedi ei gwneud yn glir iawn mai hi yw'r person a fydd yn rhyddhau arian o'r swm wrth gefn hwnnw. Felly, yr oedd cydnabyddiaeth wleidyddol gyhoeddus gref iawn gyda golwg ar y ffordd y rheolir unrhyw gynnydd pellach yng nghost y prosiect hwn.

[224] **Alun Cairns:** Thank you for that, but some might say that that is a bit like closing the stable door after the horse has bolted. Turner and Townsend in its independent review of project costs suggested an average risk of £3.25 million and a maximum likely risk of £8.4 million. The latter figure is much higher than the contingency provision of £3.5 million that you are proposing. Does this indicate a significant risk that the contingency will be insufficient even if you maintain it at the size that it is?

[224] **Alun Cairns:** Diolch ichi am eich ateb, ond byddai rhai yn dweud mai codi pais yw hynny. Yn ei adroddiad annibynnol ar gostau'r prosiect, awgrymodd Turner a Townsend risg ar gyfartaledd o £3.25 miliwn a chyfanswm risg tebygol o £8.4 miliwn. Mae'r ail ffigur yn uwch o lawer na'r ddarpariaeth wrth gefn o £3.5 miliwn a gynigiwch chi. A yw hyn yn awgrymu bod risg sylweddol y bydd yr arian wrth gefn yn annigonol hyd yn oed os byddwch yn ei gadw ar y lefel bresennol?

Mr Shortridge: I will let Gerry come in on this, but basically the £8.4 million is derived from multiplying together all the worst case risks, so it is the most unlikely figure to be reached, which is why Turner and Townsend felt able to focus on the £3.25 million.

Mr Shortridge: Gadawaf i Gerry ddod i mewn ar hyn, ond yn y bôn, mae'r £8.4 miliwn yn deillio o luosogi gyda'i gilydd yr holl risgiau gwaethaf, felly dyma'r ffigur fwyaf annhebygol a geir, a dyna pam y teimlai Turner a Townsend eu bod yn gallu canolbwyntio ar y £3.25 miliwn.

Mr Thomas: That is the answer, Jon. The higher figure is a maximum risk. If everything conceivable went totally wrong and we did not manage any of the risks, we might end up there. We are setting out to manage the risks as carefully as we can. It was comforting to us that Turner and Townsend, in the £26.9 million figure, arrived at much the same total provision in terms of project cost and contingency as we ourselves had done as being the reasonable basis on which to plan.

Mr Thomas: Dyna'r ateb, Jon. Y ffigur uchaf yw'r risg fwyaf posibl. Pe bai popeth posibl yn mynd o'i le yn y ffordd waethaf un, ac nad oedd modd inni reoli dim o'r risgiau, efallai mai yn y fan honno y byddem yn ein cael ein hunain. Yr ydym yn mynd ati i reoli'r risgiau mor ofalus ag y gallwn. Yr oedd yn gysur inni i gyd fod Turner a Townsend, yn y ffigur o £26.9 miliwn, wedi cynnig yr un math o gyfanswm darpariaeth o ran costau'r prosiect a'r arian wrth gefn ag yr oeddem ni ein hunain wedi'u cynnig yn sail resymol ar gyfer cynllunio.

[225] **Alun Cairns:** One could say that that seems to be the only piece of advice that you have accepted from the firm, when you have ignored everything else that Turner and Townsend presented, but I will leave that point. It is clear that the use of a contingency fund will depend on the number and severity of the risks that materialise. Could you give us an idea of what these risks are and how you plan to manage them?

[225] **Alun Cairns:** Gallai rhywun ddweud mai dyna i bob golwg oedd yr unig ddarn o gyngor yr ydych wedi'i dderbyn gan y cwmni, a chithau wedi anwybyddu popeth arall a gyflwynwyd gan Turner a Townsend, ond gadawaf hynny. Mae'n amlwg y bydd defnyddio cronfa wrth gefn yn dibynnu ar faint o'r risgiau sydd yn cael eu gwireddu a'u difrifoldeb. A allwch chi roi syniad inni o beth yw'r risgiau hyn a sut y bwriadwch eu rheoli?

Mr Thomas: There are risks at every stage and a risk that there may be changes in design that add to costs. That is a question for us in terms of finalising the design to identify the cost consequences of every change proposed, to look at whether it could be incorporated by offsetting savings, and if it cannot, for any decision on whether that change could be made or not be made in terms of full knowledge of the cost consequences. It is a matter of being aware of the cost consequences of change and

Mr Thomas: Mae risgiau ynghlwm wrth bob cam a risg y gall fod newidiadau i'r cynllun sydd yn ychwanegu at y costau. Mater inni yw hynny wrth lunio'r cynllun terfynol a nodi beth yw effaith pob newid a gynigir ar y costau, i edrych i weld a ellid ei gynnwys drwy wneud arbedion mewn man arall, ac oni ellir, i sicrhau bod unrhyw benderfyniad ynghylch a oes modd newid y cynllun yn y modd hwnnw ai peidio yn cael ei wneud gan ddeall yn llwyr beth fydd effaith hynny ar gostau. Mater o fod

we are working very hard to ensure that any change proposal is properly costed and identified. If it is accepted, we find offsetting savings if we can, but if it is not possible to do that, the decision is taken in the full knowledge of the cost consequence of it. It is a matter of understanding the consequences of design change.

yn ymwybodol o effaith newidiadau ar gostau ydyw ac yr ydym yn gweithio'n galed iawn i sicrhau bod unrhyw newid a gynigir yn cael ei gostio a'i nodi'n gywir. Os derbynnir y newid, byddwn yn chwilio am arbedion i wneud iawn am hynny os oes modd, ond os nad oes modd, bydd y penderfyniad yn cael ei wneud gan ddeall yn llwyr beth fydd effaith hynny ar gostau. Mater o ddeall canlyniadau newid y cynllun ydyw.

It is more difficult to forecast other things. We have estimates of what the contract prices may be. When we go to the market, they may prove to be inaccurate because of changes in conditions that we clearly cannot control, but of which we have to be aware. Other major risks include site conditions—the site has been surveyed but one never knows until one starts digging the foundations what one will find. We have to be aware of that and keep on top of it. There are other risks. We want to avoid a culture where our contractors might be looking to make claims against us all the time, thus bumping up the cost. That means that we must work very closely with them to try to create a co-operative atmosphere and minimise any chance for claims. We have to be aware of those and manage accordingly. Those are some of the areas where we might face risks.

Mae'n fwy anodd rhagweld pethau eraill. Mae gennym amcangyfrifon o'r hyn y gall prisiau'r contract fod. Pan awn allan i'r farchnad, efallai y gwelwn fod yr amcangyfrifon hynny'n anghywir oherwydd bod amgylchiadau wedi newid, amgylchiadau sydd wrth gwrs y tu hwnt i'n rheolaeth ond y mae'n rhaid inni fod yn ymwybodol ohonynt. Un o'r risgiau mawr eraill yw cyflwr y safle—cynhaliwyd arolwg ar y safle ond nid oes neb yn gwybod beth sydd yno nes i rywun ddechrau palu ar gyfer y sylfeini. Rhaid inni fod yn ymwybodol o hynny a sicrhau ein bod yn cadw ar flaen y sefyllfa. Ceir risgiau eraill. Yr ydym am osgoi awyrgylch lle gallai ein contractwyr fod yn ceisio hawlio yn ein herbyn drwy'r amser, gan wthio'r costau i fyny. Golyga hynny bod yn rhaid inni weithio'n agos iawn gyda hwy er mwyn creu awyrgylch cydweithredol ac osgoi hawliadau gymaint ag y bo modd Rhaid inni fod yn ymwybodol ohonynt a'u rheoli mewn ffordd briodol. Dyna rai o'r meysydd lle gallem fod yn wynebu risgiau.

[226] **Alun Cairns:** Paragraph 5.21 of the Auditor General's report outlines the reasons for the increase in costs of estimated construction from £12.5 million to the current budget of £23.18 million. It appears that design changes accounted for only £2.23 million of the increase, and that the rest is due to corrections to original estimates, fitting out costs and external landscaping costs that were not provided for in the original estimate. Does this not show that the budget was seriously underestimated and that the building could never have been completed for the £12.5 million that was claimed at the outset?

[226] **Alun Cairns:** Mae paragraff 5.21 adroddiad yr Archwilydd Cyffredinol yn amlinellu'r rhesymau dros y cynnydd yng nghostau'r amcangyfrif ar gyfer adeiladu o £12.5 miliwn i'r gyllideb bresennol o £23.18 miliwn. Ymddengys mai dim ond £2.23 miliwn o'r cynnydd sydd yn deillio o newid y cynllun a bod y gweddill yn deillio o gywiro'r amcangyfrifon gwreiddiol, costau ffitio a chostau tirlunio'r tu allan nad oeddent wedi'u cynnwys yn yr amcangyfrif gwreiddiol. Onid yw hyn yn dangos bod y gyllideb wedi'i thanamcangyfrif yn ddifrifol ac na ellid erioed fod wedi cwblhau'r adeilad am y £12.5 miliwn a honnwyd ar y dechrau?

Mr Thomas I think that the original figure related to the construction of the building. That is certainly the case; it did not take into account all project costs. It was the figure used at the time of the competition. What would it cost to build us a landmark building of an appropriate standard in the bay? The figure was put at £12.5 million. That figure did not include all the costs and I think that that was probably an error. Perhaps Eric can add to the explanation on that. However, it is certainly the case that some costs were excluded from the original figure.

Mr Thomas: Credaf fod y ffigur gwreiddiol yn cyfeirio at adeiladu'r adeilad. Yn sicr, dyna'r sefyllfa; nid oedd yn cynnwys holl gostau'r prosiect. Dyna'r ffigur a ddefnyddid adeg y gystadleuaeth. Beth fyddai'n ei gostio inni godi adeilad nodedig o safon briodol yn y bae? Gosodwyd ffigur o £12.5 miliwn. Nid oedd y ffigur hwnnw'n cynnwys yr holl gostau a chredaf mai camgymeriad oedd hynny, mae'n debyg. Efallai y gall Eric ychwanegu at yr esboniad ar hynny. Fodd bynnag, mae'n sicr yn wir bod rhai costau wedi'u hepgor o'r ffigur wreiddiol.

Mr McDonald: The explanation, really, is the one that the First Secretary gave to the Assembly in January of this year, which reconciled the £12.5 million with the £22.8 million. It is certainly the case that the £12.5 million did not include such things as fees, fitting out or work that was beyond the site boundary. There were some changes from the Assembly and some corrections to the original estimate.

Mr McDonald: Yr esboniad, a dweud y gwir, yw'r un a roddodd y Prif Ysgrifennydd i'r Cynulliad yn Ionawr eleni a oedd yn cysoni'r £12.5 miliwn gyda'r £22.8 miliwn. Mae'n sicr yn wir nad oedd y £12.5 miliwn yn cynnwys pethau megis ffioedd, gwaith ffitio neu waith a oedd y tu hwnt i ffin y safle. Cafwyd rhywfaint o newidiadau gan y Cynulliad a rhai cywiriadau i'r amcangyfrif gwreiddiol.

[227] **Alun Cairns:** I understand that one of those costs was to improve disability access. That is just one of them. Surely would not that have been contained within the requirements of the competition at the outset? Therefore, is it right that the taxpayers are paying for amendments thereafter when it would have been costed by the Richard Rogers Partnership?

[227] **Alun Cairns:** Deallaf mai ymwneud â gwella'r mynediad i'r anabl oedd un o'r costau hynny. Dim ond un ohonynt yw hwnnw. Oni fyddai hynny wedi'i gynnwys yng ngofynion y gystadleuaeth o'r dechrau? Felly, a ydyw'n iawn bod trethdalwyr yn talu am newidiadau wedyn pan fyddai hynny wedi'i gostio gan Bartneriaeth Richard Rogers?

Mr McDonald: There were certainly changes to the design, and the changes to the design that Assembly Members required added to the cost. It was a fairly significant redesign to the interior of the proposed building, which provides very much better access for people with a disability.

Mr McDonald: Yn sicr, newidiwyd y cynllun, ac yr oedd y newidiadau i'r cynllun y gofynnodd Aelodau'r Cynulliad amdanynt yn ychwanegu at y gost. Yr oedd yn golygu ailgynllunio i raddau sylweddol du mewn yr adeilad arfaethedig, sydd yn darparu mynediad llawer gwell i bobl ag anabledd.

[228] **Alun Cairns:** So is it the case that the taxpayer is now paying for an oversight by the architects at the outset?

[228] **Alun Cairns:** Felly a ydyw'n wir bod y trethdalwr bellach yn talu am amryfusedd gan y penseiri ar y dechrau?

Mr McDonald: No, the taxpayer is paying for a much improved building that the Assembly sought to get.

Mr McDonald: Nag ydyw, mae'r trethdalwr yn talu am adeilad llawer gwell yr oedd y Cynulliad yn dymuno'i gael.

[229] **Alun Cairns:** So you are telling me that the design at the outset by the architects was not appropriate or was not good enough for the standards that were necessary, but it was still approved, and the costs were agreed within the provisions that they supplied?

[229] **Alun Cairns:** Felly yr ydych yn dweud wrthyf nad oedd y cynllun ar y dechrau gan y penseiri yn briodol neu nad oedd yn ddigon da i gwrdd â'r safonau a oedd yn angenrheidiol, ond bod y cynllun hwnnw dal wedi cael ei gymeradwyo, a'r costau wedi eu cytuno arnynt ar sail eu darpariaethau hwy?

Mr McDonald: I think that one must recognise that what we had at competition stage was a concept design. A concept design is something that develops over a period of time; it is not a fixed idea, and Assembly Members sought to influence that.

Mr McDonald: Credaf fod yn rhaid i rywun sylweddoli mai'r hyn a oedd gennym adeg y gystadleuaeth oedd cynllun cysyniadol. Mae cynllun cysyniadol yn rhywbeth sydd yn datblygu dros gyfnod; nid syniad digyfnewid mohono, a cheisiodd Aelodau'r Cynulliad ddylanwadu ar hynny.

[230] **Alison Halford:** May I come in?

[231] **Janet Davies:** I am sorry, Alison, I am not allowing supplementary questions.

[232] **Alison Halford:** It is just that I totally object to that statement.

[233] **Janet Davies:** Leave it with Alun.

[234] **Alun Cairns:** Surely, the specifications that would have been presented at the competition stage, at the concept stage, would have called for disability access to the required standard. That obviously was not achieved to the standard that the Assembly requires. However, we are now in a situation where the taxpayer is paying in addition to what was quoted at the outset. Is it not fair that the architects should pay for the inadequacies of the building at the outset, when it had not even been built, so therefore design amendments could have been made at their end rather than the taxpayer having to find yet additional funds?

Mr McDonald: I think that that is just a consequence of the development of the design, that a client requires different and better provision from that which is first provided.

[235] **Alun Cairns:** But surely either we were not specific enough at the outset or the architect's design was inappropriate for our needs? Which one was it?

[230] **Alison Halford:** A gaf i gyfrannu?

[231] **Janet Davies:** Mae'n ddrwg gennyf, Alison, nid wyf am ganiatáu cwestiynau ategol.

[232] **Alison Halford:** Ond yr wyf yn gwrthwynebu'r datganiad hwnnw'n llwyr.

[233] **Janet Davies:** Gadewch hynny i Alun.

[234] **Alun Cairns:** Oni fyddai'r manylebion a gyflwynasid adeg y gystadleuaeth, adeg y cysyniad, wedi gofyn am fynediad i'r anabl yn ôl y safon ofynnol? Mae'n amlwg nad oedd hynny wedi'i gyflawni i'r safon y mae'r Cynulliad yn dymuno'i chael. Fodd bynnag, yr ydym yn awr yn wynebu sefyllfa lle bo'r trethdalwr yn talu ar ben yr hyn a ddyfynnwyd ar y dechrau. Onid yw'n deg bod y penseiri'n gorfod talu am elfennau annigonol yr adeilad ar y dechrau, pan nad oedd hyd yn oed wedi'i adeiladu, felly, gellid fod wedi newid y cynllun yn eu pen hwy, yn hytrach na bod rhaid i'r trethdalwr ddod o hyd i arian ychwanegol eto?

Mr McDonald: Credaf mai canlyniad datblygu'r cynllun yw hynny, dyna i gyd, bod cleient yn gofyn am ddarpariaeth sydd yn wahanol ac yn well na'r hyn a gynigir ar y dechrau.

[235] **Alun Cairns:** Ond onid yw hynny'n golygu ynteu nad oeddem yn ddigon penodol ar y dechrau neu nad oedd cynllun y pensaer yn briodol ar gyfer ein hanghenion? Pa un sydd yn wir?

Mr McDonald: The architect was invited to come up with ideas: that is what a concept design is all about. A concept is then developed and the clients can influence how that develops. If the client requires change and there is development, then that may change the cost.

Mr McDonald: Gwahoddwyd y pensaer i gyflwyno syniadau: dyna beth yw hanfod cynllun cysyniadol. Yna, datblygir y cysyniad a gall y cleientiaid ddylanwadu ar sut mae hynny'n datblygu. Os yw'r cleient yn dymuno gweld newid a bod datblygu'n digwydd, yna gall hynny newid y gost.

[236] **Alun Cairns:** I am still not comfortable with this. It is one or the other. We either gave insufficient or inappropriate criteria at the outset or the design has been inappropriate. I do not see why the taxpayer has to foot the bill at the end of it. If it had been designed correctly at the outset or if the criteria had been sufficiently accurate, then the costs that have been incurred since that time could have been taken into consideration when the decision was made about which building to choose.

[236] **Alun Cairns:** Yr wyf yn dal i fod yn anghyfforddus â hyn. Mae'n un neu'r llall. Naill ai yr oedd y meini prawf a roesom ar y dechrau yn annigonol neu'n amhriodol neu yr oedd y cynllun yn amhriodol. Ni welaf pam fod yn rhaid i'r trethdalwr dalu yn y pen draw. Pe bai wedi cael ei gynllunio'n iawn o'r dechrau neu pe bai'r meini prawf wedi bod yn ddigon manwl, yna, gellid fod wedi ystyried y costau sydd wedi codi ers hynny wrth benderfynu pa adeilad i'w ddewis.

[237] **Janet Davies:** I wonder, Mr Shortridge, whether you might be able to help on this?

[237] **Janet Davies:** Ys gwn i, Mr Shortridge, a allwch helpu gyda hyn?

Mr Shortridge: I cannot give a definitive reply, but I will try to be as helpful as I can. My impression and recollection is that the Richard Rogers Partnership, along with the other architects, submitted designs that were sufficiently compliant in the panel's view. However, they were concept designs. In terms of disability—for whatever reason, and I would acknowledge that it was probably due to the specification that was given—the standards that we required at that stage were not as high as the Members have required, now that they have had the opportunity to consider the original design. That, I think, is an illustration of the problem that we had all along. Before the Assembly existed we did not have a client, in the fullest sense of the term. What has happened—and the reason for the delay, although there was a lot of value in the delay—is that Members have had the opportunity to interrogate and scrutinise that design against

Mr Shortridge: Ni allaf roi ateb pendant, ond ceisiaf fod o gymaint o gymorth ag y bo modd. Yr argraff a gefais i a'r cof sydd gennyf yw bod Partneriaeth Richard Rogers, ynghyd â'r penseiri eraill, wedi cyflwyno cynlluniau a oedd yn cydymffurfio'n ddigon agos ym marn y panel. Fodd bynnag, cynlluniau cysyniadol oedd y rhain. Gyda golwg ar anabledd—am ba reswm bynnag, a byddwn yn cydnabod mae'n debyg mai oherwydd y fanyleb a roddwyd yr oedd hyn—nid oedd y safonau yr oeddem yn dymuno'u cael bryd hynny mor uchel ag y mae'r Aelodau wedi mynnu, a hwythau bellach wedi cael cyfle i ystyried y cynllun gwreiddiol. Credaf fod hynny'n dangos y broblem a gawsom ar hyd yr amser. Cyn creu'r Cynulliad, nid oedd gennym gleient, yn ystyr llawn y term. Beth sydd wedi digwydd—a'r rheswm dros yr oedi, er bod yr oedi hwnnw wedi bod yn werthfawr mewn sawl ffordd—yw bod Aelodau wedi cael y cyfle i archwilio a

their own values, and against what they regard as important. We have, as a result of this period, in my judgment, secured very significant improvements in the design of this building. However, I am not aware that we can properly lay the charge at the Richard Rogers Partnership that any increase in cost is due to flaws in what it originally submitted.

manylu ar y cynllun hwn ar sail eu gwerthoedd hwy eu hunain, ac ar sail yr hyn sydd yn bwysig yn eu barn hwy. O ganlyniad i'r cyfnod hwn, yn fy marn i, yr ydym wedi sicrhau gwelliannau sylweddol iawn yng nghynllun yr adeilad hwn. Fodd bynnag, nid wyf yn ymwybodol y gallwn feio Partneriaeth Richard Rogers am unrhyw gynnydd yn y gost oherwydd gwendidau yn yr hyn a gyflwynodd yn wreiddiol.

[238] **Alun Cairns:** May I add, Madam Chairman, and to the Committee as a whole, that I support the improvements? I merely used them as an example to contrast between the specifications and the actual provision made by the architect.

[238] **Alun Cairns:** A gaf ychwanegu, Fadam Gadeirydd, ac i'r Pwyllgor i gyd, fy mod yn cefnogi'r gwelliannau? Eu defnyddio'n enghraifft yn unig a wneuthum i dangos y gwrthgyferbyniad rhwng y manylebion a'r ddarpariaeth a gafwyd mewn gwirionedd gan y pensaer.

[239] **Peter Law:** May I ask—?

[239] **Peter Law:** A gaf ofyn—?

[240] **Janet Davies:** We are running so late now, I am afraid that I cannot—

[240] **Janet Davies:** Rydym gymaint ar ei hôl hi erbyn hyn, mae ofn arnaf na allaf—

[241] **Peter Law:** That is my point here. I have to say this. I think that if we cannot do all of these things today, then, in the interest of the people of Wales, we have to have another hearing on another day. I ask you to consider that because I have a number of supplementary questions that I want to ask, and I know that colleagues do too. I know that you do not want to do this, but I do not think that we should be constrained in any way when there is a matter of such public concern here under public scrutiny.

[241] **Peter Law:** Dyna fy mhwynt yma. Rhaid imi ddweud hyn. Oni allwn wneud y pethau hyn i gyd heddiw, yna, er lles pobl Cymru, rhaid inni gynnal gwrandawiad arall ar ddiwrnod arall. Gofynnaf ichi ystyried hynny oherwydd bod gennyf nifer o gwestiynau ategol y dymunaf eu gofyn, a gwn fod gan fy nghydweithwyr hefyd. Gwn nad ydych am wneud hyn, ond nid wyf yn credu y dylem gael ein cyfyngu mewn unrhyw ffordd pan fo mater o gymaint o gonsýrn i'r cyhoedd dan y chwyddwydr cyhoeddus yma.

[242] **Janet Davies:** I think that what you are asking for, Peter, is a major review by the Business Committee of the amount of sessions that are awarded to this Committee, because the last thing that we want to do is fail to consider some other report, on which a great deal of money will have been spent, by using one of those sessions for a second one of these. However, we will certainly consider it at the end, if we get to the end.

[242] **Janet Davies:** Credaf mai'r hyn yr ydych yn gofyn amdano, Peter, yw adolygiad sylweddol gan y Pwyllgor Busnes o faint o sesiynau a roddir i'r Pwyllgor hwn, oherwydd y peth olaf y dymunwn ei wneud yw methu ag ystyried rhyw adroddiad arall, y bydd llawer iawn o arian wedi'i wario arno, drwy ddefnyddio un o'r sesiynau hynny i gynnal ail sesiwn fel hon. Fodd bynnag, byddwn yn sicr yn ystyried hynny ar y diwedd, os cyrhaeddwn y diwedd.

[243] **Peter Law:** I do not think, with respect, that you can do justice to a major report like this in three hours.

[243] **Peter Law:** Ni chredaf, gyda pharch, y gallwch wneud cyfiawnder ag adroddiad pwysig fel hwn mewn tair awr.

[244] **Alun Cairns:** I think that we have to recognise the public concern that lies in this document and that we would not be fulfilling our obligations unless we gave it the time and the attention that it deserves. I would support the request made by Peter Law.

[244] **Alun Cairns:** Credaf fod yn rhaid inni gydnabod fod y ddogfen hon yn fater o gonsýrn cyhoeddus ac na fyddem yn cyflawni ein dyletswydd oni bai ein bod yn rhoi amser a sylw haeddiannol iddi. Byddwn yn cefnogi'r cais a wnaethpwyd gan Peter Law.

[245] **Janet Davies:** As I said, we will discuss it at the end.

[245] **Janet Davies:** Fel y dywedais, trafodwn hynny ar y diwedd.

I want to ask a question rising from paragraph 5.22, about the fee structure for the architects, Richard Rogers Partnership. The base fee has risen by at least 73 per cent in line with the construction cost. Why have you chosen to link the fee directly to construction costs, when this carries a very obvious risk of cost escalation?

Yr wyf am ofyn cwestiwn sydd yn codi o baragraff 5.22, am strwythur ffioedd y penseiri, Partneriaeth Richard Rogers. Mae'r ffi sylfaenol wedi codi o leiaf 73 y cant yn unol â'r costau adeiladu. Pam y dewisoch gysylltu'r ffi yn uniongyrchol â'r costau adeiladu, pan fo elfen amlwg o risg ynghlwm wrth hyn o ran cynyddu'r costau?

Mr Shortridge: The short answer to that is that in line with the Royal Institute of British Architects design competition arrangements, those were the conditions and circumstances laid down. We simply adopted an existing system and approach. I do not know whether Gerry wants to comment further.

Mr Shortridge: Yr ateb byr i hynny yw, yn unol â threfniadau cystadlaethau cynllunio Sefydliad Brenhinol Penseiri Prydain, dyna'r amodau a'r amgylchiadau a bennwyd. Mabwysiadu trefn a dull a oedd eisoes yn bodoli a wnaethom. Ni wn a yw Gerry am roi sylwadau pellach.

Mr Thomas: I think, with hindsight, Jon, that that was probably something that we should have tackled earlier, post-competition, and tried to sort out. We have been trying to sort it out since, in detailed negotiations with the architects. We have now, in the last couple of weeks, arrived at an agreement with them on a capped fee, which will be tied to the estimated construction cost when we sign off the final design. That means that, should the cost accelerate beyond those we are planning for at that stage there will be no further increase in the architects' fee. We have managed to reach that agreement with them recently.

Mr Thomas: Credaf, ac edrych yn ôl, Jon, fod hynny mae'n debyg yn rhywbeth y dylem fod wedi mynd i'r afael ag ef ynghynt, ar ôl y gystadleuaeth, a cheisio'i ddatrys. Yr ydym wedi bod yn ceisio'i ddatrys ers hynny, drwy negodi'n fanwl gyda'r penseiri. Yr ydym yn awr, yn ystod y pythefnos diwethaf, wedi cael cytundeb â hwy ar uchafswm ffi a glymir at amcangost yr adeiladu pan fyddwn yn llofnodi'r cynllun terfynol. Ystyr hynny yw, pe bai'r gost yn mynd y tu hwnt i'r costau yr ydym yn cynllunio ar eu cyfer bryd hynny, na fydd cynnydd pellach yn ffi'r penseiri. Yr ydym wedi llwyddo i gael y cytundeb hwnnw â hwy'n ddiweddar.

[246] **Janet Davies:** I am very pleased to hear that. Kirsty, do you want to pursue this?

[246] **Janet Davies:** Yr wyf yn falch iawn o glywed hynny. Kirsty, a ydych chi am ddilyn y trywydd hwn?

[247] **Kirsty Williams:** Paragraph 5.22 also states that the indicative fee percentage submitted by each architect at the time of the design competition would form the basis of negotiations with the successful architect, and could be used to set a fixed fee. You have just acknowledged that you should have done that soon after the completion of the competition. Why did you not do that at the completion of the design competition and therefore reduce the risk of the costs escalating as has now happened? You said that you should have and I am interested in why you did not.

[247] **Kirsty Williams:** Mae paragraff 5.22 hefyd yn dweud y byddai canran y ffi nodweddiadol a gyflwynid gan bob pensaer adeg y gystadleuaeth cynllunio yn sail ar gyfer negodi gyda'r pensaer llwyddiannus ac y gellid defnyddio hwnnw i bennu'r ffi sefydlog. Yr ydych newydd gydnabod y dylech fod wedi gwneud hynny'n fuan ar ôl cwblhau'r gystadleuaeth. Pam na wnaethoch hynny wrth gwblhau'r gystadleuaeth cynllunio a thrwy hynny ostwng y perygl bod y costau'n dringo fel sydd wedi digwydd erbyn hyn? Dywedasoch y dylech fod wedi gwneud hyn a hoffwn glywed pam na wnaethoch.

Mr Thomas: We should have attempted to do so, is what I said. We are not particularly negotiating from a position of strength once the design has been accepted and endorsed and we are into the development stage. That was a feature in this—

Mr Thomas: Yr hyn a ddywedais oedd y dylem fod wedi ceisio gwneud hynny. Nid ydym yn negodi o sefyllfa arbennig o gryf unwaith i'r cynllun gael ei dderbyn a'i gymeradwyo a'n bod ar ganol y cam datblygu. Yr oedd hynny'n nodwedd o'r—

[248] **Kirsty Williams:** You are not in a position of strength now having to do it at this late stage.

[248] **Kirsty Williams:** Nid ydych mewn sefyllfa gref yn awr wrth orfod ei wneud cyn hwyred â hyn.

Mr Thomas: No. I would not want to give you the impression that we only thought of this a fortnight ago.

Mr Thomas. Nac ydym. Ni fyddwn am roi'r argraff ichi mai dim ond pythefnos yn ôl y trawodd hyn arnom.

[249] **Kirsty Williams:** No, I know that.

[249] **Kirsty Williams:** Na, gwn hynny.

Mr Thomas: The negotiations with the architects, and Eric can tell you more as he has been involved for longer than I, have been going on for a long time. This is an issue on which we have found it very difficult to move them. We have now succeeded in moving them and we have achieved the agreement to which I referred earlier.

Mr Thomas: Mae'r negodiadau â'r penseiri, a gall Eric ddweud mwy wrthych gan ei fod wedi bod yn rhan o hyn yn hwy na fi, wedi bod yn mynd rhagddynt ers tro. Cawsom anhawster mawr i'w symud ar y pwnc hwn. Yr ydym erbyn hyn wedi llwyddo i'w symud ac yr ydym wedi sicrhau'r cytundeb y cyfeiriais ato ynghynt.

[250] **Kirsty Williams:** I am still not sure why you did not attempt to do it. I am still not sure why. I know that you acknowledge that those attempts should have been made but I am still not quite sure why you did not do it at that precise moment. Were there reasons? Maybe there were no reasons.

[250] **Kirsty Williams:** Nid wyf yn siwr eto pam na wnaethoch geisio gwneud hyn. Nid wyf yn siwr eto pam. Gwn eich bod yn cydnabod y dylid bod wedi gwneud ymdrech ond nid wyf yn siwr eto pam na wnaethoch hynny ar yr adeg arbennig honno. A oedd rhesymau? Efallai nad oedd rhesymau.

Mr Shortridge: My judgment is that it was an oversight.

Mr Shortridge: Fy marn i yw mai amryfusedd oedd hynny.

[251] **Kirsty Williams:** Thank you.

[251] **Kirsty Williams:** Diolch.

Mr McDonald: We have been talking to them throughout. We have been dealing with their contract throughout. We have been seeking to get a price fixed with them throughout and we have had no success whatsoever until a fortnight ago.

Mr McDonald: Yr ydym wedi bod yn siarad â hwy drwy gydol yr amser. Yr ydym wedi bod yn ymwneud â'u contract drwy gydol yr amser. Yr ydym wedi bod yn ceisio am bris sefydlog ganddynt drwy gydol yr amser ac nid ydym wedi cael dim llwyddiant o gwbl tan bythefnos yn ôl.

[252] **Kirsty Williams:** Thank you. So, can I confirm that you have agreed a cap on the fee? Have contracts now been exchanged?

[252] **Kirsty Williams:** Diolch. Felly, a gaf gadarnhau eich bod wedi cytuno ar gapio'r ffi? A yw'r contractau wedi'u cyfnewid erbyn hyn?

Mr Thomas: Contracts have not yet been exchanged. There are still some details to work out.

Mr Thomas: Nid yw'r contractau wedi'u cyfnewid eto. Mae rhai manylion i'w datrys o hyd.

[253] **Kirsty Williams:** Given the fact that the civil service, I hope, does not usually have people running around working for it without contracts—I am hoping that that is the case—why was it the case in this instance that a contract was not signed and why, as late as we are down the line, are we still negotiating with them? Is it strange? Maybe I am not aware and this is usual practice.

[253] **Kirsty Williams:** Ac ystyried y ffaith nad yw'r gwasanaeth sifil, gobeithio, fel arfer, yn caniatáu i bobl redeg o gwmpas yn gweithio drosto heb gontractau—yr wyf yn gobeithio nad ydyw—pam na chafodd contract mo'i lofnodi ar yr achlysur hwn, a pham, a ninnau wedi cerdded mor bell ar hyd y llwybr, yr ydym yn dal i fod yn negodi â hwy? A yw hyn yn rhyfedd? Efallai nad wyf yn deall ac mai dyma'r drefn arferol.

Mr Thomas: Part of the reason that it has taken so long is that we have been negotiating with them on the fees and have not come to an agreement. It has taken a long time to do that. It has not inhibited the development of the project to do that.

Mr Thomas: Rhan o'r rheswm pam mae hyn wedi cymryd cyhyd yw ein bod wedi bod yn negodi'r ffioedd â hwy a heb ddod i gytundeb. Mae hynny wedi cymryd amser hir. Nid yw hynny wedi rhwystro'r prosiect rhag datblygu.

[254] **Kirsty Williams:** Or the costs. Are there any other consultants' fees based on the construction costs? I am particularly concerned about the project manager.

[254] **Kirsty Williams:** Na'r costau. A oes unrhyw ffioedd eraill i ymgynghorwyr sydd wedi'u seilio ar y costau adeiladu? Yr wyf yn arbennig o bryderus ynghylch rheolwr y prosiect.

Mr Thomas: The project manager contract is a fixed fee.

Mr Thomas: Mae contract rheolwr y prosiect yn gontract ffi sefydlog.

[255] **Kirsty Williams:** Thank goodness for that.

[255] **Kirsty Williams:** Diolch byth am hynny.

[256] **Janet Davies:** Thank you, Kirsty. Jocelyn, do you wish to come in with a few questions?

[256] **Janet Davies:** Diolch, Kirsty. Jocelyn, a hoffech ofyn ychydig o gwestiynau?

[257] **Jocelyn Davies:** I want to explore that theme a little further, I suppose. Why have you decided not to employ your own quantity surveyor but to rely on Hanscomb, which is employed by the architect? Is that not a highly unusual arrangement and is there not perhaps a conflict of interest if a quantity surveyor reports on the value of the work done when its employer is the architect and may then benefit—until a fortnight ago, anyway—through the architect's fee being linked to the construction costs?

[257] **Jocelyn Davies:** Hoffwn archwilio'r thema honno ychydig ymhellach, mae'n debyg. Pam wnaethoch chi benderfynu peidio â chyflogi eich maintfesurwr eich hun ond dibynnu ar Hanscomb, a gyflogir gan y pensaer? Onid yw hynny'n drefniant hynod o anghyffredin ac onid oes gwrthdaro efallai o ran buddiannau os yw maintfesurwr yn adrodd ar werth y gwaith a wnaethpwyd, a'i gyflogwr yn bensaer a all elwa—tan bythefnos yn ôl, beth bynnag—gan fod ffi'r pensaer yn gysylltiedig â'r costau adeiladu?

Mr Thomas: This is not as straightforward as it may sound. Hanscomb also has a contractual relationship with us, under the contract that we have through Richard Rogers, to be available to advise us separately. It has a professional duty to look after our interests under that. We have internally in our team a quantity surveyor who is offering us separate advice. The project manager has a duty under the contract to look at these issues as well and provide us with assurance on costs, so we are not thoroughly exposed on this. We are not entirely in the hands of Hanscomb. We have two forms of intelligent customer advice, if I can put it that way. There is an issue that if we took on board yet another independent quantity surveyor that that would add to our costs. So, a judgment has to be made on that.

Mr Thomas: Nid yw hyn mor syml ag y mae'n ymddangos. Mae gan Hanscomb hefyd berthynas gontractaidd â ni, dan y contract sydd gennym drwy Richard Rogers, i fod ar gael i'n cynghori ar wahân. Mae ganddo ddyletswydd proffesiynol i warchod ein buddiannau dan y contract hwnnw. Yn ein tîm mewnol, mae gennym faintfesurwr sydd yn rhoi cyngor ar wahân inni. Mae gan reolwr y prosiect ddyletswydd dan y contract i ystyried y materion hyn hefyd a rhoi sicrwydd inni ynghylch costau, fel nad ydym yn gwbl ddiymadferth yn hyn o beth. Nid ydym yn llwyr yn nwylo Handscomb. Mae gennym ddau fath o gyngor deallus-i-gwsmer, os caf ei roi felly. Un ystyriaeth yw pe baem yn cyflogi maintfesurwr annibynnol arall y byddai hynny'n ychwanegu at ein costau. Felly, rhaid llunio barn ynghylch hynny.

Mr Shortridge: May I just say that I take the recommendation in this report very seriously. I have asked that we give very careful, close and urgent consideration to this matter so that we can decide whether we should shift from the position that we have taken up to now, which Mr Thomas has outlined, to the one that the National Audit Office recommended.

Mr Shortridge: A gaf ddweud fy mod yn ystyried yr argymhelliad yn yr adroddiad hwn yn ddifrifol iawn. Yr wyf wedi gofyn ein bod yn rhoi ystyriaeth ofalus, drwyadl i'r mater hwn yn ddi-oed, fel y gallwn benderfynu a ddylem droi oddi wrth y sefyllfa y buom ynddi hyd yn hyn, a amlinellwyd gan Mr Thomas, a thuag at y sefyllfa a argymhellwyd gan Swyddfa'r Archwilydd Cenedlaethol.

[258] **Jocelyn Davies:** Thank you. I am almost tempted to say that, if we should ever have to set up another National Assembly, we would be able to do it perfectly next time. Going on to the scope for savings, in paragraph 5.26, the report states that you sought savings by reducing the number of Committee rooms, meeting rooms and offices, and by retaining the dock wall. What scope is there for further savings and how do you plan to achieve them?

[258] **Jocelyn Davies:** Diolch. Mae'n demtasiwn imi ddweud, pe baem yn gorfod sefydlu Cynulliad Cenedlaethol arall rywbryd eto, y gallem ei wneud yn berffaith y tro nesaf. A symud ymlaen i'r potensial ar gyfer arbedion, ym mharagraff 5.26, dywed yr adroddiad eich bod wedi ceisio sicrhau arbedion drwy gwtogi ar nifer yr ystafelloedd Pwyllgora, yr ystafelloedd cyfarfod a'r swyddfeydd, a thrwy gadw wal y doc. A oes lle i arbed rhagor a sut ydych chi'n bwriadu cyflawni hynny?

Mr Shortridge: I think that that is a question for Gerry.

Mr Shortridge: Credaf mai cwestiwn i Gerry yw hwnnw.

Mr Thomas: It is part of the detailed design process and it will certainly be part of the value engineering process, which we move on to next in the detailed design stage. Every stage will be looking at whole life costs and looking for the best solution. During that stage, we will involve our management contractors, when they are put in place, to advise us on the best way of achieving what we want to do in the cheapest possible way. It is a constant process during the design stage.

Mr Thomas: Rhan o'r cynllun manwl yw hyn ac yn sicr, bydd yn rhan o'r broses peiriannu gwerth, y byddwn yn symud ymlaen iddi nesaf yn ystod y cam cynllunio manwl. Yn ystod pob cam, edrychir ar gostau oes gyfan gan chwilio am yr ateb gorau. Yn ystod y cam hwnnw, bydd ein contractwyr rheoli yn cael eu cynnwys, pan fyddant wedi'u sefydlu, i'n cynghori ar y ffordd orau o gyflawni'r hyn y dymunwn ei wneud yn y ffordd rataf bosibl. Mae hon yn broses barhaus yn ystod y cam cynllunio.

[259] **Jocelyn Davies:** I understand that you plan to use value engineering techniques at an appropriate stage of the project. When exactly is that stage?

[259] **Jocelyn Davies:** Deallaf eich bod yn bwriadu defnyddio technegau peiriannu gwerth ar adeg briodol o'r prosiect. Pa bryd yn union mae'r cam hwnnw?

Mr Thomas: In broad terms, there are three stages in the design. There is the outline design, which we have been through and signed off. Then, there is the design stage, where we take that concept and turn it into a broad design and decide on the internal layouts and so on, and the exact provision that we want there. Then we move after that—and we are getting to the stage where we will be moving to this next stage—into the detailed design process, when we will look at materials and

Mr Thomas: A siarad yn fras, mae tri cham i'r cynllun. Ceir y cynllun amlinell, ac mae hwnnw wedi'i gwblhau a'i lofnodi. Yna, ceir y cam cynllunio, pan fyddwn yn cymryd y cysyniad hwnnw a'i droi'n gynllun bras gan benderfynu ar yr addurniadau mewnol ac yn y blaen a'r union ddarpariaeth y dymunwn ei chael yno. Yna, byddwn yn symud yn ein blaen ar ôl hynny—ac yr ydym yn cyrraedd y cam lle byddwn yn symud i'r cam nesaf hwn—i'r broses cynllunio manwl, pan fyddwn yn

techniques and so on. That is when value engineering comes into play.

ystyried deunyddiau a thechnegau ac yn y blaen. Adeg honno y defnyddir peiriannu gwerth.

[260] **Jocelyn Davies:** I thank you for your time this afternoon because I think that we have given you a real grilling, although I still think that maybe there are other individuals who, more appropriately, should have been asked some of the questions. It is rather interesting that, since devolution, some people escape accountability and other people are put under the microscope.

[260] **Jocelyn Davies:** Diolch ichi am eich amser y prynhawn hwn oherwydd teimlaf ein bod wedi eich rhoi drwy'r felin, er fy mod yn dal i feddwl efallai y byddai wedi bod yn fwy priodol inni ofyn rhai o'r cwestiynau i unigolion eraill. Mae'n eithaf diddorol bod rhai pobl, ers datganoli, yn llwyddo i ddianc rhag atebolrwydd a bod pobl eraill yn cael eu rhoi o dan y chwyddwydr.

[261] **Janet Davies:** I hate to say this, but I have two Members who want to ask a couple of supplementary questions. I am afraid that we have not quite finished. I will call Peter first and then Alison.

[261] **Janet Davies:** Mae'n gas gennyf ddweud hyn, ond mae gennyf ddau Aelod sydd am ofyn ychydig o gwestiynau ategol. Mae arnaf ofn nad ydym wedi gorffen yn llwyr. Galwaf ar Peter yn gyntaf, ac yna ar Alison.

[262] **Peter Law:** I have a few questions, actually. I have been storing them up, Chair, as we have been going along. I did not want to interrupt colleagues who had questions to ask.

[262] **Peter Law:** Mae gennyf ychydig o gwestiynau, a dweud y gwir. Yr wyf wedi bod yn eu cronni, Gadeirydd, wrth inni fynd yn ein blaen. Nid oeddwn am dorri ar draws cyd-Aelodau a oedd â chwestiynau i'w gofyn.

I have listened very carefully this afternoon. At best, we have heard a catalogue of oversights and, at worst, we have heard a catalogue of what people would perceive as incompetence. It concerned me, for instance, that Turner and Townsend recommended that a quantity surveyor should be appointed directly by the Assembly. How can that advice be ignored, bearing in mind what I heard earlier—which I was very impressed with—when I think that you said that Turner and Townsend was very comforting to us on an issue? Therefore, you were in agreement on something earlier, but you actually went against Turner and Townsend's recommendation there. It was amazing to me, actually, that an architect should appoint the quantity surveyor. I think that a lot of people outside this building would

Yr wyf wedi gwrando'n ofalus iawn y prynhawn hwn. Ar y gorau, clywsom gatalog o amryfusedd, ac ar y gwaethaf, clywsom gatalog o'r hyn y byddai pobl yn ei ystyried yn anfedrusrwydd. Yr oedd yn destun pryder imi, er enghraifft, fod Turner a Townsend wedi argymell y dylai'r Cynulliad benodi maintfesurwr yn uniongyrchol. Sut y gellir anwybyddu'r cyngor hwnnw, a chadw mewn cof yr hyn a glywais yn gynharach—a gwnaeth hynny argraff fawr arnaf—pan ddywedasoch, yr wyf yn meddwl, fod Turner a Townsend yn cynnig cysur mawr inni ar un mater? Felly, yr oeddech yn cytuno â hwy ar un peth yn gynharach, ac eto i gyd, aethoch yn groes i argymhelliad Turner a Townsend yn y fan honno. Yr oedd yn destun rhyfeddod imi, a dweud y gwir, bod pensaer yn penodi'r

be very surprised to see that, with the amount of money that we are talking about. That is only one thing.

maintfesurwr. Credaf y byddai llawer o bobl y tu allan i'r adeilad hwn yn synnu'n fawr o weld hynny, ac ystyried y swm o arian yr ydym yn sôn amdano. Un peth yn unig yw hynny.

Consider the things that we heard earlier; for example, the fact that the panel, right back at the beginning, never had the fees of the competing bids reported to it, and that four of the six designs did not fit the actual site, as has been stated, which led to construction costs having to be increased by £1.25 million. Bear that in mind and the fact that this whole project has increased in cost by 93 per cent to date. There is a contingency sum for £3.5 million, which, in fact, Turner and Townsend say could actually be £8.5 million, as Alun Cairns mentioned, or £8.4 million. Bearing in mind the experience that we have had up until now, one has to look at the higher end of this, not the lower end.

Ystyriwch y pethau a glywsom yn gynharach; er enghraifft, y ffaith na chafodd y panel, yn ôl ar y dechrau'n deg, erioed wybod beth oedd ffioedd y cynigion a oedd yn cystadlu yn erbyn ei gilydd, ac nad oedd pedwar o'r chwe chynllun o fewn ffiniau'r safle, fel y'i nodwyd, gan arwain at gynydd o £1.25 miliwn yn y costau adeiladu. Cofiwch hynny a'r ffaith bod cost y prosiect hwn yn ei gyfanrwydd wedi cynyddu 93 y cant hyd yn hyn. Mae swm o £3.5 miliwn wrth gefn, swm y dywed Turner a Townsend a allai fod mewn gwirionedd yn £8.5 miliwn, fel y soniodd Alun Cairns, neu yn £8.4 miliwn. A chadw mewn cof y profiad a gawsom hyd yn hyn, rhaid edrych tua'r swm uchaf, yn hytrach na'r un isaf.

I come from a place that is very deprived—a community where 12 per cent of people are unemployed, where 43 per cent do not have access to a car and which has the worst health statistics. Bearing in mind that even though this project team might well be made up of well-meaning people—and some may say that that they are well-meaning, but they are amateurs because, with respect, they have not had experience in the construction industry—how do you establish credibility in the eyes of the public throughout Wales, and particularly in very poor areas, with the type of response that we have had this afternoon, particularly with referring to oversights on so many occasions? This oversight is a glaring one, where you had particular professional advice and still went ahead and allowed the architect to appoint the quantity surveyor, which I think has to be detrimental to the Assembly in the stewardship of the whole contract. I would be interested to have some comments on that.

Yr wyf fi'n dod o le hynod o ddifreintiedig—cymuned lle bo 12 y cant o'r bobl yn ddi-waith, lle nad oes gan 43 y cant gar at eu defnydd, ac sydd â'r ystadegau iechyd gwaethaf. Er bod aelodau tîm y prosiect o bosibl yn bobl sydd â'r bwriadau gorau—a byddai rhai efallai'n dweud eu bod yn bwriadu'r gorau, amaturiaid ydynt, oherwydd, gyda pharch, nad oes ganddynt brofiad yn y diwydiant adeiladu—sut y mae creu hygrededd yng ngolwg y cyhoedd ledled Cymru, ac yn enwedig mewn ardaloedd tlawd iawn, yn sgîl y math o ymateb a gawsom y prynhawn hwn, yn enwedig pan gyfeiriwyd at amryfusedd gymaint o weithiau? Mae'r amryfusedd hwn yn un hynod o amlwg, pan gawsoch gyngor proffesiynol penodol a'ch bod eto wedi bwrw ymlaen a chaniatáu i'r pensaer benodi'r maintfesurwr, sydd yr wyf yn meddwl yn sicr o fod yn niweidiol i'r Cynulliad wrth stiwardio'r contract drwyddo draw. Hoffwn glywed rhai sylwadau ar hynny.

Mr Shortridge: On the quantity surveyor point, I have said that I take that recommendation very seriously and I have asked that we should look at it urgently. My understanding is that the architects would have their own quantity surveyors anyway as part of the process, so this is buying additional security for the Assembly. I have said that that should be looked at very seriously.

Mr Shortridge: Ar y pwynt ynghylch y maintfesurwr, yr wyf wedi dweud fy mod yn ystyried yr argymhelliad hwnnw'n ddifrifol iawn ac fy mod wedi gofyn inni edrych arno ar frys. Fy nealltwriaeth i yw y byddai gan y penseiri eu maintfesurwyr eu hunain beth bynnag fel rhan o'r broses, ac felly mai prynu sicrwydd ychwanegol i'r Cynulliad y mae hyn. Yr wyf wedi dweud y dylid edrych ar hynny'n ddifrifol iawn.

On the question of professional competence—and I cannot find the reference—the report acknowledges that we made proper and effective use of professional advice. It is the case that what we must do as officials is not actually employ all the professionals but make best use of external, professional advice to deal with particular issues as they arise. The other thing that I would say for balance—because I have attempted to be as honest and open as I can with the Committee because I take my accountability responsibilities very seriously—is that the Committee has and is quite properly focusing on the things that went wrong and could have been done better. However, I would like to make it clear that given the scale of what we had to achieve in a very short space of time, a number of things went very right indeed and you do need ultimately to acknowledge that, albeit in the context of what I said about my personal accountability for things that went wrong.

Ar fedrusrwydd proffesiynol—ac ni allaf ddod o hyd i'r cyfeiriad—mae'r adroddiad yn cydnabod ein bod wedi gwneud defnydd priodol ac effeithiol o gyngor proffesiynol. Mae'n wir mai'r hyn y mae'n rhaid inni ei wneud fel swyddogion yw nid cyflogi'r holl bobl broffesiynol ond gwneud y defnydd gorau o gyngor proffesiynol allanol i ymdrin â materion penodol wrth iddynt godi. Y peth arall y byddwn yn ei ddweud er mwyn bod yn gytbwys—oherwydd imi geisio bod mor onest ac agored ag y gallaf gyda'r Pwyllgor oherwydd fy mod yn cymryd fy nghyfrifoldeb i fod yn atebol yn ddifrifol iawn—yw bod y Pwyllgor wedi ac yn canolbwyntio'n gwbl gywir ar y pethau a aeth o'u lle ac y gellid fod wedi'u gwneud yn well. Fodd bynnag, hoffwn ei gwneud yn glir, ac ystyried faint yr oedd rhaid inni ei gyflawni mewn cyfnod byr iawn, fod nifer o bethau wedi'u cyflawni'n dda iawn ac yn y pen draw mae angen ichi gydnabod hynny, er bod hynny yng nghyd-destun yr hyn a ddywedais am fy atebolrwydd personol am y pethau a aeth o'u lle.

[263] **Peter Law:** We do acknowledge that to some extent. The worrying thing is that we are still at the beginning of this project. We have not seen a brick laid yet. As I say, it is worrying for the future how much this total project will cost, bearing in mind that a lot of people feel that some of this money could be spent in better ways in communities where there are great problems.

[263] **Peter Law:** Yr ydym yn cydnabod hynny i ryw raddau. Y peth sydd yn poeni rhywun yw ein bod yn dal i fod ar ddechrau'r prosiect hwn. Nid ydym wedi gweld gosod yr un fricsen eto. Fel y dywedaf, mae'n destun pryder ar gyfer y dyfodol faint fydd cost y prosiect hwn yn ei gyfanrwydd, a chofio bod llawer o bobl yn teimlo y gallai peth o'r arian hwn gael ei wario mewn gwell ffyrdd mewn cymunedau lle ceir problemau mawr.

[264] **Alison Halford:** You do not realise that when we go back to our constituencies, we take an enormous amount of flack. The Welsh Assembly is not popular in my part of the world and it does not do my nor the Assembly's credibility any good to have local newspapers making sport at the cost of mistakes that have been made, in okay, good faith and under certain circumstances. When we discussed—and I am sorry about this, but we are here to probe—the fact that the land for the new building was going to cost £1 and we agreed that it cost much more, I asked you whether there were any other hidden costs. I even suggested that the site boundary had to be extended. You could not think of any hidden costs. I ask you to look at paragraph 5.13 and comment on that. Paragraph 5.13 for those who do not have the report, states that an extra 1.6 acres of land had to be purchased to fit the building design, and that that was a yearly cost to the taxpayer of £50,000.

[264] **Alison Halford:** Nid ydych yn sylweddoli pan awn yn ôl i'n hetholaethau ein bod yn wynebu llawer iawn o feirniadaeth. Nid yw'r Cynulliad Cenedlaethol yn boblogaidd yn fy rhan i o'r byd ac nid yw'n gwneud lles i fy hygrededd i na hygrededd y Cynulliad i gael papurau newydd lleol yn gwneud sbort am ben cost y camgymeriadau a wnaethpwyd, iawn, gyda phob bwriad da ac o dan amgylchiadau arbennig. Pan drafodasom—ac mae'n ddrwg gennyf am hyn, ond yr ydym yma i brocio—y ffaith fod tir yr adeilad newydd am gostio £1 a'n bod wedi cytuno iddo gostio llawer mwy, gofynnais a oedd unrhyw gostau cudd eraill. Awgrymais hyd yn oed bod ffin y safle wedi gorfod cael ei ymestyn. Ni allech feddwl am unrhyw gostau cudd. Gofynnaf ichi edrych ar baragraff 5.13 a rhoi eich sylwadau ar hwnnw. Ar gyfer y rhai nad yw'r adroddiad ganddynt, noda paragraff 5.13 fod yn rhaid prynu 1.6 erw ychwanegol o dir i weddu i gynllun yr adeilad ac yr oedd hynny'n gost flynyddol i'r trethdalwr o £50,000.

Mr Shortridge: It was not my intention in any way to mislead you when I answered your earlier question.

Mr Shortridge: Nid fy mwriad i mewn unrhyw ffordd oedd eich camarwain pan atebais eich cwestiwn cynharach.

[265] **Alison Halford:** I did not think that it was for one moment.

[265] **Alison Halford:** Ni feddyliais hynny am eiliad.

Mr Shortridge: What I was doing was focusing specifically on the negotiation at the time for the original site 1E. I did not have in mind, at the time I was answering that question, the wider issue to which you have now drawn attention.

Mr Shortridge: Yr hyn yr oeddwn yn ei wneud oedd canolbwyntio'n benodol ar y negodi ar y pryd ar gyfer safle gwreiddiol 1E. Nid oedd gennyf newn golwg, wrth ateb y cwestiwn hwnnw, y mater ehangach yr ydych yn awr wedi tynnu fy sylw ato.

[266] **Alison Halford:** I did not ask you the question in order to suggest that you were trying to mislead me. I asked it for the purpose of putting on the record that more money has been expended. Mr McDonald, did the competition brief, on which the panel decided, include a need for crèche facilities and disability access? Yes or no?

[266] **Alison Halford:** Ni ofynnais y cwestiwn ichi er mwyn awgrymu eich bod yn ceisio fy nghamarwain. Fe'i gofynnais er mwyn cofnodi'r ffaith fod mwy o arian wedi'i wario. Mr McDonald, oedd brîff y gystadleuaeth, y penderfynodd y panel arno, yn cynnwys yr angen am gyfleusterau gofal palnt a mynediad i'r anabl? Oedd ynteu nac oedd?

Mr McDonald: No on crèche facilities and on exemplar on accessibility.

Mr McDonald: Nac oedd gyda golwg ar gyfleusterau gofal plant a ar gynddelw ar gyfer mynediad.

[267] **Alison Halford:** Please explain 'exemplar'.

[267] **Alison Halford:** A wnewch chi esbonio 'cynddelw' os gwelwch yn dda?

Mr McDonald: That on accessibility, it would be the best achievable practice that could be brought into the design for accessibility.

Mr McDonald: Gyda golwg ar fynediad, ystyr hynny fyddai'r arfer gorau y gellid ei gyflawni ac y gellid ei gynnwys yn y dyluniad ar gyfer mynediad.

[268] **Alison Halford:** On page 43, figure 19, Disability Wales is mentioned. When was it brought into consultation?

[268] **Alison Halford:** Ar dudalen 43, ffigur 19, sonnir am Anabledd Cymru. Pa bryd yr ymgynghorwyd ag ef?

Mr McDonald: It saw the design very early after the design competition.

Mr McDonald: Gwelodd y cynllun yn gynnar iawn ar ôl y gystadleuaeth gynllunio.

[269] **Alison Halford:** Did it make a comment?

[269] **Alison Halford:** A gyflwynodd sylw?

Mr McDonald: Yes it did, and it believed that the steps did not represent good accessibility.

Mr McDonald: Do, a chredai nad oedd y grisiau'n cynnig mynediad da.

[270] **Alison Halford:** I need to put on record that I am shocked—and I must agree with Alun Cairns—that when the whole philosophy of the Assembly is openness, inclusiveness, disability access, and a willingness by the Assembly to be accessible to everybody, that it was allowed for a competition to be won by a design that was not totally acceptable to Disability Wales. I find that a shocking admission, I have to say. Would you comment, please?

[270] **Alison Halford:** Rhaid imi gofnodi fy mod wedi syfrdannu—a rhaid imi gytuno gydag Alun Cairns—ac ystyried mai bod yn agored, yn gynhwysol, darparu mynediad i'r anabl a bod yn barod i fod ar gael i bawb yw holl athroniaeth y Cynulliad, bod cynllun nad oedd yn gwbl dderbyniol i Anabledd Cymru wedi cael ennill y gystadleuaeth. Mae'r cyfaddefiad hwnnw'n fy syfrdannu, rhaid imi ddweud. A fyddech gystal â rhoi eich sylwadau?

Mr McDonald: I think that that is not something on which I am qualified to comment, because the question of which was the winning design was a matter that was decided at political level.

Mr McDonald: Ni chredaf fod hynny'n rhywbeth yr wyf yn gymwys i roi sylwadau arno, oherwydd mater a benderfynwyd ar lefel wleidyddol oedd penderfynu pa gynllun oedd yn fuddugol.

[271] **Alison Halford:** So it is the politicians that we blame for this huge cock-up?

[271] **Alison Halford:** Felly'r gwleidyddion sydd i'w beio am y llanast anferth hwn?

Mr Shortridge: I was a bit remote from this process, but what we had here was a panel that made a clear recommendation and that recommendation was accepted.

Mr Shortridge: Nid oeddwn yn ymwneud yn agos â'r broses hon, ond yr hyn a oedd gennym yma oedd panel a wnaeth argymhelliad clir a derbyniwyd yr argymhelliad hwnnw.

[272] **Alison Halford:** But you understand where I am coming from?

[272] **Alison Halford:** Ond yr rydych yn deall fy myrdwn i?

Mr Shortridge: Yes, I do understand.

Mr Shortridge: Ydwyf, yr wyf yn ei ddeall.

[273] **Alison Halford:** And you do understand that we are entitled to our views this late in the day?

[273] **Alison Halford:** Ac yr ydych yn deall bod gennym ein hawl i'n barn mor hwyr â hyn yn y dydd?

Mr Shortridge: Absolutely.

[274] **Peter Law:** Paragraph 5.20 of the report has been touched on, but we did not actually get the definitive costing of the architect's fees. Paragraph 5.20 identifies three ways, I think, in which you hope to contain the architect's fees. I am nearly tempted to say, 'Ask the audience, phone a friend or 50:50', the way that it is going. However, what is the figure at which you have now managed to succeed in capping it? Where are we at? Have we got anything that we can be told today so that we have got some hope for the future, or is this open cheque to carry on?

Mr Thomas: No, it will be a figure finally determined, Mr Law, when we have finally signed off the design.

[275] **Peter Law:** So you cannot tell us today?

Mr Thomas: I cannot give you that figure today.

[276] **Peter Law:** In effect, we are still where we were in this report at the moment. There is no definitive end to this architect's fee at present.

Mr Thomas: On the basis of the figures of estimated costs quoted in the report, the architect's fee is as quoted in the report.

Mr Shortridge: Yn sicr.

[274] **Peter Law:** Yr ydym wedi cyffwrdd â pharagraff 5.20 yr adroddiad, ond ni chawsom mewn gwirionedd gostiad terfynol ar gyfer ffioedd y pensaer. Mae paragraff 5.20, yn nodi tair ffordd, yr wyf yn meddwl, y gobeithiwch eu defnyddio i reoli ffioedd y pensaer. Yr wyf bron iawn yn cael fy nhemtio i ddweud, 'Gofynnwch i'r gynulleidfa, ffoniwch ffrind, neu 50:50', fel y mae pethau'n mynd. Fodd bynnag, beth yw'r ffigur yr ydych bellach wedi llwyddo i'w gapio? Ymhle yr ydym arni? A oes unrhyw beth y gellir ei ddweud wrthym heddiw a fyddai'n rhoi rhywfaint o obaith ar gyfer y dyfodol, ynteu ai siec agored i fwrw ymlaen yw hon?

Mr Thomas: Na, bydd hwn yn ffigur a bennir yn derfynol, Mr Law, pan fyddwn wedi llofnodi'r cynllun fel un terfynol.

[275] **Peter Law:** Felly, ni allwch ddweud wrthym heddiw?

Mr Thomas: Ni allaf roi'r ffigur hwnnw ichi heddiw.

[276] **Peter Law:** Mewn gwirionedd, yr ydym yn dal i fod yn yr un fan ag yr oeddem yn yr adroddiad hwn ar hyn o bryd. Nid oes dim pen draw terfynol i ffi'r pensaer hwn ar hyn o bryd.

Mr Thomas: Ar sail y ffigurau yn yr amcangostau a ddyfynnwyd yn yr adroddiad, mae ffi y pensaer fel y'i dyfynnir yn yr adroddiad.

[277] **Peter Law:** So the more the project's capital costs go up, the more the architect's fee goes up?

[277] **Peter Law:** Felly, mwyaf y cynydda costau cyfalaf y prosiect, mwyaf y bydd ffi'r pensaer yn cynyddu?

Mr Thomas: If the Assembly requires changes in the design, which increase that cost, before we finalise the design, then there may be some further increase in that figure. However, it will be capped at that point.

Mr Thomas: Os bydd y Cynulliad yn gofyn am newid y cynllun, sydd yn cynyddu'r gost, cyn inni gael y cynllun ar ei ffurf derfynol, yna, gall fod cynnydd pellach yn y ffigur honno. Fodd bynnag, caiff ei gapio ar y pwynt hwnnw.

[278] **Peter Law:** Yes, but we have no definitive date or figure of what that capping will be or when it will take place, today, as it stands.

[278] **Peter Law:** Caiff, ond nid oes gennym ddyddiad na ffigur benodol ar gyfer y capio hwnnw na pha bryd y bydd yn digwydd, heddiw, fel y mae pethau.

Mr Thomas: Not today.

Mr Thomas: Dim heddiw.

[279] **Peter Law:** It is still open.

[279] **Peter Law:** Mae'n dal i fod yn agored.

[280] **Alun Cairns:** Madam Chair, in my questioning, I sought to generate or instil as much confidence in the project from here on in as is possible. I think that there is a need for us to be as open and as honest as possible in accepting, potentially, the greater contingencies. When two variances are presented, we need to be looking at the largest figure rather than what we have been looking at up until now—the smaller figure, which has always been proven wrong. Otherwise, we are going to find ourselves, before the new building is built, in a situation where costs are escalating still further. We need to know the largest cost possible and work from there, and hope that it comes in on a lesser figure.

[280] **Alun Cairns:** Madam Gadeirydd, yn fy nghwestiynau, ceisiais gynhyrchu neu greu cymaint o hyder yn y prosiect o'r fan hon ymlaen ag sydd yn bosibl. Credaf fod angen inni fod mor agored ac mor onest ag y bo modd wrth dderbyn y symiau wrth gefn uchaf sydd yn bosibl. Pan gyflwynir dau amrywiad, dylem fod yn edrych ar y ffigur mwyaf, yn hytrach nag ar yr hyn yr ydym wedi bod yn edrych arno hyd yn awr—y ffigur lleiaf, sydd bob amser wedi'i brofi'n anghywir. Fel arall, yr ydym yn mynd i'n canfod ein hunain, cyn codi'r adeilad newydd, mewn sefyllfa lle bo'r costau'n dringo'n uwch fyth. Rhaid inni wybod beth yw'r gost fwyaf posibl a gweithio o'r fan honno, gan obeithio y cwblheir y gwaith am ffigur is yn y pen draw.

[281] **Janet Davies:** I think that that will be taken on board and will be considered. There are also dangers to always taking the worst options, because sometimes if you take the worst options, you actually meet them, having taken them. However, I am sure that this whole issue will be looked at carefully.

[281] **Janet Davies:** Credaf y bydd eich sylwadau'n cael sylw ac yn cael eu hystyried. Mae peryglon hefyd ynghlwm wrth ddewis yr opsiynau gwaethaf bob tro, oherwydd weithiau, os dewiswch chi'r opsiynau gwaethaf, yr ydych yn cyflawni mewn gwirionedd. Fodd bynnag, yr wyf yn siwr y caiff y mater hwn ei ystyried yn ei gyfanrwydd yn ofalus.

I think that this has been a very important session because, on the one hand, we do not want to be too pessimistic about what is happening, but it really is absolutely crucial that the public in Wales have confidence in what is happening over the Assembly accommodation. I think that it is very important that members of the Committee indulged in some hard questioning because, if we are not happy with what is going on, I am sure that the public are not going to be happy.

Credaf fod y sesiwn hon wedi bod yn un bwysig iawn oherwydd, ar y naill law, nid ydym am fod yn rhy besimistaidd ynghylch yr hyn sydd yn digwydd, ond mae wir yn gwbl hanfodol fod gan y cyhoedd yng Nghymru hyder yn yr hyn sydd yn digwydd o ran adeiladau'r Cynulliad. Credaf ei bod yn bwysig iawn bod aelodau'r Pwyllgor wedi codi ychydig o gwestiynau caled oherwydd, os nad ydym yn hapus gyda'r hyn sydd yn digwydd, yr wyf yn siwr na fydd y cyhoedd yn hapus.

Having said that, I think that I was one of the people who came here around about two months before the elections and saw the state that the building was in—or thought 'this is the state of the building' at the time, because we were not allowed through most of it. I think that I was quite surprised when I got here on the second Monday in May and found that it was actually occupiable. I think that we should be prepared to congratulate the civil servants on having done that, albeit that problems arose also.

Wedi dweud hynny, credaf mai fi oedd un o'r bobl a ddaeth yma oddeutu deufis cyn yr etholiadau a gweld y cyflwr yr oedd yr adeilad ynddo—neu un o'r rhai a feddyliodd 'dyma gyflwr yr adeilad' ar y pryd, oherwydd ni chawsom fynd drwy'r rhan fwyaf ohono. Credaf fy mod wedi synnu dipyn pan gyrhaeddais yma ar ail ddydd Llun mis Mai a gweld bod modd i bobl weithio ynddo. Credaf y dylem fod yn barod i longyfarch y gweision sifil am wneud hynny, er bod problemau wedi codi hefyd.

I thank all the witnesses for their very full and helpful answers. You will get a draft transcript sent to you so that you can check its factual accuracy before it is published. When the Committee publishes its report, the verbatim transcript will be included as annex.

Diolchaf i'r holl dystion am eu hatebion llawn a defnyddiol. Anfonir trawsysgrif drafft atoch fel modd ichi sicrhau ei fod yn ffeithiol gywir cyn ei gyhoeddi. Pan fydd y Pwyllgor yn cyhoeddi ei adroddiad, cynhwysir y trawsysgrif air am air fel atodiad.

Daeth y sesiwn cymryd tystiolaeth i ben am 4.56 p.m.

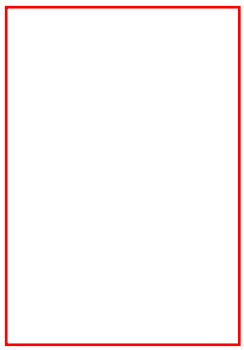
The evidence-taking session ended at 4.56 p.m.

- level, the use of whole life costing and value engineering techniques for all major areas of expenditure, and detailed planning and consultation with users to avoid expensive design changes. A realistic contingency reserve is an important part of the project budget, and experience to date suggests that much of it will be needed.

- We are also concerned about weaknesses in procurement, on the contract with ICL for specialised software applications and for the office furniture contract. This Committee has considered previously failings in procurement practices by public sector bodies in Wales. It is essential that the Assembly should apply the highest standards of procurement practice and thereby lead by example.

This project was characterised by a high degree of political intervention, not all of which appeared to us to be constructive or necessary. The decision, somewhat late in the day, to undertake a consultation exercise to invite proposals from across Wales, the subsequent decision that the Assembly must be located in Cardiff, and also the decision to use the Pierhead Building, were all decisions that seemed to us to have weak justifications. We are pleased that there is now much more openness and consultation in the management of the project, and that accountability arrangements have been greatly improved.

Annex A



Cynulliad Cenedlaethol Cymru

Pwyllgor Archwilio

The National Assembly for Wales

Audit Committee

Trefniadau Adeiladau

Cynulliad Cenedlaethol Cymru

Accommodation Arrangements

for the National Assembly for Wales

Cwestiynau (1-281)

Questions (1-281)

Dydd Iau 9 Tachwedd 2000
Thursday 9 November 2000

Aelodau o'r Cynulliad yn bresennol: Janet Davies (Cadeirydd), Alun Cairns, Jocelyn Davies, Alison Halford, Peter Law, Dafydd Wigley, Kirsty Williams.

Swyddogion yn bresennol: Gillian Body, Swyddfa Archwilio Genedlaethol Cymru; Syr John Bourn, Archwilydd Cyffredinol Cymru; Sharon Davies, Swyddog Cydymffurfio Gweithredol Cynulliad Cenedlaethol Cymru.

Tystion: Eric McDonald, Pennaeth y Gangen Ystafelloedd, Cynulliad Cenedlaethol Cymru; David Richards, Prif Swyddog Cyllid, Cynulliad Cenedlaethol Cymru; Jon Shortridge, Ysgrifennydd Parhaol, Cynulliad Cenedlaethol Cymru; Gerry Thomas, Pennaeth yr Is-adran Gwasanaethau Rheoli, Cynulliad Cenedlaethol Cymru.

Assembly Members present: Janet Davies (Chair), Alun Cairns, Jocelyn Davies, Alison Halford, Peter Law, Dafydd Wigley, Kirsty Williams.

Officials present: Gillian Body, National Audit Office Wales; Sir John Bourn, Auditor General for Wales; Sharon Davies, Acting Assembly Compliance Officer of the National Assembly for Wales.

Witnesses: Eric McDonald, Head of Accommodation Section, National Assembly for Wales; David Richards, Principal Finance Officer, National Assembly for Wales; Jon Shortridge, Permanent Secretary, National Assembly for Wales; Gerry Thomas, Head of Management Services Division, National Assembly for Wales.

Dechreuodd y cyfarfod am 2 p.m.

The meeting began at 2 p.m.

[1] **Janet Davies:** Good afternoon. I welcome you to the Committee's first evidence-taking session for this Assembly year. We have Members newly elected to the Committee as of this morning: Peter Law, Kirsty Williams and Jocelyn Davies, and also Ann Jones and Lynne Neagle, who cannot be present at such short notice. The purpose of the meeting is to take evidence in connection with the National Audit Office report on behalf of the Auditor General for Wales, 'Accommodation Arrangements for the National Assembly for Wales'. Will the witnesses introduce themselves?

[1] **Janet Davies:** Prynhawn da. Yr wyf yn eich croesawu i gyfarfod cymryd tystiolaeth cyntaf y Pwyllgor yn y flwyddyn Gynulliad hon. Mae gennym Aelodau sydd newydd eu hethol i'r Pwyllgor y bore yma: Peter Law, Kirsty Williams a Jocelyn Davies, a hefyd Ann Jones a Lynne Neagle, na all fod yn bresennol gyda chyn lleied o rybudd. Diben y cyfarfod yw cymryd tystiolaeth yng nghyswllt adroddiad Swyddfa'r Archwilydd Cenedlaethol ar ran Archwilydd Cyffredinol Cymru, 'Trefniadau Adeiladau Cynulliad Cenedlaethol Cymru'. A wnaiff y tystion gyflwyno'u hunain?

Mr Richards: I am David Richards, the Principal Finance Officer for the Assembly.

Mr Richards: David Richards ydwyf i, Prif Swyddog Cyllid y Cynulliad.

Mr Shortridge: I am Jon Shortridge, the Permanent Secretary.

Mr Shortridge: Jon Shortridge ydwyf i, yr Ysgrifennydd Parhaol.

Mr Thomas: I am Gerry Thomas, the Head of the Management Services Division.

Mr Thomas: Gerry Thomas ydwyf i, Pennaeth yr Is-Adran Gwasanaethau Rheoli.

Mr McDonald: I am Eric McDonald, Head of the Accommodation Section.

Mr McDonald: Eric McDonald ydwyf i, Pennaeth y Gangen Ystafelloedd.

[2] **Janet Davies:** This is a fairly long report and there is a lot of meat to it. I know that Committee members want to ask many questions. I will start with the first question to Jon Shortridge, the Permanent Secretary. I do not think that we have enough time today to waste too much of it. Mr Shortridge, I see that, although the Welsh Office carried out its economic appraisals on the various options in line with Treasury guidance, it did not undertake any sensitivity analysis to assess the impact of the key risks on the viability of each option. The Auditor General points in particular to the risk of increasing construction costs and an increase in the Assembly's space requirements. Do you accept that this is a necessary and important aspect of the economic appraisal process?

[2] **Janet Davies:** Mae'r adroddiad hwn yn un gweddol faith ac mae'n eithaf swmpus. Gwn y bydd aelodau'r Pwyllgor am ofyn llawer o gwestiynau. Dechreuaf gyda'r cwestiwn cyntaf i Jon Shortridge, yr Ysgrifennydd Parhaol. Yr ydym yn brin o amser heddiw, felly nid wyf am wastraffu dim. Mr Shortridge, gwelaf, er bod y Swyddfa Gymreig wedi cynnal gwerthusiadau economaidd ar y gwahanol opsiynau yn unol â chyfarwyddyd y Trysorlys, ni wnaeth unrhyw ddadansoddiad sensitifrwydd i asesu effaith y risgiau allweddol ar ymarferoldeb pob opsiwn. Mae'r Archwilydd Cyffredinol yn cyfeirio'n benodol at y risg o gynnydd yn y costau adeiladu a chynnydd yng ngofynion y Cynulliad o ran lle. A ydych chi'n derbyn fod hyn yn agwedd angenrheidiol a phwysig o'r broses gwerthuso economaidd?

Mr Shortridge: Yes, I agree. In retrospect, we should have done a formal sensitivity analysis as part of our option appraisal.

Mr Shortridge: Ydwyf, yr wyf yn cytuno. Ac edrych yn ôl, dylem fod wedi gwneud dadansoddiad sensitifrwydd ffurfiol yn rhan o werthuso'r opsiynau.

[3] **Janet Davies:** Right. What action have you taken to ensure that sensitivity analysis is applied as a standard technique in the economic appraisal of all major capital projects funded by the Assembly?

[3] **Janet Davies:** Iawn. Pa gamau a gymerwyd gennych i sicrhau bod dadansoddiad sensitifrwydd yn cael ei ddefnyddio fel techneg safonol wrth gynnal gwerthusiad economaidd ar bob prosiect cyfalaf mawr a gyllidir gan y Cynulliad?

Mr Shortridge: What I can say is that I think that what happened in this case was largely the exception rather than the rule. I can certainly say that, in major capital appraisals that were being done about the same time, such as the Bute Avenue and the A55 private finance initiative schemes, sensitivity analysis was an integral part of the appraisal. Where we have major capital projects, we have our Economic Advice Division, with professional economists. They would normally regard a sensitivity analysis as an integral part of the process. I

Mr Shortridge: Yr hyn y gallaf ei ddweud yw fy mod yn meddwl mai'r eithriad yn hytrach na'r rheol oedd yr hyn a ddigwyddodd yn yr achos hwn i raddau helaeth. Gallaf ddweud yn sicr, mewn gwerthusiadau cyfalaf mawr a oedd yn cael eu gwneud tua'r un pryd, megis cynlluniau cyllid preifat Rhodfa Bute a'r A55, fod dadansoddi sensitifrwydd yn rhan hanfodol o'r gwerthusiad. Gyda phrosiectau cyfalaf mawr, y mae gennym ein His-adran Cyngor Economaidd, sydd yn cynnwys economegwyr proffesiynol. Byddent fel arfer yn ystyried

have not, since reading this report, given any further instruction to that division. However, in light of your comment, I shall do so.

dadansoddiad sensitifrwydd yn rhan hanfodol o'r broses. Ers darllen yr adroddiad hwn, nid wyf wedi rhoi cyfarwyddiadau pellach i'r is-adran honno. Fodd bynnag, yng ngoleuni eich sylw, gwnaf hynny.

[4] **Janet Davies:** Would you also like to comment on the issue of space requirement for the Assembly and the fact that perhaps the other sites—that is, the two other top options—were somewhat restricted in space?

[4] **Janet Davies:** A fyddech hefyd yn hoffi cynnig sylwadau ar fater gofynion lle'r Cynulliad a'r ffaith fod y safleoedd eraill efallai —hynny yw, y ddau opsiwn uchaf arall— ychydig yn brin o le?

Mr Shortridge: It is certainly the case that we were presented, as I think the report states, with a very difficult situation when, back in May 1997, we had to design and establish an Assembly. There was not an Assembly on the shelf that we could just copy. We had to develop the concept and then work it through in terms of the accommodation requirements. Therefore, at the outset, I think that, to a significant extent, we were shooting in the dark in terms of what the space requirements are and were. Again, in retrospect, I think that we should have had greater recognition of that at the time.

Mr Shortridge: Mae'n sicr yn wir fod yr achos a gyflwynwyd inni, fel y mae'r adroddiad yn ei ddweud, yr wyf yn meddwl, yn un anodd iawn, pan fu rhaid inni, yn ôl ym Mai 1997, gynllunio a sefydlu Cynulliad. Nid oedd Cynulliad ar gael ar y silff inni ei ddynwared. Yr oedd yn rhaid inni ddatblygu'r cysyniad ac yna weithio drwyddo gyda golwg ar yr adeiladau y byddai eu hangen. Felly, ar y dechrau, credaf, i raddau helaeth, ein bod yn saethu yn y tywyllwch o ran beth yw a beth oedd y gofynion o ran lle. Unwaith eto, ac edrych yn ôl, credaf y dylem fod wedi sylweddoli hynny'n well ar y pryd.

In terms of the interaction between the evolving space requirements and sensitivity analysis, I think that, as the report acknowledges, as it happens, the option that we ended up with was the one that gave greatest flexibility in terms of accommodation requirements. If we had gone for, say, Bute Square or City Hall, I think that Assembly Members would have found themselves very constrained and with particular problems in terms of having satisfactory accommodation. I think that I can fairly add that, although we did not have a sensitivity analysis, at various stages in the decision process, the flexibility of this building and the inflexibility of certain other buildings was a material consideration leading to the decision.

Gyda golwg ar y rhyngweithio rhwng y gofynion lle a oedd yn esblygu a'r dadansoddiad sensitifrwydd, credaf, fel y mae'r adroddiad yn ei gydnabod, fel y mae'n digwydd, mai'r opsiwn a ddewiswyd yn y pen draw, oedd yr un a oedd yn cynnig yr hyblygrwydd mwyaf inni gyda golwg ar y gofynion o ran lle. Pe baem wedi dewis, dyweder, Sgwâr Bute neu Neuadd y Ddinas, credaf y byddai Aelodau'r Cynulliad wedi'u cael eu hunain mewn lle cyfyng iawn ac yn wynebu problemau arbennig o ran cael adeiladau boddhaol. Credaf ei bod yn deg ychwanegu, er na wnaethpwyd dadansoddiad sensitifrwydd, fod hyblygrwydd yr adeilad hwn a diffyg hyblygrwydd adeiladau eraill yn ystyriaeth o bwys a arweiniodd at y penderfyniad yn ystod gwahanol gamau'r

broses penderfynu.

[5] **Janet Davies:** Thank you very much. I think that Alison would like to pursue some issues regarding this section of the report.

[5] **Janet Davies:** Diolch yn fawr iawn. Credaf y byddai Alison yn hoffi dilyn trywydd rhai materion sydd yn ymwneud ag adran hon yr adroddiad.

[6] **Alison Halford:** Yes. You said that you were shooting in the dark as regards the space requirements. Would you not agree that you had Treasury guidance and all sorts of rules and regulations? The Assembly may be a new concept, but surely setting up a new building for ‘x’ number of Members equates to ‘x’ number of staff? It should not be beyond the wit of the resources that you could call upon to come up with a reasonable assessment.

[6] **Alison Halford:** Byddwn. Dywedasoch eich bod yn saethu yn y tywyllwch o ran faint o le y byddai ei angen. Oni fyddech yn cytuno bod gennych ganllawiau’r Trysorlys a phob math o reolau a rheoliadau? Efallai fod y Cynulliad yn gysyniad newydd, ond mae’n siwr bod sefydlu adeilad newydd i ‘x’ o Aelodau yn cyfateb i ‘x’ o staff? Ni ddylai fod y tu hwnt i allu’r adnoddau y gallech alw arnynt i gynhyrchu asesiad rhesymol.

Mr Shortridge: The Treasury guidance that we had related to how you do an economic appraisal as opposed to how you determine the nature of the project and the amount of floor space that you require. What we did at the outset was—and we are talking here of within 10 weeks of the election—put together a specification of what we thought an Assembly would require in terms of accommodation. We used our own Welsh Office accommodation strategy and the standards within that, and then we took professional advice on how that would work itself through. That produced the figure of 80,000 square feet, which, with hindsight, was wrong. However, I think that, at the time, it was not an unreasonable approach and we sought to have as good and informed approach as we could, in circumstances where we still did not really know how this organisation was going to operate. It was not until the National Assembly Advisory Group reported 12 months later that we all began to have a collective idea of just what the overall requirements of this body would be.

Mr Shortridge: Yr oedd y canllawiau a gawsom gan y Trysorlys yn ymwneud â sut y mae cynnal gwerthusiad economaidd yn hytrach na sut i bennu beth yw natur y prosiect a faint o arwynebedd llawr sydd ei angen arnoch. Ar y dechrau, yr hyn a wnaethom—ac yr ydym yn sôn yma am gyfnod o fewn 10 wythnos ar ôl yr etholiad—oedd rhoi at ei gilydd fanyleb o’r hyn yr oeddem yn ei dybio y byddai ei angen ar y Cynulliad o ran adeiladau. Defnyddiwyd y strategaeth adeiladau a oedd gennym ni’n hunain yn y Swyddfa Gymreig a’r safonau sydd yn honno ac yna cymerwyd cyngor proffesiynol ynghylch sut y byddai hynny’n gweithio drwodd. Cynhyrchodd hyn y ffigur o 80,000 troedfedd sgwâr, a oedd, ac edrych yn ôl, yn anghywir. Fodd bynnag, ar y pryd, ni theimlaf fod y dull a ddefnyddiwyd yn afresymol a cheisiwyd seilio’r penderfyniadau ar wybodaeth gystal ag y gallem, a ninnau’n dal i fod heb wybod yn iawn sut y byddai’r sefydliad hwn yn gweithio. Nid tan i Grwp Ymgynghorol y Cynulliad Cenedlaethol adrodd 12 mis yn ddiweddarach y dechreuodd pawb ohonom lunio syniad ar y cyd ynghylch beth yn union fyddai gofynion cyffredinol y corff hwn.

[7] **Alison Halford:** Following the first round of economic appraisals, the option of adapting the existing Welsh Office headquarters at Cathays Park appeared to have a number of practical advantages over Cardiff City Hall. It was considerably less expensive in terms of the net present cost. Why was this decision to prefer City Hall taken?

[7] **Alison Halford:** Ar ôl y rownd gyntaf o werthusiadau economaidd, yr oedd yn ymddangos fod nifer o fanteision ymarferol ynghlwm wrth y dewis o addasu pencadlys y Swyddfa Gymreig ar y pryd ym Mharc Cathays o'i gymharu â Neuadd y Ddinas Caerdydd. Yr oedd yn dipyn rhatach o ran y gost net ar y pryd. Pam y penderfynwyd ffafrio Neuadd y Ddinas?

Mr Shortridge: That was essentially a political decision taken on all the relevant advice. What it particularly reflected was the view at the time that City Hall, a building of some prominence and importance, would provide a fitting location for an Assembly, coupled with the fact that there was a desire, if possible, to separate the parliamentary end of the Assembly from the Executive end, and yet at the same time, have a convenient co-location of the two. Those were two of the considerations that were taken into account and led to City Hall being, at that stage, the preferred option.

Mr Shortridge: Penderfyniad gwleidyddol oedd hwnnw yn ei hanfod a gymerwyd ar sail yr holl gyngor perthnasol. Yr hyn yr oedd yn ei adlewyrchu'n benodol oedd y farn ar y pryd fod Neuadd y Ddinas, adeilad o gryn amlygrwydd a phwysigrwydd, yn cynnig lleoliad addas ar gyfer Cynulliad, ynghyd â'r ffaith fod awydd ar led i wahanu ochr seneddol y Cynulliad oddi wrth yr ochr Weithredol, os oedd modd, ac eto ar yr un pryd, gael lleoliad cyfleus ar gyfer y ddwy ran. Y rheini oedd dau o'r ystyriaethau a ystyriwyd ac a arweiniodd at ffafrio Neuadd y Ddinas, ar yr adeg honno.

[8] **Alison Halford:** In your opinion, was City Hall ever a viable option, particularly in view of the substantial work that would have been deferred in order to contain costs in the available capital budget?

[8] **Alison Halford:** Yn eich barn chi, a oedd Neuadd y Ddinas erioed yn ddewis ymarferol, yn enwedig ac ystyried y gwaith sylweddol a fyddai wedi'i ohirio er mwyn cadw'r costau o fewn y gyllideb gyfalaf a oedd ar gael?

Mr Shortridge: If that question seeks my personal view, I personally—

Mr Shortridge: Os yw'r cwestiwn hwnnw'n ceisio fy marn bersonol i, yn bersonol—

[9] **Alison Halford:** Throw it open to the team if you want to.

[9] **Alison Halford:** Agorwch y cwestiwn i'r tîm os dymunwch.

Mr Shortridge: I was never a strong advocate of City Hall for just those reasons.

Mr Shortridge: Nid oeddwn i erioed yn bleidiol iawn i Neuadd y Ddinas am yr union resymau hynny.

[10] **Alison Halford:** You were not?

Mr Shortridge: No.

[11] **Alison Halford:** You were the most senior civil servant and you were not in favour of it?

Mr Shortridge: I was not the most senior civil servant at the time. However, the advice that we were giving at the time was very much guided by the economic appraisal that existed at the time, which indicated that the most cost effective of the options at which we were looking at that time was one based on Cathays Park.

[12] **Alison Halford:** But, you said in reply to an earlier question that to go for City Hall was a political decision, made having taken all the relevant advice. Who makes the decisions? Is it Ministers or the civil service in such matters?

Mr Shortridge: Big decisions are always taken by Ministers. This was a very big decision.

[13] **Alison Halford:** So the Minister would take the advice that the City Hall would cost £53.66 million and was the most expensive option. That was the advice that the Minister would take against the recommendations of the civil service?

[10] **Alison Halford:** Nid oeddech?

Mr Shortridge: Nac oeddwn.

[11] **Alison Halford:** Chi oedd y gwas sifil uchaf ac nid oeddech chi'n bleidiol iddi?

Mr Shortridge: Nid fi oedd y gwas sifil uchaf ar y pryd. Fodd bynnag, yr oedd y cyngor yr oeddem yn ei roi ar y pryd yn cael ei lywio i raddau helaeth gan y gwerthusiad economaidd a fodolai ar y pryd. Yr oedd hwnnw'n awgrymu mai'r opsiwn mwyaf cost effeithiol o blith yr opsiynau yr oeddem yn eu hystyried ar y pryd oedd un a oedd wedi'i seilio ar Barc Cathays.

[12] **Alison Halford:** Ond, fe ddywedasoch wrth ymateb i gwestiwn yn gynharach mai penderfyniad gwleidyddol oedd dewis Neuadd y Ddinas, ar ôl derbyn yr holl gyngor perthnasol. Pwy sydd yn gwneud y penderfyniadau? Ai Gweinidogion ynteu'r gwasanaeth sifil mewn materion fel hyn?

Mr Shortridge: Gweinidogion sydd yn gwneud penderfyniadau mawr bob tro. Yr oedd hwn yn benderfyniad mawr iawn.

[13] **Alison Halford:** Felly byddai'r Gweinidog yn derbyn y cyngor y byddai Neuadd y Ddinas yn costio £53.66 miliwn ac mai hwnnw oedd yr opsiwn drutaf. Dyna'r cyngor y byddai'r Gweinidog wedi'i dderbyn yn groes i argymhellion y gwasanaeth sifil?

Mr Shortridge: I do not think that this is the occasion for me to seek to recollect the detailed advice that went forward to a Minister on any particular occasion. The Minister would have been given informed advice and all the various considerations relating to the options. If we, as officials, had thought that one of the options was inappropriate, we would have said so. However, the options that were put before the Ministers were ones that we thought were credible and defensible.

Mr Shortridge: Nid wyf yn meddwl mai dyma'r adeg imi geisio cofio'r cyngor manwl a drosglwyddwyd i Weinidog ar unrhyw adeg benodol. Byddai'r Gweinidog wedi cael cyngor ar sail gwybodaeth a'r holl ystyriaethau a oedd yn berthnasol i'r opsiynau. Pe baem ni, fel swyddogion, wedi meddwl bod un o'r opsiynau'n amhriodol, byddem wedi dweud hynny. Fodd bynnag yr oedd yr opsiynau a roddwyd ger bron y Gweinidogion yn rhai yr oeddem yn teimlo eu bod yn gredadwy ac yn rhai y gellid eu hamddiffyn.

[14] **Alison Halford:** It has been suggested to me in the briefing note that no detailed survey was undertaken on the condition of City Hall. If that is true—and I am sure it is because our briefings are always correct—how could assumptions be made on the level and timing of the works?

[14] **Alison Halford:** Awgrymwyd imi yn y nodyn briffio na chynhaliwyd unrhyw arolwg manwl ar gyflwr Neuadd y Ddinas. Os yw hynny'n wir—ac yr wyf yn siwr ei fod oherwydd bod ein nodiadau briffio bob amser yn gywir—sut fyddai modd gwneud tybiaethau ynghylch lefel ac amseru'r gwaith?

Mr Shortridge: We had access to quite detailed information from Cardiff City and County Council about the condition of City Hall and that was used to inform the estimates of capital costs that were involved. If one looks at the detailed schedules backing up those cost estimates, you will see that we had very substantial information. However, it was information that was not derived from a survey that we as the Welsh Office had undertaken.

Mr Shortridge: Yr oedd gennym wybodaeth eithaf manwl gan Gyngor Dinas a Sir Caerdydd am gyflwr Neuadd y Ddinas a defnyddiwyd hynny yn sail ar gyfer amcangyfrif y costau cyfalaf a oedd ynghlwm wrth hyn. Pe baech yn edrych ar yr atodlenni manwl sydd yn gefn i'r amcangostau hynny, gwelech fod gennym wybodaeth sylweddol iawn. Fodd bynnag, nid oedd yr wybodaeth honno'n deillio o arolwg yr oeddem ni fel y Swyddfa Gymreig wedi'i wneud.

[15] **Alison Halford:** Could I get this right? You were relying on some of the advice of the officials of Cardiff council, bearing in mind that it was its building that you were interested in taking over for a vast sum of money?

[15] **Alison Halford:** Yr wyf am gael hyn yn iawn. Yr oeddech yn dibynnu ar beth o gyngor swyddogion cyngor Caerdydd, gan gofio bod gennych ddiddordeb mewn prynu adeilad y cyngor hwnnw am swm anferth o arian?

Mr Shortridge: We had access to information that the local authority possessed.

Mr Shortridge: Yr oedd modd inni gael gafael ar wybodaeth a oedd ym meddiant yr awdurdod lleol.

[16] **Alison Halford:** And you relied upon that to make certain crucial expensive decisions?

[16] **Alison Halford:** Ac yr oeddech yn dibynnu ar hynny i wneud penderfyniadau hollbwysig a drudfawr?

Mr Shortridge: In the circumstances, we had to rely on it, but we made clear in the work that we did that certain assumptions had to be built into the estimates.

Mr Shortridge: Dan yr amgylchiadau, yr oedd yn rhaid inni ddibynnu arni, ond fe'i gwnaethom yn glir yn y gwaith a wnaethom fod yn rhaid cynnwys rhai tybiaethau yn yr amcangyfrifon.

[17] **Alison Halford:** Could you expand on that?

[17] **Alison Halford:** A fedrech chi ehangu ar hynny?

Mr Shortridge: Perhaps Eric would like to come in on this.

Mr Shortridge: Efallai yr hoffai Eric ddod i mewn ar hyn.

Mr McDonald: In August, we relied on information that was provided by Cardiff City and County Council. By November, we had been able to undertake some survey work with the co-operation of the council. We also had some estimates of our own that our professional advisers had prepared by November.

Mr McDonald: Yn Awst, dibynnwyd ar wybodaeth a ddarparwyd gan Gyngor Dinas a Sir Caerdydd. Erbyn Tachwedd, yr oeddem wedi llwyddo i wneud rhywfaint o waith arolwg gyda chydweithrediad y cyngor. Yr oedd gennym hefyd rai amcangyfrifon o'n heiddo ein hunain yr oedd ein hymgynghorwyr proffesiynol wedi'u paratoi erbyn mis Tachwedd.

[18] **Alison Halford:** It is important to tease out this point because the next question is, why was the market value of Cardiff City Hall, stated here at £3.5 million, so much lower than the reinstatement value of £20.5 million, based on the council's figures? How strong was the case to pay more than market value?

[18] **Alison Halford:** Mae'n bwysig procio i gael gwybodaeth ar y pwynt hwn oherwydd y cwestiwn nesaf yw, pam fod gwerth Neuadd y Ddinas Caerdydd ar y farchnad, sef £3.5 miliwn yn ôl yr hyn a nodir yma, gymaint yn is na'r gwerth adfer o £20.5 miliwn, ar sail ffigurau'r cyngor? Pa mor gryf oedd y ddadl dros dalu mwy na gwerth y farchnad?

Mr Shortridge: Reinstatement value involves the costs of replacing the use to which City Hall was being put elsewhere. The issue that we had to consider during these negotiations was whether the correct assessment of price for City Hall was the market value or the additional costs to the county council that would be involved in reinstating whatever use was being made of City Hall at the time. We are not comparing a capital cost with a capital cost in that sense.

Mr Shortridge: Mae'r gwerth adfer yn cynnwys costau darparu man arall ar gyfer y defnydd a wneid o Neuadd y Ddinas. Y mater yr oedd yn rhaid inni ei ystyried yn ystod y negodiadau hyn oedd ai'r ffordd gywir o asesu pris Neuadd y Ddinas oedd ei gwerth ar y farchnad ynteu'r costau ychwanegol i'r cyngor sir a fyddai ynghlwm wrth adfer pa ddefnydd bynnag a wneid o Neuadd y Ddinas ar y pryd. Nid ydym yn cymharu cost cyfalaf gyda chost cyfalaf yn yr ystyr hwnnw.

[19] **Alison Halford:** Cardiff City Hall priced itself out of the market; would that be a simpler way of putting it?

[19] **Alison Halford:** Yr oedd Neuadd y Ddinas Caerdydd wedi ei phrisio'i hun allan o'r farchnad; a fyddai hynny'n ffordd symlach o'i dweud hi?

Mr Shortridge: We were strongly of the view that market value was the correct valuation for City Hall. The local authority did not share that view, so there was a fundamental difference between us that could not be resolved in the negotiations, particularly given the time constraints on us to make progress. If we had used City Hall we would have had to undertake the massive task of converting that building to have something ready and fit for purpose for the Assembly in May 1999.

Mr Shortridge: Yr oeddem yn gryf o'r farn mai'r ffordd iawn o brisio Neuadd y Ddinas oedd pennu ei gwerth ar y farchnad. Nid oedd yr awdurdod lleol yn cytuno, felly yr oedd gwahaniaeth sylfaenol rhyngom nad oedd modd ei ddatrys yn y negodiadau, yn enwedig ac ystyried bod amser yn brin a bod rhaid bwrw ymlaen. Pe baem wedi defnyddio Neuadd y Ddinas, byddem wedi gorfod ymgymryd â'r dasg anferth o addasu'r adeilad hwnnw er mwyn cael rhywbeth yn barod ac yn addas at y diben ar gyfer y Cynulliad ym Mai 1999.

[20] **Alison Halford:** Having hit the buffers with the City Hall option and as time was short, why did you give yourself a shorter timescale from December 1997 by deciding to invite proposals from outside Cardiff? I understand that you undertook a consultation exercise to invite proposals and, in fact, 24 proposals were received for 24 sites. Of those 24 sites, two were in north Wales.

[20] **Alison Halford:** Wedi dod ar draws rhwystrau gydag opsiwn Neuadd y Ddinas a chan fod amser yn brin, pam y rhoesoch amserlen fyrrach ichi eich hun o fis Rhagfyr 1997 ymlaen drwy benderfynu gwahodd cynigion o'r tu allan i Gaerdydd? Deallaf ichi ymgymryd ag ymarfer ymgynghori i wahodd cynigion ac, yn wir, derbyniwyd 24 o gynigion ar gyfer 24 o safleoedd. O'r 24 safle hynny, yr oedd dau yng ngogledd Cymru.

Mr Shortridge: When we discovered, to our disappointment, that the City Hall option was not going to be a runner, we had to consider and take stock of what to do next. As a matter of good public administration, we took the view that there should be a further consultation exercise so that other parts of Wales and owners of other buildings could have the opportunity to put proposals to us. The consultation paper explicitly put two possible approaches for a Welsh Assembly. One was an Assembly based in the capital city of Cardiff in a conventional sense, which is what we have ended up with. The other was an Assembly that was a bit more of a virtual Assembly, where the parliamentary location did not, perhaps, necessarily need to be in Cardiff. There would be a much stronger regional presence associated with that and stronger IT links than we had envisaged for the Cardiff option at the time. Those two options were spelt out in the consultation paper and, in particular, led to the proposal that came from Swansea.

Mr Shortridge: Pan sylweddolasom, er mawr siom inni, nad oedd opsiwn Neuadd y Ddinas yn y ras, yr oedd yn rhaid inni ystyried a phenderfynu beth i'w wneud nesaf. Yn unol â threfn gweinyddiaeth gyhoeddus dda, ein barn ni oedd y dylid cynnal ymarfer ymgynghori pellach fel y gallai rhannau eraill o Gymru a pherchnogion adeiladau eraill gael cyfle i gyflwyno cynigion inni. Yr oedd y papur ymgynghori'n cynnig dau bosibilrwydd penodol ar gyfer Cynulliad i Gymru. Cynulliad wedi'i seilio yn y brifddinas yng Nghaerdydd oedd un, yn yr ystyr gonfensiynol, sef yr hyn sydd gennym yn y pen draw. Yr oedd y llall yn Gynulliad a oedd ychydig yn fwy rhithiol, lle nad oedd rhaid i'r lleoliad seneddol fod yng Nghaerdydd efallai. Byddai hynny'n golygu bod ganddo bresenoldeb llawer cryfach yn y rhanbarthau a chysylltiadau TG cryfach nag yr oeddem wedi'u rhagweld ar gyfer yr opsiwn yng Nghaerdydd ar y pryd. Esboniwyd y ddau opsiwn hynny yn y papur ymgynghori, ac, yn benodol, arweiniodd hynny at y cynnig a gafwyd gan Abertawe.

[21] **Alison Halford:** To put it into simplistic language that I can understand, it was always going to be Cardiff. However, Cardiff was then unrealistic because of the constraints that we have discussed. Therefore, in order to try to move things forward, you invited proposals from the rest of Wales, bearing in mind that the timescale was shortening by the hour.

[21] **Alison Halford:** I esbonio'r peth mewn iaith syml y gallaf i ei deall, yng Nghaerdydd yr oedd yn mynd i fod o'r dechrau. Fodd bynnag, wedyn, daeth opsiwn Caerdydd yn afrealistig oherwydd y cyfyngiadau yr ydym wedi'u trafod. Felly, er mwyn ceisio bwrw ymlaen â phethau, gwahoddasoch gynigion gan weddill Cymru, gan gofio bod yr amserlen yn byrhau wrth yr awr.

Mr Shortridge: The decision had been taken early in the year that we should seek to establish the Assembly, not just in Cardiff, but in Cardiff City Hall. When that option fell by the wayside and we had to take stock, we decided to open it up in the way that you described.

Mr Shortridge: Yr oedd y penderfyniad wedi'i wneud yn gynnar yn y flwyddyn y dylem geisio sefydlu'r Cynulliad, nid yn unig yng Nghaerdydd ond yn Neuadd y Ddinas Caerdydd. Pan ddisgynnodd yr opsiwn hwnnw ar dir diffrwyth ac y bu'n rhaid inni ailfeddwl, penderfynwyd agor y peth allan fel ag a ddisgrifiwyd.

[22] **Alison Halford:** Would it not have been fairer to do that in the first place?

[22] **Alison Halford:** Oni fyddai wedi bod yn decach gwneud hynny yn y lle cyntaf?

Mr Shortridge: Perhaps it could have been done. I accept that as a criticism if that is how it is offered. What I would say, though, is that we had two years to undertake an enormous project. At the outset there was a firm expectation—indeed it may have been included in some of the earlier documentation—that the Assembly would be located in Cardiff.

Mr Shortridge: Efallai y gellid fod wedi gwneud hynny. Yr wyf yn derbyn hynny fel beirniadaeth os mai fel hynny yr oeddech yn ei bwriadu. Yr hyn y byddwn yn ei ddweud, fodd bynnag, yw mai dwy flynedd a oedd gennym i gyflawni prosiect anferth. Ar y dechrau, yr oedd disgwyliad cryf—yn wir efallai ei fod wedi'i gynnwys mewn peth o'r ddogfennaeth gynharach—mai yng Nghaerdydd y lleolid y Cynulliad.

[23] **Alison Halford:** So all my north Wales colleagues' efforts were a complete and utter waste of time?

[23] **Alison Halford:** Felly gwastraff amser llwyr oedd holl ymdrechion fy nghydweithwyr o ogledd Cymru?

Mr Shortridge: In the context of the consultation paper to which you referred, no. That was a very serious consultation where we polarised two options: one Cardiff based, one—so far as we could make it—all-Wales based. We evaluated very carefully the proposals that came forward as a result of that.

Mr Shortridge: Yng nghyd-destun y papur ymgynghori yr oeddech yn cyfeirio ato, nage. Yr oedd yr ymgynghori hwnnw'n un difrifol iawn lle polareiddiwyd dau opsiwn: un wedi'i seilio yng Nghaerdydd, un—cyn belled ag y gallem ei wneud felly—yn opsiwn Cymru-gyfan. Cafodd y cynigion a ddaeth ger bron o ganlyniad i hynny eu pwyso a'u mesur yn ofalus iawn.

[24] **Alison Halford:** But you ignored the fact that Swansea was by far the cheapest option?

[24] **Alison Halford:** Ond anwybyddwyd y ffaith mai Abertawe oedd yr opsiwn rhataf o bell ffordd?

Mr Shortridge: Sorry?

Mr Shortridge: Mae'n ddrwg gennyf?

[25] **Alison Halford:** You ignored totally the fact that Swansea was by far the cheapest option.

[25] **Alison Halford:** Anwybyddwyd y ffaith yn llwyr mai Abertawe oedd yr opsiwn rhataf o bell ffordd.

Mr Shortridge: That was taken into account; the decision in the end was to go to Cardiff. We did not ignore it entirely.

Mr Shortridge: Ystyriwyd hynny; y penderfyniad yn y pen draw oedd mynd i Gaerdydd. Ni wnaethom ei anwybyddu'n llwyr.

[26] **Alison Halford:** Would you tell the Committee why that decision to stick to Cardiff was made?

[26] **Alison Halford:** A wnewch chi ddweud wrth y Pwyllgor pam y gwnaethoch y penderfyniad hwnnw i lynu wrth Gaerdydd?

Mr Shortridge: Ultimately, again, that was a ministerial judgment.

Mr Shortridge: Yn y pen draw, unwaith eto, penderfyniad gweinidogol oedd hwnnw.

[27] **Alison Halford:** According to the reports that we have been given, it was to avoid undermining Cardiff's position as the capital of Wales. Does that phrase mean anything to you, I wonder?

[27] **Alison Halford:** Yn ôl yr adroddiadau a gawsom, y rheswm dros hynny oedd er mwyn peidio â thanseilio safle Caerdydd fel prifddinas Cymru. A yw'r ymadrodd hwnnw'n golygu unrhyw beth ichi, ys gwn i?

Mr Shortridge: I can recall that phrase as well. I am sure that that was a material consideration.

Mr Shortridge: Yr wyf innau'n cofio'r ymadrodd hwnnw hefyd. Yr wyf yn siwr fod hynny'n ystyriaeth berthnasol.

[28] **Alison Halford:** So you are quite happy that the taxpayer should be prepared to spend vast sums of money to preserve Cardiff as the capital of Wales, whatever that means?

[28] **Alison Halford:** Felly, yr ydych yn eithaf hapus y dylai'r trethdalwr fod yn barod i wario symiau anferth o arian i gadw Caerdydd yn brifddinas Cymru, beth bynnag yw ystyr hynny?

Mr Shortridge: I do not think that that follows from what—

Mr Shortridge: Nid wyf yn meddwl bod hynny'n dilyn o'r hyn—

[29] **Alison Halford:** But that was why Cardiff was decided upon, according to our briefing. It was not the cheapest option and you had to go out to tender to the rest of Wales with a very short timescale. Cardiff, clearly, was going to be a very important venue.

[29] **Alison Halford:** Ond dyna pam y penderfynwyd ar Gaerdydd, yn ôl yr wybodaeth a gawsom. Nid hwnnw oedd yr opsiwn rhataf ac yr oedd rhaid ichi fynd allan i dendr i weddill Cymru o fewn amserlen fer iawn. Yr oedd Caerdydd, mae'n amlwg yn mynd i fod yn lleoliad pwysig iawn.

Mr Shortridge: I think that what I am saying is that the decision was not one, to use your terms, of pouring more taxpayers' money into Cardiff. The decision was taken in a much broader sense than that, having regard to the symbolism of the Assembly and its association with Wales, and having regard to the functionality of the location of the accommodation.

Mr Shortridge: Yr wyf yn meddwl mai'r hyn yr wyf yn ei ddweud yw nad penderfyniad oedd hwn, yn eich geiriau chi, i dywallt mwy o arian trethdalwyr i Gaerdydd. Gwnaethpwyd y penderfyniad mewn ystyr llawer ehangach na hynny, gan roi sylw i symbolaeth y Cynulliad a'i gysylltiad â Chymru, a chan roi sylw i ymarferoldeb lleoliad yr adeiladau.

[30] **Alison Halford:** Just two more questions: does that mean very much to a pensioner in Blaenau Gwent, I wonder?

[30] **Alison Halford:** Dim ond dau gwestiwn arall: a yw hynny'n golygu rhywbeth i bensiynwr ym Mlaenau Gwent, ys gwn i?

Mr Shortridge: Chair, I want to answer the questions as much as I can, but I do not think, as Accounting Officer, that I can necessarily comment on some of these judgments.

Mr Shortridge: Gadeirydd, yr wyf am ateb y cwestiynau gymaint ag y gallaf, ond ni chredaf, fel Swyddog Cyfrifo, y gallaf o anghenraid roi sylwadau ar rai o'r safbwyntiau hyn.

[31] **Alison Halford:** It is not as bad as being questioned by Maria Eagle in the Public Accounts Committee, surely, Mr Shortridge?

[31] **Alison Halford:** Nid yw gynddrwg â chael eich holi gan Maria Eagle yn y Pwyllgor Cyfrifon Cyhoeddus, nid oes bosib, Mr Shortridge?

Mr Shortridge: No, I did not say that it was.

Mr Shortridge: Nac ydyw, ni ddywedais ei fod.

[32] **Alison Halford:** Last question, then.

[32] **Alison Halford:** Y cwestiwn olaf, felly.

[33] **Janet Davies:** Could I just bring Jocelyn in?

[33] **Janet Davies:** A gaf i ddod â Jocelyn i mewn?

[34] **Alison Halford:** By all means. Sorry.

[34] **Alison Halford:** Wrth gwrs. Mae'n ddrwg gennyf.

[35] **Jocelyn Davies:** You have mentioned a ministerial decision twice now. Are you aware of any occasion when Ministers at that time overruled or disregarded the advice that they were given on this matter by civil servants?

[35] **Jocelyn Davies:** Soniasoch ddwywaith yn awr am benderfyniad gweinidogol. A wyddoch am unrhyw achlysur pan wnaeth y Gweinidogion ar y pryd wrthod neu anwybyddu'r cyngor a gawsant gan weision sifil ar y mater hwn?

Mr Shortridge: No.

Mr Shortridge: Na wn.

[36] **Jocelyn Davies:** None?

[36] **Jocelyn Davies:** Dim un?

Mr Shortridge: No.

Mr Shortridge: Na wn.

[37] **Jocelyn Davies:** So the civil servants and the Minister were singing from the same hymn sheet on this matter?

[37] **Jocelyn Davies:** Felly yr oedd y gweision sifil a'r Gweinidog yn canu o'r un llyfr emynau ar y mater hwn?

Mr Shortridge: I have not reviewed all the advice so, in fairness, I think I must answer in a general way. I can think of no occasion where, as officials, we disapproved of the decisions that Ministers were taking. It is not the job of Ministers always to do what their officials think is the preferred or best option. You would not need politicians if that were the case.

Mr Shortridge: Nid wyf wedi adolygu'r holl gyngor felly, a bod yn deg, credaf fod rhaid imi roi ateb cyffredinol. Ni allaf feddwl am unrhyw achlysur lle yr oeddem, fel swyddogion, yn anghymeradwyo'r penderfyniadau a gymerid gan Weinidogion. Nid gwaith Gweinidogion bob tro yw dewis yr opsiwn a ffefrir neu sydd orau gan eu swyddogion. Pe bai hynny'n wir, ni fyddai angen gwleidyddion arnoch.

[38] **Janet Davies:** I want to bring in Dafydd and Peter for two short questions and then I will come back to Alison.

[38] **Janet Davies:** Yr wyf am roi cyfle i Dafydd a Peter ofyn dau gwestiwn byr ac yna, dof yn ôl at Alison.

[39] **Dafydd Wigley:** It is a very short question, and perhaps we should have the relevant Minister here, because it is unfair on civil servants sometimes if they have to answer for what are political decisions. That is something that we, as a Committee, can consider in the future, no doubt. I pick up the point that you made about the additional costs that Cardiff council claimed it would have to incur. I assume that there was discussion at that stage of the additional costs that Cardiff would have to incur if it were to stay in City Hall. In other words, the costs of doing up the central heating and all the other costs that we have seen analysed. Given that Cardiff did not put that into the equation, can we assume that no money from the Assembly would be going to Cardiff in order to pay for it?

[39] **Dafydd Wigley:** Cwestiwn byr iawn yw hwn, ac efallai y dylai'r Gweinidog perthnasol fod yma, oherwydd mae'n annheg ar weision sifil weithiau os oes rhaid iddynt ateb dros benderfyniadau gwleidyddol. Mae hynny'n rhywbeth y gallwn ni, mae'n siwr, fel Pwyllgor, ei ystyried yn y dyfodol. Dychwelaf at y pwynt a wnaethoch am y costau ychwanegol yr oedd cyngor Caerdydd yn honni a ddeuai i'w ran. Tybiaf fod trafodaeth wedi bod adeg hynny ynghylch y costau ychwanegol a ddeuai i ran Caerdydd pe bai'n aros yn Neuadd y Ddinas. Mewn geiriau eraill, costau gwella'r gwres canolog a'r holl gostau eraill a welsom wedi'u dadansoddi. O ystyried nad oedd Caerdydd wedi cynnwys hynny yn yr hafaliad, a allwn dybio nad oedd dim arian o'r Cynulliad yn mynd i Gaerdydd i dalu amdano?

Mr Shortridge: I may have to bring Eric in on points of detail. I am pretty confident that there would not be any specific grant money planned to go into City Hall. Obviously, Cardiff gets revenue support grant money that it can apply as it wishes. It may be that City Hall, being a listed building of considerable merit, is eligible for CADW grants. I would imagine so. However, putting those quite special circumstances aside, I am not aware of anyone contemplating putting money into City Hall—

Mr Shortridge: Efallai y bydd rhaid imi ofyn i Eric ateb y pwyntiau manwl. Yr wyf yn weddol hyderus nad oedd cynlluniau i roi unrhyw arian grant penodol i Neuadd y Ddinas. Mae'n amlwg bod Caerdydd yn cael arian grant cynnal refeniw y gall ei ddefnyddio fel y dymuna. Efallai fod Neuadd y Ddinas, sydd yn adeilad rhestredig o safon sylweddol, yn gymwys ar gyfer grantiau CADW. Byddwn yn tybio ei bod. Fodd bynnag, a rhoi rhai o'r amgylchiadau eithaf arbennig hynny o'r neilltu, nid wyf yn ymwybodol bod neb yn ystyried rhoi arian i mewn i Neuadd y Ddinas—

[40] **Dafydd Wigley:** So in terms of making a decision, the balancing of those additional grants, which may have been inevitable because it was a listed building, was not taken into account?

[40] **Dafydd Wigley:** Felly o ran gwneud penderfyniad, ni ystyriwyd effaith gydbwysol y grantiau ychwanegol hynny, a fyddai efallai'n anochel oherwydd ei fod yn adeilad rhestredig?

Mr Shortridge: In terms of the economic appraisal, we were comparing like with like, in terms of cost and when those costs would fall. We were not seeking to take into account expenditure that might have been incurred anyway. Eric, do you want to comment further on any of those aspects?

Mr Shortridge: Yn nhermau'r gwerthusiad economaidd, yr oeddem yn cymharu dau o'r un fath â'i gilydd, o ran cost a pha bryd y byddai'r costau hynny'n digwydd. Nid oedd yn fwriad gennym ystyried y gwariant a allai fod wedi digwydd beth bynnag. Eric, a hoffech chi roi sylwadau pellach ar unrhyw un o'r agweddau hynny?

Mr McDonald: I think that that is correct. We did not take account of any money that Cardiff might need to spend, nor indeed did we make any judgment as to whether that money should have previously been spent in order to keep the place in the condition of a listed building. That was a matter that we believed was for Cardiff and not for the Welsh Office at that time.

Mr McDonald: Credaf fod hynny'n gywir. Ni ystyriwyd unrhyw arian y gallai Caerdydd fod wedi gorfod ei wario, ac ni luniwyd barn ychwaith ynghylch a ddylid fod wedi gwario'r arian hwnnw cyn hynny er mwyn cadw'r lle mewn cyflwr sydd yn gydnaws ag adeilad rhestredig. Mater i Gaerdydd oedd hynny yn ein barn ni ac nid i'r Swyddfa Gymreig ar y pryd.

[41] **Peter Law:** First of all, I appreciate the difficulty that you have today, as Accounting Officer, on political decisions. Nevertheless, no-one said it would be easy and that is your lot in life. So, do not come to me with your troubles, I have troubles of my own. The point is this, what position were you in at the Welsh Office at that time, because we know that there was another Permanent Secretary then—what rank were you then?

[41] **Peter Law:** Yn gyntaf, gwerthfawrogaf yr anhawster sydd yn eich wynebu heddiw, fel Swyddog Cyfrifo, ar benderfyniadau gwleidyddol. Fodd bynnag, ni ddywedodd neb y byddai'n hawdd a dyna eich baich mewn bywyd. Felly, peidiwch â dod ataf i gyda'ch problemau, mae gennyf fy mhroblemau fy hun. Y pwynt yw hyn, beth oedd eich swydd chi ar y pryd yn y Swyddfa Gymreig, oherwydd gwyddom fod Ysgrifennydd Parhaol arall bryd hynny— beth oedd eich swydd ar y pryd?

Mr Shortridge: At the time, I was Director of Economic Affairs, but I had special responsibility for establishing the Assembly.

Mr Shortridge: Ar y pryd, yr oeddwn yn Gyfarwyddwr Materion Economaidd, ond yr oedd gennyf gyfrifoldeb arbennig am sefydlu'r Cynulliad.

[42] **Peter Law:** So you were, in fact, the project leader. We read in this report that there was a project team, were you in that?

[42] **Peter Law:** Felly chi, mewn gwirionedd, oedd arweinydd y prosiect. Darllenwn yn yr adroddiad hwn am dîm y prosiect, oeddech chi'n aelod o hwnnw?

Mr Shortridge: It was slightly more complex than that. There was an overarching board chaired by the Secretary of State that met very regularly to oversee this project. We then split the project down into a number of project groups, and I think that it is important that the Committee should understand that to a significant extent, and certainly for the first 18 months or so, the project was essentially a constitutional project. It involved how to develop this policy into a White Paper, which we did in 11 weeks. You consult on the White Paper, you produce a referendum Bill in time for the referendum in September. You instruct counsel on a very complex Bill, the longest Bill that the Welsh Office had ever produced, which was submitted to Parliament in November. You then take the Bill through the House of Commons and get royal assent in July. You appoint the National Assembly Advisory Group in January and it completes its work in August. You had a whole sequence of projects that were going on simultaneously, not sequentially. We were having to manage this process in a way that would ensure that we delivered this building, as we did, in May 1999. The project on the building really did not get underway until September 1998.

Mr Shortridge: Yr oedd ychydig yn fwy cymhleth na hynny. Yr oedd bwrdd trosfwaol dan gadeiryddiaeth yr Ysgrifennydd Gwladol a oedd yn cyfarfod yn rheolaidd iawn i oruchwylio'r prosiect hwn. Yna, rhannwyd y prosiect yn nifer o grwpiau prosiect, a chredaf ei bod yn bwysig i'r Pwyllgor ddeall bod y prosiect, i raddau helaeth, ac yn sicr yn ystod y 18 mis cyntaf neu rywbeth felly, yn ei hanfod yn brosiect cyfansoddiadol. Yr oedd yn ymwneud â sut i ddatblygu'r polisi hwn yn Bapur Gwyn, a gwnaethom hynny mewn 11 wythnos. Yr ydych yn ymgynghori ar y Papur Gwyn, yr ydych yn cynhyrchu Mesur refferendwm mewn pryd ar gyfer y refferendwm ym Medi. Yr ydych yn cyfarwyddo cwnsler ar Fesur hynod o gymhleth, y Mesur hwyaf a gynhyrchwyd erioed gan y Swyddfa Gymreig, a gyflwynwyd i'r Senedd ym mis Tachwedd. Yna, yr ydych yn mynd â'r Mesur drwy Dy'r Cyffredin ac yn cael cydsyniad brenhinol yng Ngorffennaf. Yr ydych yn penodi Grwp Ymgynghorol y Cynulliad Cenedlaethol yn Ionawr ac mae hwnnw'n cwblhau ei waith yn Awst. Yr oedd gennych gyfres o brosiectau a oedd yn mynd rhagddynt ar yr un pryd, nid yn olynol. Yr oedd rhaid inni reoli'r broses hon mewn modd a fyddai'n sicrhau ein bod yn gallu darparu'r adeilad hwn, fel ag y gwnaethom, ym mis Mai 1999. Ni ddechreuodd y prosiect ar yr adeilad o ddifrif tan fis Medi 1998.

[43] **Peter Law:** I will come back to that in a later question if the Chair will allow me to do so. However, that was your job—to get on with it. I have listened very intently to what you have said. It was a tight time schedule, and I know that it was difficult. There were a lot of pressures. However, you were all comparatively well-paid officers, paid to get on with the job and that was it, that is life. My colleague, Alison, referred to the decision to go out to consultation and to invite proposals from across Wales for the Assembly's location. We know that when the result of that consultation

[43] **Peter Law:** Dof yn ôl at hynny mewn cwestiwn diweddarach os caniateir imi wneud hynny gan y Cadeirydd. Fodd bynnag, dyna oedd eich gwaith chi—bwrw iddi. Yr wyf wedi gwrando'n astud iawn ar yr hyn a ddywedasoch. Yr oedd yr amserlen yn dynn a gwn ei fod yn anodd. Yr oedd llawer o bwysau. Fodd bynnag, yr oeddech chi i gyd yn swyddogion a dderbyniai gyflogau cymharol uchel, yn cael eich talu i fwrw ymlaen â'r gwaith a dyna ni, dyna sut y mae hi. Cyfeiriodd fy nghyd-Aelod, Alison, at y penderfyniad i fynd allan i ymgynghori a gwahodd cynigion o

was looked at, Swansea won hands down on cost, without a doubt, yes?

bob rhan o Gymru i fod yn gartref i'r Cynulliad. Gwyddom, pan edrychwyd ar ganlyniad yr ymgynghoriad hwnnw, mai Abertawe a enillodd yn rhwydd o safbwynt y gost, heb amheuaeth, onid yw hynny'n wir?

Mr Shortridge: On a straight cost comparison, Swansea was the cheapest option.

Mr Shortridge: O gymharu ar sail costau'n unig, Abertawe oedd yr opsiwn rhataf.

[44] **Peter Law:** Everything that I have read tells me that Swansea would have been an ideal venue for the National Assembly for Wales, generally, other than the fact that someone might have to travel a bit further to get there. It was certainly £22 million—well I do not know if that is that bad when you consider that some people in Wales would have thought that it was quite reasonable perhaps to have gone to Swansea. However, having said that, a decision was made in the end that it had to be Cardiff. So, do you accept that the public perception is that the whole consultation exercise was worthless and very costly, and in fact undermines very much any consultation that this National Assembly undertakes with the public in the future, bearing in mind the result of that exercise?

[44] **Peter Law:** Mae popeth a ddarllenais yn dweud wrthyf y byddai Abertawe wedi bod yn lleoliad delfrydol ar gyfer Cynulliad Cenedlaethol Cymru, yn gyffredinol, ar wahân i'r ffaith y byddai rhaid i rywun deithio ychydig ymhellach i gyrraedd yno. Yr oedd yn sicr yn £22 miliwn-wel, ni wn a yw hynny gynddrwg â hynny pan ystyriwch chi y byddai rhai pobl yng Nghymru wedi meddwl ei fod yn weddol resymol efallai i fynd i Abertawe. Fodd bynnag, wedi dweud hynny, yn y pen draw, penderfynwyd bod rhaid dewis Caerdydd. Felly, dderbyniwch mai barn y cyhoedd yw fod yr ymarfer ymgynghori drwyddo draw yn ddiwerth ac yn gostus iawn, a'i fod mewn gwirionedd yn tanseilio i raddau helaeth unrhyw ymgynghori a wna'r Cynulliad Cenedlaethol hwn â'r cyhoedd yn y dyfodol, o gofio canlyniad yr ymarfer hwnnw?

Mr Shortridge: I do not accept that. The results of that consultation were not prejudged. As I said, I think that, as a matter of good administration, when you have a major decision to take, you should consult rather than just impose a decision. I recall that the reason that we were running very strongly with Cardiff was that the White Paper explicitly referred to the City Hall. That was why, at that stage, and the White Paper is a consultative document, City Hall was firmly out in the public arena. When we lost the City Hall option it was appropriate to consult.

Mr Shortridge: Nid wyf yn derbyn hynny. Nid oedd canlyniadau'r ymgynghori hwnnw wedi'u penderfynu ymlaen llaw. Fel y dywedais, credaf, yn unol â threfn weinyddu dda, pan fo rhaid gwneud penderfyniad pwysig, y dylech ymgynghori yn hytrach na gorfodi penderfyniad ar bobl. Yr wyf yn cofio mai'r rheswm pam fod Caerdydd yn apelio'n fawr atom oedd bod y Papur Gwyn yn cyfeirio'n benodol at Neuadd y Ddinas. Dyna pam, bryd hynny, ac mae'r Papur Gwyn yn ddogfen ymgynghorol, fod Neuadd y Ddinas yn destun trafod yn yr arena gyhoeddus. Pan gollwyd opsiwn Neuadd y Ddinas, yr oedd yn briodol ymgynghori.

[45] **Peter Law:** Yes, but all these good people from the Wrexhams and Flintshires of this world and from areas such as Powys and Merthyr Tydfil, sent in their proposals in good faith feeling that they had a home to offer the National Assembly for Wales, only to find that the decision was taken and that in fact it was a waste of time, it was to be in Cardiff. Even when Swansea came up with a gilt-edged deal that was one of the two bids shortlisted in the end, it was still ruled out. Would you not accept that undermines very much public confidence in public consultation on anything that this National Assembly may be doing in the future because what is the point of public consultation? Is that a reasonable response from the public?

[45] **Peter Law:** Oedd, ond cyflwynodd pobl dda o'r holl ardaloedd fel Wrecsam a Sir y Fflint ac o ardaloedd megis Powys a Merthyr Tudful, eu cynigion gan lwyr ymddiried yn y drefn gan deimlo bod ganddynt gartref i'w gynnig i Gynulliad Cenedlaethol Cymru, dim ond i ganfod fod y penderfyniad wedi'i wneud a'i fod mewn gwirionedd yn wastraff amser, yng Nghaerdydd yr oedd i fod. Hyd yn oed pan gyflwynodd Abertawe fargen euraidd sef un o'r ddau gynnig ar y rhestr fer yn y pen draw, cafodd hwnnw ddal ei wrthod. Oni fyddech chi'n derbyn bod hynny'n tanseilio i raddau helaeth hyder y cyhoedd mewn ymgynghori cyhoeddus ar unrhyw beth y gall y Cynulliad Cenedlaethol hwn fod yn ei wneud yn y dyfodol oherwydd beth yw pwynt ymgynghori cyhoeddus? A yw hynny'n ymateb rhesymol gan y cyhoedd?

Mr Shortridge: No, I would not accept that, Peter.

Mr Shortridge: Nac ydyw, ni fyddwn yn derbyn hynny, Peter.

[46] **Peter Law:** You would not see that?

[46] **Peter Law:** Ni fyddech yn gweld hynny?

Mr Shortridge: No.

Mr Shortridge: Na fyddwn.

[47] **Janet Davies:** I will allow one more question from Alun Cairns on this because I think that this is one of the major questions in this report, the whole issue of Swansea and the consultation and finishing up in Cardiff.

[47] **Janet Davies:** Caniatâf un cwestiwn arall gan Alun Cairns ar hyn oherwydd credaf mai dyma un o'r prif gwestiynau yn yr adroddiad hwn, holl fater Abertawe a'r ymgynghori a diweddu yng Nghaerdydd.

[48] **Alun Cairns:** Thank you, Chair, for giving me the opportunity. Building on what Peter Law has said and the answers that you gave, particularly accepting that the spirit of the consultation had every best objective, and bearing mind that Swansea offered such an overwhelmingly cheaper option, what would Swansea have had to have done to have achieved the siting of the Assembly there?

[48] **Alun Cairns:** Diolch, Gadeirydd, am roi'r cyfle imi. Ac adeiladu ar yr hyn a ddywedodd Peter Law a'r atebion a roesoch, yn enwedig a derbyn bod yr ymghynghori wedi'i wneud yn yr ysbryd iawn a chyda'r bwriadau gorau, a chan gofio bod Abertawe wedi cynnig opsiwn a oedd gymaint â hynny'n rhatach, beth fyddai rhaid i Abertawe fod wedi'i wneud er mwyn llwyddo i ddenu'r Cynulliad yno?

Mr Shortridge: I am sorry. I think that is a speculative question and I cannot give a speculative answer.

Mr Shortridge: Mae'n ddrwg gennyf. Yr wyf yn meddwl mai cwestiwn damcaniaethol yw hwnnw ac ni allaf roi ateb damcaniaethol.

[49] **Alun Cairns:** I will ask the question in a different way, then. Bearing in mind that you have said that Swansea offered a much cheaper option, for Swansea to have been considered seriously as a viable option, what extra qualities would the project have needed?

[49] **Alun Cairns:** Gofynnaf y cwestiwn mewn ffordd arall, felly. A chofio eich bod wedi dweud bod Abertawe'n cynnig opsiwn llawer rhatach, er mwyn i Abertawe fod wedi cael ei ystyried o ddifrif fel opsiwn ymarferol, pa nodweddion ychwanegol y buasai eu hangen ar y prosiect?

Mr Shortridge: I cannot give you a factual answer to that question. I do not know whether Eric, who was more closely involved in the option appraisal, can refer to any sort of factual consideration that was taken into account in the decision-making process.

Mr Shortridge: Ni allaf roi ateb ffeithiol i'r cwestiwn hwnnw. Ni wn a all Eric, a oedd yn ymwneud mwy â gwerthuso'r opsiynau, gyfeirio at unrhyw fath o ystyriaeth ffeithiol a ystyriwyd yn y broses gwneud-penderfyniadau.

Mr McDonald: I do not think that there were any other factual issues that would have changed the economic appraisal. It came down to a political choice as to the distance between Cardiff and Swansea. Whether it was acceptable to be in Swansea was a choice that the politicians were able to make.

Mr McDonald: Ni chredaf fod unrhyw faterion ffeithiol eraill a fyddai wedi newid y gwerthusiad economaidd. Yr oedd yn ddewis gwleidyddol ynghylch y pellter rhwng Caerdydd ac Abertawe. Yr oedd penderfynu a oedd bod yn Abertawe'n dderbyniol yn ddewis yr oedd y gwleidyddion yn gallu ei wneud.

[50] **Alun Cairns:** With that in mind then, Mr Shortridge, would you like to reconsider your answer that the consultation exercise had every best objective if the location of Swansea just did not happen to be Cardiff?

[50] **Alun Cairns:** Gyda hynny mewn cof, felly, Mr Shortridge, a fyddech yn hoffi ailystyried eich ateb fod gan yr ymarfer ymgynghori bob bwriad gorau heblaw am y ffaith fod Abertawe yn anffodus heb ei lleoli yng Nghaerdydd?

Mr Shortridge: We had not prejudged the outcome at the time of the consultation. When the City Hall option fell, there were intensive discussions within the office as to how we should best go forward. The idea of a virtual Assembly with strong links across Wales was one that was thought to be really quite innovative and attractive and one that we thought that was appropriate to test out in a consultation process. That seemed to me, and still seems to me, to have been a valid and appropriate thing to do.

Mr Shortridge: Nid oeddem wedi rhagfarnu'r canlyniad adeg yr ymgynghori. Pan ddadfeiliodd opsiwn Neuadd y Ddinas, cafwyd trafodaethau dwys yn y swyddfa ynghylch y ffordd orau o fwrw ymlaen. Teimlid bod y syniad o Gynulliad rhithwir gyda chysylltiadau cryf ledled Cymru'n un a oedd yn eithaf blaengar a deniadol ac yn un y dylid ei brofi drwy broses ymgynghori yn ein barn ni. I mi ar y pryd, a hyd heddiw, yr oedd hynny'n gam dilys a phriodol i'w gymryd.

[51] **Peter Law:** May I come back on that?

[51] **Peter Law:** A gaf i ddod yn ôl ar hynny?

[52] **Janet Davies:** Well, we are running late.

[52] **Janet Davies:** Wel, yr ydym ar ei hôl hi.

[53] **Peter Law:** I have to say, Chair, that that is my concern. This is a major report—a multi-million one for the people of Wales. There are many people outside the Assembly who are trying to work out how the money is being spent and we are constrained by a time limit of three hours.

[53] **Peter Law:** Rhaid imi ddweud, Gadeirydd, mai hwn yw fy mhryder. Mae hwn yn adroddiad pwysig—adroddiad gwerth miliynau lu i bobl Cymru. Mae llawer o bobl y tu allan i'r Cynulliad yn ceisio gweld sut mae'r arian yn cael ei wario ac yr ydym yn cael ein gwasgu i gyfnod o dair awr.

[54] **Dafydd Wigley:** Let us have another session with the Government Ministers.

[54] **Dafydd Wigley:** Gadewch inni gael sesiwn arall gyda Gweinidogion y Llywodraeth.

[55] **Peter Law:** Can we do that? I am new to this Committee, but Dafydd seems to think that we can do that. I did not think that Ministers could come before the Committee, and the ones involved with this matter are probably no longer Ministers.

[55] **Peter Law:** A allwn wneud hynny? Yr wyf yn newydd i'r Pwyllgor hwn, ond mae Dafydd i bob golwg yn meddwl y gallwn wneud hynny. Nid oeddwn yn meddwl y gallai Gweinidogion ddod ger bron y Pwyllgor, ac mae'n debygol nad yw'r rhai a fu'n ymwneud â'r mater hwn yn Weinidogion ragor.

[56] **Janet Davies:** We can consider that at the end of the meeting, if we feel that it is necessary. Ask your question if you think that it will take things forward, but not if it will just repeat a previous question.

[56] **Janet Davies:** Gallwn ystyried hynny ar ddiwedd y cyfarfod, os teimlwn ei bod yn angenrheidiol. Gofynnwch eich cwestiwn os y credwch y bydd hynny'n gymorth inni fwrw ymlaen, ond nid os y bydd ddim ond yn ailadrodd cwestiwn blaenorol.

[57] **Peter Law:** We have a role to play in the interests of the public in Wales. Outside this city, many people are interested in what is going on down here and in where this money is being spent. From what I have heard from the Permanent Secretary, it was a case of heads, Cardiff wins, tails, Swansea loses. There is no way that Swansea had an opportunity. Its representatives could have come here dripping in gold, free, but they were not going to get the Assembly. With all the highest principles and standards of the civil service tradition, are you saying that the civil service and yourselves, as the people who advised the Secretary of State for Wales at the time, did not give positive advice that Swansea was the better option?

[57] **Peter Law:** Mae gennym rôl i'w chwarae er budd y cyhoedd yng Nghymru. Y tu allan i'r ddinas hon, mae gan lawer o bobl ddiddordeb yn yr hyn sydd yn digwydd i lawr yma ac ymhle y mae'r arian hwn yn cael ei wario. O'r hyn a glywais gan yr Ysgrifennydd Parhaol, os oedd y geiniog yn disgyn ar ei phen, Caerdydd oedd yn ennill ac os oedd hi'n disgyn ar ei chynffon, Abertawe oedd yn colli. Nid oedd gan Abertawe gyfle o gwbl. Gallai cynrychiolwyr y ddinas fod wedi dod yma'n gyforiog o aur a'i rhoi'n rhad, ond ni fyddai'r Cynulliad yn dod i'w dinas hwy. Ac ystyried holl egwyddorion a safonau uchel traddodiad y gwasanaeth sifil, a ydych chi'n dweud fod y gwasanaeth sifil a chi'ch hunain, sef y bobl a gynghorydd Ysgrifennydd Gwladol Cymru ar y pryd, heb roi cyngor cadarnhaol mai Abertawe oedd yr opsiwn gorau?

Mr Shortridge: I would have to check the files and submit a note, but I cannot recall advice going forward in such a specific way.

Mr Shortridge: Byddai rhaid imi archwilio'r ffeiliau a chyflwyno nodyn, ond ni allaf gofio bod cyngor mor benodol â hynny wedi'i roi.

[58] **Peter Law:** I take it from that, Chair, that no advice went forward on this.

[58] **Peter Law:** Cymeraf, ar sail hynny, Gadeirydd, na roddwyd cyngor o'r fath.

Mr Shortridge: As I say, I would have to check the files. However, I think that on a matter like this, we, as officials, would have presented the relevant information, the relevant costings and other considerations and we would then have left it as a matter for political judgment.

Mr Shortridge: Fel a ddywedaf, byddai rhaid imi archwilio'r ffeiliau. Fodd bynnag, credaf ar fater fel hyn, y byddem ni, fel swyddogion, wedi cyflwyno'r wybodaeth berthnasol, y costiadau perthnasol ac ystyriaethau eraill ac y byddem wedyn wedi gadael hynny i'r gwleidyddion lunio barn.

[59] **Peter Law:** So, value for money would not have been taken into account in the advice that you put forward?

[59] **Peter Law:** Felly, ni fyddai gwerth am arian wedi cael ei ystyried yn y cyngor a roesoch?

Mr Shortridge: Yes, it would, because it would have been included in the economic appraisal.

Mr Shortridge: Byddai, oherwydd byddai wedi'i gynnwys yn y gwerthusiad economaidd.

[60] **Jocelyn Davies:** There was no recommendation?

[60] **Jocelyn Davies:** Ni chafwyd unrhyw argymhelliad?

Mr Shortridge: I just do not know the answer. I would have to check the file, but I have not come here briefed to answer that question.

Mr Shortridge: Nid wyf yn gwybod yr ateb. Byddai rhaid imi archwilio'r ffeil, ond nid wyf wedi dod yma'n barod i ateb y cwestiwn hwnnw.

[61] **Peter Law:** I am sorry, but I would have thought that you would have been briefed on that for this Committee this afternoon, bearing in mind how crucial this point is in the report. However, we will now have to wait to see.

[61] **Peter Law:** Mae'n ddrwg gennyf, ond byddwn wedi meddwl y byddech wedi bod yn barod i ateb hynny ar gyfer y Pwyllgor hwn y prynhawn yma, ac ystyried pa mor bwysig yw'r pwynt hwn yn yr adroddiad. Fodd bynnag, bydd rhaid inni aros i weld yn awr.

[62] **Alison Halford:** I am sorry that this is so painful, Mr Shortridge, but I am sure that you understand the depth of feeling on this and that we are here to represent the people and ask the hard questions. Just to jog your memory, Swansea Guildhall was going to submit its bid at a rent of £260,000 per year. However, the important thing is that, according to page 19 of the Auditor General's report, the reasons for not choosing Swansea, quite frankly, get worse. Travel costs were included for the Swansea option only, and amounted to

[62] **Alison Halford:** Mae'n ddrwg gennyf fod hyn mor boenus, Mr Shortridge, ond yr wyf yn siwr eich bod yn deall dyfnder y teimladau ynghylch hyn a'n bod yma i gynrychioli'r bobl ac i ofyn y cwestiynau caled. I brocio'ch cof, yr oedd Neuadd y Ddinas Abertawe yn mynd i gyflwyno'i cynnig am rent o £260,000 y flwyddyn. Fodd bynnag, y peth pwysig yw, yn ôl tudalen 19 adroddiad yr Archwilydd Cyffredinol, mae'r rhesymau dros beidio â dewis Abertawe, a bod yn onest, yn gwaethygu. Dim ond ar gyfer opsiwn

£500,000 per year. According to the report, the travel costs for the Cardiff sites—and I am précising this—were excluded for certain reasons, therefore, the Swansea option had to include travel; the Cardiff one did not. Yet it was confirmed later that there was a travel cost of £2.9 million to get to Capital Waterside. Would you like to comment on that before I move on to my last question?

Abertawe y cynhwyswyd costau teithio, a chyfanswm y rheini oedd £500,000 y flwyddyn. Yn ôl yr adroddiad, hepgorwyd y costau teithio ar gyfer safleoedd Caerdydd—ac yr wyf yn crynhoi yma—am resymau penodol, felly, tra bo opsiwn Abertawe yn gorfod cynnwys teithio; nid oedd opsiwn Caerdydd. Eto i gyd, cadarnhawyd yn ddiweddarach mai cost teithio i Lanfa'r Brifddinas oedd £2.9 miliwn. Hoffech chi roi eich sylwadau ar hynny cyn imi ofyn fy nghwestiwn olaf?

Mr Shortridge: It would have been better if we had included the Cardiff travel costs in the appraisal.

Mr Shortridge: Byddai wedi bod yn well pe baem wedi cynnwys costau teithio Caerdydd yn y gwerthusiad.

[63] **Alison Halford:** So why did you not include them?

[63] **Alison Halford:** Felly pam na wnaethoch chi eu cynnwys?

Mr Shortridge: At the time that the decision was taken, it was thought that they would not be significant.

Mr Shortridge: Adeg gwneud y penderfyniad, teimlid na fyddent yn arwyddocaol.

[64] **Alison Halford:** Whose decision was it?

[64] **Alison Halford:** Penderfyniad pwy oedd hwnnw?

Mr Shortridge: I imagine that the decision was made by the economists who were doing the appraisal.

Mr Shortridge: Tybiaf mai'r economegwyr a oedd yn gwneud y gwerthusiad a wnaeth y penderfyniad.

[65] **Alison Halford:** It has been assessed that you were the project leader. Who would have allowed that unfairness to occur?

[65] **Alison Halford:** Casglwyd mai chi oedd arweinydd y prosiect. Pwy fyddai wedi caniatáu i'r annhegwch hwnnw ddigwydd?

Mr Shortridge: It was just something that was not taken into account at the time.

Mr Shortridge: Yn syml iawn, yr oedd yn rhywbeth nas ystyriwyd ar y pryd.

[66] **Alison Halford:** By whom?

[66] **Alison Halford:** Gan bwy?

Mr Shortridge: By the people involved in doing the technical appraisal.

Mr Shortridge: Gan y bobl a oedd yn ymwneud â'r gwerthusiad technegol.

[67] **Alison Halford:** Would that have been anybody sitting before this Committee today?

[67] **Alison Halford:** A fyddai hynny'n cynnwys unrhyw un sydd yn eistedd ger bron y Pwyllgor hwn heddiw?

Mr Shortridge: There was a shared accountability for all those people who had a responsibility for the project.

Mr Shortridge: Yr oedd yr holl bobl a oedd yn gyfrifol am y prosiect yn gyd-atebol.

[68] **Alison Halford:** But not one for which you are prepared to take responsibility?

[68] **Alison Halford:** Ond nid ydych chi yn barod i ysgwyddo'r cyfrifoldeb amdano?

Mr Shortridge: No, I will take my share of the accountability.

Mr Shortridge: Na, yr wyf yn barod i ysgwyddo fy rhan o'r atebolrwydd.

[69] **Alison Halford:** My final question addresses the cost of the proposed land for the new building. We were told that it would cost no more than £1. The Auditor General has calculated, because 200 car parking spaces were given up, that the true cost was £668,000. What are the other hidden costs of the acquisition of that land?

[69] **Alison Halford:** Mae fy nghwestiwn olaf yn ymwneud â chost y tir a gynigid ar gyfer yr adeilad newydd. Dywedwyd wrthym na fyddai'n costio mwy na £1. Mae'r Archwilydd Cyffredinol wedi cyfrifo, oherwydd bod 200 o leoedd parcio ceir wedi'u hildio, mai'r wir gost oedd £668,000. Pa gostau cudd eraill sydd ynghlwm wrth gaffael y tir hwnnw?

Mr Shortridge: I am not aware of any other hidden costs. The costs are as set out in the report. However, I will again defer to Eric, in case I have forgotten something.

Mr Shortridge: Nid wyf yn ymwybodol o unrhyw gostau cudd eraill. Mae'r costau fel y maent wedi'u gosod allan yn yr adroddiad. Fodd bynnag, unwaith eto, gofynnaf i Eric, rhag ofn fy mod wedi anghofio rhywbeth.

Mr McDonald: There are no other costs, Permanent Secretary.

Mr McDonald: Nid oes dim costau eraill, Ysgrifennydd Parhaol.

[70] **Alison Halford:** So you can give us an assurance that this total package gives us value for money?

[70] **Alison Halford:** Felly, gallwch ein sicrhau fod y pecyn hwn yn ei grynswth yn rhoi gwerth am arian inni?

Mr Shortridge: When you say ‘this total package’, you mean the establishment of the Assembly in Crickhowell House and—

Mr Shortridge: Pan ddywedwch ‘y pecyn hwn yn ei grynswth’, yr ydych chi’n sôn am sefydlu’r Cynulliad yn Nhy Crycywel a—

[71] **Alison Halford:** Well, the land itself is quite interesting, because in the end, you will probably agree that five out of the six project designs did not fit within the site boundaries.

[71] **Alison Halford:** Wel, mae’r tir ei hun yn eithaf diddorol, oherwydd yn y pen draw, mae’n siwr y cytunwch nad oedd pump o chwe chynllun y prosiect yn dod o fewn ffiniau’r safle.

Mr Shortridge: In terms of the acquisition of the land, I, as Accounting Officer, take assurance from Gooch and Wagstaff’s view, which is referred to in paragraph 2.37 of the report.

Mr Shortridge: O ran meddu’r tir, yr wyf i, fel Swyddog Cyfrifo, yn derbyn sicrwydd o farn Gooch a Wagstaff, y cyfeirir ato ym mharagraff 2.37 yr adroddiad.

[72] **Alison Halford:** Therefore, you are happy with the fact that the site was too small for the purpose and did not cost £1?

[72] **Alison Halford:** Felly, yr ydych chi’n hapus gyda’r ffaith fod y safle’n rhy fach at y diben ac nad £1 oedd y gost?

Mr Shortridge: Gooch and Wagstaff concluded that the proposed agreement was broadly value for money.

Mr Shortridge: Casglodd Gooch a Wagstaff fod y cytundeb a gynigiwyd ar y cyfan yn werth am arian.

[73] **Peter Law:** As Permanent Secretary, are you satisfied with the level of competence that has been shown by the Welsh Office and the civil service, in that the information about the costs of Cardiff was not passed on and the £668,000 for the lost parking spaces was not disclosed at that time?

[73] **Peter Law:** Fel Ysgrifennydd Parhaol, a ydych chi’n fodlon ar y lefel o fedrusrwydd a ddangoswyd gan y Swyddfa Gymreig a’r gwasanaeth sifil, ac ystyried na chafodd yr wybodaeth am gostau Caerdydd eu trosglwyddo ac na ddatgelwyd y £668,000 am y lleoedd parcio a gollwyd ar y pryd?

Mr Shortridge: I am satisfied that the way in which we established the Assembly in Cardiff Bay was a generally well-managed project—

Mr Shortridge: Yr wyf yn fodlon fod y ffordd y sefydlwyd y Cynulliad ym Mae Caerdydd yn brosiect a reolwyd yn dda ar y cyfan—

[74] **Peter Law:** That was not the question, with respect, Mr Shortridge.

[74] **Peter Law:** Nid hynny oedd y cwestiwn, gyda phob parch, Mr Shortridge.

Mr Shortridge: Sorry, I thought it was, I apologise.

Mr Shortridge: Mae'n ddrwg gennyf, yr oeddwn yn meddwl mai dyna ydoedd, mae'n ddrwg gennyf.

[75] **Peter Law:** It was about the competence of the civil service in failing to pass on this information.

[75] **Peter Law:** Gofynnais ynghylch medrusrwydd y gwasanaeth sifil gan iddo fethu â throsglwyddo'r wybodaeth hon.

Mr Shortridge: Sorry, which information did we fail to pass on?

Mr Shortridge: Mae'n ddrwg gennyf, pa wybodaeth na lwyddasom i'w throsglwyddo?

[76] **Peter Law:** Alison Halford referred to the costs, and the economy of the truth regarding the costs of Cardiff—

[76] **Peter Law:** Cyfeiriodd Alison Halford at y costau, a bod yn gynnil gyda'r gwirionedd gyda golwg ar gostau Caerdydd—

[77] **Janet Davies:** I think that the issue is the £668,000 for the parking—

[77] **Janet Davies:** Credaf mai'r mater dan sylw yw'r £668,000 ar gyfer y parcio—

[78] **Peter Law:** That is the second part of the question, the information that was discovered by the Auditor General. There were two points.

[78] **Peter Law:** Dyna ail ran y cwestiwn, yr wybodaeth a ganfuwyd gan yr Archwilydd Cyffredinol. Yr oedd dau bwynt.

Mr Shortridge: The second point refers to the £668,000 and the other one was—

Mr Shortridge: Mae'r ail bwynt yn cyfeirio at y £668,000 a'r llall oedd —

[79] **Peter Law:** The other one refers to the fact that the costs in Cardiff were never actually shown. The costs to which Alison Halford referred were never divulged. I think that is what you said.

[79] **Peter Law:** Mae'r llall yn cyfeirio at y ffaith na chafodd y costau yng Nghaerdydd erioed eu dangos mewn gwirionedd. Ni ddatgelwyd y costau y cyfeiriodd Alison Halford atynt erioed. Credaf mai hynny a ddywedasoch chi.

[80] **Alison Halford:** It is page 19 on the report, box 2, if members want to look it up, in case I have misread it—which, of course, I have not.

[80] **Alison Halford:** Mae hynny ar dudalen 19 yn yr adroddiad, blwch 2, pe bai aelodau'n dymuno cyfeirio ato, rhag ofn fy mod wedi'i gamddarllen—ond, nid wyf wedi gwneud hynny, wrth gwrs.

Mr Shortridge: I have agreed that in retrospect we should have shown the travel costs, but I do not regard those, in the overall decision-making process, as that significant or material. Taken as a whole, I think that the way in which this project has been managed reflects generally well on the competence of the people that were engaged in it.

Mr Shortridge: Yr wyf wedi cytuno, wrth edrych yn ôl, y dylem fod wedi dangos y costau teithio, ond nid wyf yn ystyried y rheini, gyda golwg ar y broses gyffredinol o wneud penderfyniadau, yn arbennig o arwyddocaol na phwysig. Yn ei gyfanrwydd, credaf fod y prosiect hwn wedi'i reoli mewn ffordd sydd yn adlewyrchu'n dda'n gyffredinol ar fedrusrwydd y bobl a oedd yn ymwneud ag ef.

[81] **Peter Law:** Therefore, as Permanent Secretary, you feel that failing to disclose costs of about £2.9 million on a project for Cardiff is competent, as far as the civil service is concerned, on such a crucial development for Wales?

[81] **Peter Law:** Felly, fel Ysgrifennydd Parhaol, yr ydych yn teimlo bod methu â datgelu costau o oddeutu £2.9 miliwn ar brosiect i Gaerdydd yn dangos medrusrwydd, cyn belled ag y bo'r gwasanaeth sifil yn y cwestiwn, gyda golwg ar ddatblygiad mor bwysig i Gymru.

Mr Shortridge: No. I have said that, in retrospect, I wish those costs had been brought out at the time.

Mr Shortridge: Nac ydwyf. Yr wyf wedi dweud, wrth edrych yn ôl, y byddai'n well gennyf pe bai'r costau hynny wedi'u hamlygu ar y pryd.

[82] **Peter Law:** Yes, but you said that you were satisfied with the level of competence that had been shown. I am saying to you that it seems to me, and to many people outside the Assembly, that it was incompetent.

[82] **Peter Law:** Ie, ond dywedasoch eich bod yn fodlon ar y lefel o fedrusrwydd a ddangoswyd. Yr wyf yn dweud wrthych chi ei bod yn ymddangos i mi, ac i lawer o bobl y tu allan i'r Cynulliad, ei fod yn dangos anfedrusrwydd.

Mr Shortridge: And I am saying that if you take the project as a whole, and consider the circumstances in which it was done, I think that there was a high degree of competence. However, I am not seeking to defend certain mistakes that were made in the process. I acknowledge those.

Mr Shortridge: Ac yr wyf fi yn dweud pe baech chi'n ystyried y prosiect yn ei gyfanrwydd, ac yn ystyried dan ba amgylchiadau y'i cyflawnwyd, fod safon uchel o fedrusrwydd. Fodd bynnag, nid wyf yn ceisio amddiffyn rhai camgymeriadau a wnaethpwyd yn y broses. Yr wyf yn cydnabod y rheini.

[83] **Jocelyn Davies:** If it was not incompetence, was it deliberate?

[83] **Jocelyn Davies:** Os nad anfedrusrwydd oedd yn gyfrifol, a oedd yn fwriadol?

Mr Shortridge: Well, I would be very surprised if it was deliberate. I would have to check the papers to give you an absolutely honest answer, but civil servants do not produce wilfully misleading advice.

Mr Shortridge: Wel, byddwn yn synnu'n fawr pe bai'n fwriadol. Byddai rhaid imi archwilio'r papurau i roi ateb cwbl onest ichi, ond nid yw gweision sifil yn rhoi cyngor camarweiniol yn fwriadol.

Mr Richards: Perhaps I could amplify a point about the travel costs, because it would have been misleading to try to compare the costs in the original economic appraisals for travel between Cardiff and Swansea, with the later costs of travel in Cardiff, between Cathays Park and the bay. When we did the earlier economic appraisal, using the kind of model that we were talking about, we assumed much less interchange between officials. If we were to go back and re-work the travel costs between Cardiff and Swansea on the same basis as they are calculated now for between Cathays Park and the bay—making allowances for down time and things—then we would come up with a much higher figure for Swansea than was in the original appraisal.

Mr Richards: Efallai y gallwn ddweud rhagor am y costau teithio, oherwydd byddai wedi bod yn gamarweiniol ceisio cymharu'r costau yn y gwerthusiadau economaidd gwreiddiol ar gyfer teithio rhwng Caerdydd ac Abertawe, gyda chostau diweddarach teithio yng Nghaerdydd, rhwng Parc Cathays a'r bae. Pan wnaethom y gwerthusiad economaidd cynharach, gan ddefnyddio'r math o fodel yr ydym yn sôn amdano, tybiwyd y byddai llawer llai o symud rhwng swyddogion. Pe baem yn mynd yn ôl i ailweithio'r costau teithio rhwng Caerdydd ac Abertawe ar yr un sail ag y maent yn cael eu pennu yn awr ar gyfer rhwng Parc Cathays a'r bae—gan ganiatáu ar gyfer cyfnodau segur ac yn y blaen—yna, byddem wedi cael ffigur uwch o lawer ar gyfer Abertawe nag a gafwyd yn y gwerthusiad gwreiddiol.

[84] **Peter Law:** So, you are challenging the Auditor General on that and the content of his report?

[84] **Peter Law:** Felly, yr ydych chi'n herio'r Archwilydd Cyffredinol ar hynny a chynnwys ei adroddiad?

Mr Richards: I do not think so.

Mr Richards: Nid wyf yn credu fy mod i.

[85] **Peter Law:** Do you disagree with his figures?

[85] **Peter Law:** Ydych chi'n anghytuno â'i ffigurau?

Mr Richards: No, I think that the Auditor General is providing a factual note of the calculations that were used at various times. All I am saying is that the calculations are not comparing like with like because there were two different calculations made at different times and on different bases.

Mr Richards: Nac ydw, yr wyf yn meddwl bod yr Archwilydd Cyffredinol yn darparu nodyn ffeithiol o'r ffigurau a gyfrifiwyd ac a ddefnyddiwyd ar wahanol adegau. Y cyfan yr wyf yn ei ddweud yw nad yw'r ffigurau yn cymharu dwy sefyllfa debyg oherwydd bod dau wahanol set o ffigurau wedi'u gwneud ar wahanol adegau ac ar wahanol seiliau.

[86] **Peter Law:** We did not get to the £668,000 cost from the loss of 200 to 400 parking spaces that we have now found out about. I wanted to hear the Permanent Secretary's view on that. That was never made public at the time. How and why was that not made public?

[86] **Peter Law:** Ni chyraeddasom y pwynt am y gost o £668,000 a ddeilliodd o golli rhwng 200 a 400 o leoedd parcio y gwyddom amdanynt erbyn hyn. Yr oeddwn am glywed barn yr Ysgrifennydd Parhaol ar hynny. Ni chafodd hynny erioed ei wneud yn gyhoeddus ar y pryd. Sut a pham na chafodd hynny ei wneud yn gyhoeddus?

Mr Shortridge: I do not know. I have addressed the financial accountability aspects of this report as opposed to presentational issues. I would need to check to see whether that was in relation to commercial confidentiality or whatever.

Mr Shortridge: Ni wn. Yr wyf wedi ymdrin â'r agweddau sydd yn ymwneud ag atebolrwydd ariannol yn yr adroddiad hwn, yn hytrach na materion sydd yn ymwneud â'r ffordd y'u cyflwynid. Byddai rhaid imi edrych i weld a oedd elfennau o gyfrinachedd masnachol neu rywbeth tebyg ynghlwm wrth hyn.

[87] **Peter Law:** With respect to the Permanent Secretary and his team, whom do we call before us to discover the truth about these matters? If it is in the report, I assume, Chair, that the Permanent Secretary would have received a copy and would have been briefed on it. There should be someone here to answer our questions, otherwise the whole point of being here today is pretty worthless.

[87] **Peter Law:** Â phob parch i'r Ysgrifennydd Parhaol a'i dîm, pwy ddylem ei alw ger ein bron i ganfod y gwirionedd am y materion hyn? Os ydyw wedi'i gynnwys yn yr adroddiad, yr wyf yn tybio, Gadeirydd, y byddai'r Ysgrifennydd Parhaol wedi derbyn copi ac y byddai wedi cael ei friffio yn ei gylch. Dylai fod rhywun yma i ateb ein cwestiynau, neu mae bod yma heddiw yn gwbl ofer.

The other question that I wanted to ask was why was there no break clause in the 150-year lease on the Grosvenor Waterside site?

Y cwestiwn arall yr oeddwn am ei ofyn oedd pam nad oedd cymal toriad yn y les 150 mlynedd ar safle Grosvenor Waterside?

Mr Shortridge: I will submit a note on the question of the £668,000. On the break clause, it was a 25-year lease, as I recall.

Mr Shortridge: Cyflwynaf nodyn ar fater y £668,000. O ran y cymal toriad, les 25-mlynedd oedd hi, os cofiaf.

Mr McDonald: On site 1E, it is a 150-year lease without a break, but it costs us nothing, Chair. So, there was no need to have a break clause in a 150-year land lease at £1, which is not costing us anything year-on-year.

Mr McDonald: Ar safle 1E, ceir les 150-mlynedd heb doriad, ond nid yw'n costio dim inni, Gadeirydd. Felly nid oedd angen cael cymal toriad mewn les tir 150-mlynedd am £1, nad yw'n costio dim inni o'r naill flwyddyn i'r llall.

[88] **Peter Law:** So that is a 150-year lease for £1?

[88] **Peter Law:** Felly, les 150-mlynedd yw hi am £1.

Mr McDonald: Yes.

Mr McDonald: Ie.

[89] **Alun Cairns:** Very briefly, Chair, I wanted to turn—

[89] **Alun Cairns:** Yn gryno iawn, Gadeirydd, yr oeddwn am droi—

[90] **Janet Davies:** Very briefly, Alun.

[90] **Janet Davies:** Yn gryno iawn, Alun

[91] **Alun Cairns:** I wanted to turn back to the question that Jocelyn asked Mr Shortridge, on whether, if it was not due to incompetence, it was deliberate. I was astounded by Mr Shortridge's response, which was very delayed. He stated that he needed to check the records and that civil servants did not wilfully mislead. Is there a difference between withholding information deliberately and being wilfully misleading?

[91] **Alun Cairns:** Yr oeddwn am droi yn ôl at y cwestiwn a ofynnodd Jocelyn i Mr Shortridge, ynghylch a oedd hyn yn fwriadol os nad anfedrusrwydd oedd yn gyfrifol. Cefais fy synnu o glywed ymateb Mr Shortridge. Oedodd gryn dipyn cyn ateb. Dywedodd fod rhaid iddo archwilio'r cofnodion ac nad oedd gweision sifil yn camarwain yn fwriadol. A oes gwahaniaeth rhwng dal gwybodaeth yn ôl yn fwriadol a bod yn fwriadol gamarweiniol?

Mr Shortridge: It is not like that at all, Chair. I take my position here very seriously. If I am asked a factual question and I do not have, in my recollection, the relevant facts, it would be wrong of me to give a glib answer like 'no', which is what I expect to be the answer. I felt that I had to choose my words carefully.

Mr Shortridge: Nid felly y mae o gwbl, Gadeirydd. Cymeraf fy swyddogaeth yma'n ddifrifol iawn. Os gofynnir cwestiwn ffeithiol imi ac nad wyf yn cofio'r ffeithiau perthnasol, byddai'n anghywir imi roi ateb slic fel 'na' sef yr hyn y disgwyliaf i'r ateb fod. Teimlais fod rhaid imi ddewis fy ngeiriau'n ofalus.

[92] **Janet Davies:** At some point I want to turn to questions on the Pierhead Building, but I will leave that for the moment, because it is important that we spend sufficient time on the issue of project management and procurement.

[92] **Janet Davies:** Ar ryw adeg, yr wyf am droi at gwestiynau ar Adeilad Pierhead, ond gadawaf hynny am y tro, oherwydd ei bod yn bwysig inni dreulio digon o amser ar fater rheoli'r prosiect a chaffael.

[93] **Kirsty Williams:** My apologies, Chair, it had not occurred to me before, but given that Mr Shortridge has mentioned it twice, perhaps I should have stated plainly—it is public knowledge—that I was a member of the National Assembly Advisory Group. I do not know whether that has any bearing on this.

[93] **Kirsty Williams:** Ymddiheuraf, Gadeirydd, nid oedd wedi fy nharo o'r blaen, ond gan fod Mr Shortridge wedi sôn amdano ddwywaith, efallai y dylwn fod wedi datgan yn blaen—mae'n wybodaeth gyhoeddus— fy mod yn aelod o Grwp Ymgynghorol y Cynulliad Cenedlaethol. Ni wn a yw hynny'n berthnasol i hyn o gwbl.

[94] **Janet Davies:** Not on what you say, but I think that it was wise to declare it.

[94] **Janet Davies:** Nid o ran yr hyn a ddywedwch, ond credaf mai peth doeth oedd datgan hynny.

Paragraph 3.16 of the report states that the cumulative effect of the cost increases on the Crickhowell House adaptation work was not adequately monitored at a senior level because of the absence of the project steering group. Part 4 of the report shows that the costs rose substantially during the course of the work. What assurance can you give us that the increases were tightly controlled and that unnecessary costs were avoided?

Dywed paragraff 3.16 yr adroddiad na chafodd effaith gronnol y cynnydd yng nghostau gwaith addasu Ty Crycywel ei monitro'n ddigonol ar lefel uchel oherwydd nad oedd grwp llywio prosiect yn bodoli. Dengys rhan 4 yr adroddiad fod y costau wedi codi'n sylweddol yn ystod y gwaith. Pa sicrwydd y gallwch chi ei roi inni fod rheolaeth dynn ar y cynnydd a bod costau diangen wedi'u hosgoi?

Mr Shortridge: I agree with the point made in the report that we should have had better steering group arrangements and a single project team looking at the whole of the Crickhowell House project. That would have related to the reconstruction and fitting out work, the IT, and the establishment of the Office of the Presiding Officer and all the systems around that. That, with hindsight, was a failing. What we had, therefore, were, in effect, three separate projects that were being controlled individually, but because there was no overarching project, the cumulative effects of the decisions being taken by the individual

Mr Shortridge: Cytunaf gyda'r pwynt yn yr adroddiad y dylem fod wedi llunio gwell trefniadau ar gyfer y grwp llywio ac un tîm prosiect i ofalu am brosiect Ty Crycywel yn ei gyfanrwydd. Byddai hynny wedi bod yn berthnasol i'r ailadeiladu a'r gwaith gosod ffitiadau, y dechnoleg gwybodaeth, a sefydlu Swyddfa'r Llywydd a'r holl systemau ynghlwm â hynny. Wrth edrych yn ôl, yr oedd hynny'n wendid. Yr hyn a oedd gennym felly, mewn gwirionedd, oedd tri phrosiect ar wahân a gâi eu rheoli fesul un, ond oherwydd nad oedd un prosiect yn drosfwaol, ni ddaeth effeithiau cronnol y penderfyniadau a gymerid

projects did not become apparent as early as I would have liked.

gan y prosiectau unigol yn amlwg cyn gynted ag y byddwn wedi hoffi.

In terms of whether I can give you an assurance that there was no wastage and so on, yes, I think that I can. The Auditor General has not in his report identified any nugatory expenditure. He has not criticised the former Welsh Office for the works that were undertaken, with the exception of the IT. I am sure that we will come on to the IT procurement.

A allaf eich sicrhau nad oedd dim gwastraff ac yn y blaen? Gallaf, credaf y gallaf. Nid yw'r Archwilydd Cyffredinol yn ei adroddiad wedi nodi unrhyw wariant diangen. Ni feirniadodd yr hen Swyddfa Gymreig am y gwaith a wnaethpwyd, ac eithrio'r dechnoleg gwybodaeth. Yr wyf yn siwr y deuwn at bwnc caffael TG.

I keep saying it, but we did have a difficult task. One of the difficulties was that we were having to create this building without really a customer. We were having to make judgments all the time as to what would be appropriate for the Assembly Members when they arrived. We were having to make judgments as to what standard and quality of finish and so on should be achieved. That meant that we had to secure a balance between on the one hand producing something that was manifestly too lavish and on the other hand producing something that was just too cheap and not fit for the purpose. I think that all of you as Members can make the judgment as to the extent to which we got that balance right. However, if, in your view, we got the balance right then there was no wasteful or nugatory expenditure.

Dywedaf yr un peth dro ar ôl tro, ond yr oedd yn dasg anodd. Un o'r anawsterau oedd ein bod yn gorfod creu'r adeilad hwn heb fod gennym gwsmer mewn gwirionedd. Yr oeddem yn gorfod llunio barn drwy'r amser ynghylch beth fyddai'n briodol ar gyfer Aelodau'r Cynulliad pan fyddent yn cyrraedd. Yr oedd yn rhaid inni wneud penderfyniadau ynghylch beth ddylai safon ac ansawdd y gorffeniad fod ac yn y blaen. Golygai hynny bod yn rhaid inni sicrhau cydbwysedd rhwng cynhyrchu rhywbeth ar y naill law a oedd yn amlwg yn rhy foethus ac ar y llall gynhyrchu rhywbeth a oedd yn rhy rhad a heb fod yn addas at y diben. Credaf y gall pob un ohonoch fel Aelodau benderfynu i ba raddau y llwyddwyd i daro'r cydbwysedd hwnnw. Fodd bynnag, os, yn eich barn chi, y llwydwyd i daro'r cydbwysedd iawn, yna nid oedd dim gwastraff na gwario diangen.

[95] **Janet Davies:** When you say 'we', Mr Shortridge, I understand that the variations to the design were approved by the Secretary of State for Wales at the time. Was he also aware of the increasing costs of the project?

[95] **Janet Davies:** Pan ddywedwch 'ni', Mr Shortridge, deallaf fod yr amrywiadau i'r cynllun wedi'u cymeradwyo gan Ysgrifennydd Gwladol Cymru ar y pryd. A oedd ef hefyd yn ymwybodol o gostau cynyddol y prosiect?

Mr Shortridge: When Ministers were being invited to agree significant matters, the costs would have been drawn to their attention. However, I repeat the point that I made earlier that because we were managing this as a series of comparatively small projects, the overall picture was one that was not in people's minds as much as it should have been, and I accept that.

Mr Shortridge: Pan wahoddwyd Gweinidogion i gytuno ar faterion pwysig, byddai'r costau wedi cael eu dwyn i'w sylw. Fodd bynnag, ailadroddaf y pwynt a wneuthum yn gynharach, sef, oherwydd ein bod yn rheoli'r gwaith fel cyfres o brosiectau cymharol fach, nid oedd y darlun yn ei gyfanrwydd ym meddyliau pobl i'r graddau y dylasai fod, a derbyniaf hynny.

[96] **Dafydd Wigley:** I would like to pursue the procurement matters. It is clear that there were serious shortcomings in the Welsh Office's handling of the contract with ICL to provide specialist IT applications for Assembly Members. How did that happen and what steps have you taken to ensure that it does not happen again?

[96] **Dafydd Wigley:** Hoffwn fynd i'r afael â'r materion caffael.Mae'n glir bod diffygion difrifol yn y ffordd yr ymdriniodd y Swyddfa Gymreig â'r contract gydag ICL i ddarparu cymwysiadau TG arbenigol ar gyfer Aelodau'r Cynulliad. Sut y digwyddodd hynny a pha gamau a gymerwyd gennych i sicrhau nad yw hyn yn digwydd eto?

Mr Shortridge: I will give you a short general answer and then David Richards can come in with some more detail if you like. I have looked at this carefully. I think that the basic issue in the division concerned—and I accept that this was a serious shortcoming—was that there was a systemic failure in its procurement arrangements. It was not helped by the sheer time pressure that everyone was under to get, in a very short space of time, this equipment procured and in place. We are talking here about not all of the equipment but certain, quite specific contracts. That is not an excuse. It is a consideration, but not an excuse. The problem that existed was a systemic one, and when I found out about it—we found out about it through our own systems of checking—I was obviously very concerned. In the division, we have put in place training on procurement and added a person with specific responsibility for procurement matters, who is being trained for a procurement qualification.

Mr Shortridge: Rhoddaf ateb byr cyffredinol ichi ac yna gall David Richards ddod i mewn gyda mwy o fanylion os dymunwch. Yr wyf wedi edrych ar hyn yn ofalus. Credaf mai'r broblem sylfaenol yn yr adran berthnasol—a derbyniaf fod hyn yn ddiffyg difrifol—oedd bod gwendid sylfaenol yn ei threfniadau caffael. Anhawster ychwanegol oedd y pwysau amser gwirioneddol a wynebai pawb i gaffael yr offer a sicrhau ei fod yn ei le mewn pryd. Yr ydym yn sôn yma nid am yr holl offer, ond am rai contractau arbennig, eithaf penodol. Nid esgus yw hyn. Mae'n ystyriaeth, ond nid yw'n esgus. Yr oedd y broblem yn un systemig, a phan ddeallais hyn—dysgasom amdano drwy gyfrwng ein systemau archwilio ni ein hunain—yr oeddwn yn amlwg yn bryderus iawn. Yn yr adran, yr ydym wedi darparu hyfforddiant ar gaffael ac wedi ychwanegu aelod at y staff sydd â chyfrifoldeb penodol am faterion caffael. Mae'n cael ei hyfforddi i ennill cymhwyster ym maes caffael.

[97] **Dafydd Wigley:** On page 33, there is a comment about the intellectual property rights:

‘the Welsh Office accepted ICL’s contract terms without amendment, although it had obtained legal advice to amend them so that intellectual property rights arising from the software applications belonged to the Welsh Office rather than ICL.’

Has the loss of intellectual property rights on this contract led to any financial loss to the Assembly?

Mr Shortridge: I do not think so, but I will hand over to David.

Mr Richards: No, it has not. It should not have happened, and it was a case where advice from the centre was simply not taken into account, and we take very seriously what was actually done. It has meant that we cannot actually make our own commercial exploitation of it. If we ever want to sell on the software, we cannot do that. It does not prevent us using the software and expanding, so we do not have any financial losses.

[98] **Dafydd Wigley:** So, in fact, two things arise from that: first, we must ensure that we do not make those kinds of mistakes again and, secondly, there is a systematic question with regard to advice in general. Are you happy that the type of circumstances that existed when these mistakes, as you acknowledge them to be, were made, will not be made under the ongoing pressure under which civil servants in the Assembly are working now?

[97] **Dafydd Wigley:** Ar dudalen 33, cyfeirir at yr hawliau eiddo deallusol:

‘derbyniodd y Swyddfa Gymreig dermau contract ICL heb unrhyw ddiwygiadau, er ei bod wedi derbyn cyngor cyfreithiol i’w diwygio fel bod unrhyw hawliau eiddo deallusol yn deillio o’r cymwysiadau meddalwedd yn eiddo i’r Swyddfa Gymreig yn hytrach nag ICL’

A arweiniodd colli’r hawliau eiddo deallusol ar y contract hwn at unrhyw golled ariannol i’r Cynulliad?

Mr Shortridge: Ni chredaf iddo wneud, ond trosglwyddaf yr awenau i David.

Mr Richards: Naddo. Ni ddylai erioed fod wedi digwydd, ac achos oedd hwn lle nad ystyriwyd y cyngor a gafwyd o’r canol, ac yr ydym yn ystyried beth a wnaethpwyd mewn gwirionedd yn ddifrifol iawn. Canlyniad hyn yw na allwn mewn gwirionedd ymelwa’n fasnachol arno ein hunain. Os byddwn eisiau gwerthu’r meddalwedd rywbryd, ni allwn wneud hynny. Nid yw’n ein hatal rhag defnyddio’r meddalwedd a’i ehangu, felly nid oes dim colledion ariannol.

[98] **Dafydd Wigley:** Felly, mewn gwirionedd, mae dau beth yn codi o hynny: yn gyntaf, rhaid inni wneud yn siwr nad ydym yn gwneud y mathau hynny o gamgymeriadau eto ac, yn ail, mae cwestiwn systematig ynghylch cyngor yn gyffredinol. A ydych yn fodlon na wneir y math yma o gamgymeriadau, ac yr ydych chi’n cydnabod mai camgymeriadau oeddent, a wnaethpwyd dan yr amgylchiadau a fodolai ar y pryd, dan y pwysau parhaus y mae gweision sifil yn y Cynulliad yn gweithio dano yn awr?

Mr Richards: Much as I would love to give you a cast iron guarantee, one can never do that. I can certainly tell you that the procedure for every contract over £10,000 into which the Assembly enters must involve a nominated member of my procurement unit. That person is involved in the invitation to tender, in the receipt of tender, looks after tender documents and chairs the project board. Legal advice and professional procurement advice should go into everything that we do above £10,000. In this instance, the advice from the centre was simply not taken into account. We have run a series of training seminars for staff across the office to ensure that the rules are not just there, but that staff understand the rules and know why they are there and abide by them.

Mr Richards: Gymaint ag y byddwn wrth fy modd o allu rhoi gwarant bendant ichi, ni all neb byth wneud hynny. Gallaf yn sicr ddweud wrthych, ar gyfer pob contract dros £10,000 a roddir gan y Cynulliad, bod yn rhaid i'r drefn gynnwys aelod enwebedig o fy uned caffael i. Bydd gan y person hwnnw ran yn y gwahoddiad i dendro, yn nerbyn y tendr, mae'n edrych ar ôl y dogfennau tendro ac yn cadeirio bwrdd y prosiect. Dylai cyngor cyfreithiol a chyngor caffael proffesiynol fod yn rhan o bopeth a wnawn uwchben £10,000. Yn yr achos hwn, ni ystyriwyd y cyngor o'r canol. Yr ydym wedi cynnal cyfres o seminarau hyfforddi i staff o bob rhan o'r swyddfa i sicrhau bod y rheolau nid yn unig yno ond bod staff yn deall y rheolau ac yn gwybod pam eu bod yno ac yn glynu wrthynt.

[99] **Dafydd Wigley:** You have already answered the next question that I was going to ask in that context. To turn to furniture and fittings, I see that those were procured from an existing call-off contract. Given that this new business more than doubled the volume of business procured on that contract, why did you not retest the market to see whether you could have obtained bulk purchase discounts better than those under the existing contract?

[99] **Dafydd Wigley:** Yr ydych eisoes wedi ateb y cwestiwn nesaf yr oeddwn am ei ofyn yn y cyd-destun hwnnw. I droi at ddodrefn ac addurniadau, gwelaf fod y rheini wedi'u caffael drwy gontract terfynu a oedd yn bodoli eisoes. Ac ystyried bod y busnes newydd hwn yn fwy na dyblu maint y busnes a gaffaeliwyd ar y contract hwnnw, pam na wnaethoch ailbrofi'r farchnad i weld a allech chi fod wedi cael gostyngiad am swmp-brynu a oedd yn well na'r rhai a gafwyd dan y contract a oedd yn bodoli eisoes?

Mr Richards: I think that it was a matter of fine judgment. I am not sure that if we were to go back to it again that we would necessarily take the same view, because there was a big increase. I think that the thing that swayed us most was that we had certainty. We were under a lot of pressure to get the furniture in. We could not afford to take the chance of going for a new supplier that would not deliver. We knew that the supplier we were working with would deliver.

Mr Richards: Credaf fod hyn yn fater o wneud penderfyniad anodd. Nid wyf yn siwr pe baem yn mynd yn ôl ato eto y byddem o anghenraid yn gwneud yr un penderfyniadau, oherwydd yr oedd y cynnydd yn un mawr. Credaf mai'r peth a'n tynnodd ni fwyaf oedd bod gennym sicrwydd. Yr oeddem dan lawer o bwysau i gael y dodrefn yn ei le. Ni allem fforddio mentro ar gyflenwr newydd na allai gyflawni'r dasg. Gwyddom y byddai'r cyflenwr yr oeddem yn gweithio gydag ef yn gallu cwrdd â'n gofynion.

[100] **Dafydd Wigley:** Could you not have at least put some pressure on the existing supplier to give better prices? Would that not have been a fairly reasonable thing to do?

[100] **Dafydd Wigley:** Oni allech chi fod, o leiaf, wedi rhoi rhywfaint o bwysau ar y cyflenwr presennol i gynnig gwell prisiau? Oni fyddai hynny wedi bod yn beth gweddol resymol i'w wneud?

Mr Richards: I will defer to Eric in a minute. I think that, given the time pressure, we felt that we had little option but to press on with the contract as we had it.

Mr Richards: Trof at Eric mewn munud. Credaf, ac ystyried y pwysau amser, ein bod yn teimlo mai ychydig o ddewis oedd gennym heblaw bwrw ymlaen gyda'r contract fel yr oedd.

Mr McDonald: We certainly spoke to the suppliers. It is not recorded in the documents, but their position was that they had already cut their margins as much as they could and they could not have offered us a better price. It was already a £1.5 million contract over three years. They had sharpened their pencils as much as they were able to do.

Mr McDonald: Yn sicr, siaradasom â'r cyflenwyr. Nid yw hynny wedi'i gofnodi yn y dogfennau ond eu safbwynt hwy oedd eu bod eisoes wedi tocio'u ffin elw gymaint ag yr oedd modd ac na allent fod wedi cynnig gwell pris inni. Yr oedd eisoes yn gontract gwerth £1.5 miliwn dros dair blynedd. Yr oeddent wedi minio'u pensiliau gymaint ag y gallent.

[101] **Dafydd Wigley:** That is your judgment. My suspicion would be that, in such circumstances, it is always worth trying to screw them tighter. However, that was the decision made at the time and I am sure that lessons have been learnt. Mr Shortridge, you wanted to comment?

[101] **Dafydd Wigley:** Eich barn chi yw hynny. Yr wyf innau'n amau, dan amgylchiadau o'r fath, ei bod bob amser yn werth eu sgriwio ychydig yn dynnach. Fodd bynnag, dyna'r penderfyniad a wnaethpwyd ar y pryd ac yr wyf yn siwr bod gwersi wedi'u dysgu. Mr Shortridge, yr oeddech am ddweud rhywbeth?

Mr Shortridge: I quite understand that viewpoint. The point that I would like to bring out of this is that one of the things that we had to do in this unique project, under huge time pressure, was to manage risk. One way that you manage risk is to go for certainty, to go, where you think that it is reasonable, with your existing supplier, and not to take risks in terms of the delay that could happen if you, in very constrained circumstances, seek to find an alternative supplier. One advantage that we had from retaining this contractor is that we have uniformity of furniture across the Assembly.

Mr Shortridge: Deallaf y safbwynt hwnnw'n iawn. Y pwynt yr hoffwn ei wneud yw mai un o'r pethau yr oedd rhaid inni ei wneud yn y prosiect unigryw hwn, dan bwysau amser anferth, oedd rheoli risg. Un ffordd o reoli risg yw dewis y llwybr sicr, lle credwch fod hynny'n rhesymol, dewis y cyflenwr sydd gennych eisoes, a pheidio â mentro wynebu'r oedi posibl, pe baech, dan amgylchiadau cyfyng iawn, yn ceisio canfod cyflenwr arall. Un fantais a gawsom o gadw'r contractwr hwn yw bod gennym ddodrefn unffurf ym mhob rhan o'r Cynulliad.

[102] **Dafydd Wigley:** I will not repeat myself, but we will need to consider the point about squeezing existing contractors as opposed to going to new ones. I am sure that you accept that point.

[102] **Dafydd Wigley:** Nid wyf am ailadrodd fy hun, ond bydd angen inni ystyried y pwynt ynghylch rhoi pwysau ar gontractwyr presennol yn hytrach na mynd at rai newydd. Yr wyf yn siwr eich bod yn derbyn y pwynt hwnnw.

Mr Shortridge: I accept that point.

Mr Shortridge: Yr wyf yn derbyn y pwynt hwnnw.

[103] **Dafydd Wigley:** I am grateful. I have one more area to cover as regards procurement. Perhaps the most important procurement decision of the whole project was the decision to adopt a management contracting strategy for the construction of the new building. The Auditor General for Wales recognises that this was an appropriate strategy,

[103] **Dafydd Wigley:** Yr wyf yn ddiolchgar. Mae gennyf un maes arall i ymdrin ag ef gyda golwg ar gaffael. Efallai mai'r penderfyniad caffael pwysicaf yn y prosiect i gyd oedd y penderfyniad i fabwysiadu strategaeth contractio rheoli ar gyfer codi'r adeilad newydd. Mae Archwilydd Cyffredinol Cymru'n cydnabod fod hyn yn strategaeth briodol,

'given the client's wish to maintain control of the design…and to achieve rapid completion'.

'yn seiliedig ar ddymuniad y client i gadw rheolaeth dros y cynllun drwy gydol y prosiect ac i gyflawni amser cwblhau cyflym'.

I have two questions in relation to that issue. First, in theory, there is less cost certainty with this procurement strategy than with a traditional strategy where the design and construction stages are kept separate. Yet you have decided not to require a guaranteed maximum price from the management contractor to mitigate this risk. Why is that?

Mae gennyf ddau gwestiwn gyda golwg ar hynny. Yn gyntaf, yn ddamcaniaethol, mae llai o sicrwydd ynghlwm wrth y math hwn o strategaeth gaffael o ran y costau nag wrth strategaeth draddodiadol lle cedwir y cam cynllunio a'r cam adeiladu ar wahân. Eto i gyd, yr ydych wedi penderfynu peidio â mynnu uchafswm pris gwarantedig gan y contractwr rheoli i liniaru'r risg hwn. Pam?

Mr Shortridge: I refer that question to Eric.

Mr Shortridge: Cyfeiriaf y cwestiwn hwnnw at Eric.

Mr McDonald: We have gone for a management contractor route because we believe that that way we get the building delivered in the best timescale and with the best control. We believe that a guaranteed maximum price would only add to the cost for which we would get the building delivered, because we believe that any management contractor would just front-load its costs in order to cover any risks that it may have to bear in giving a guaranteed maximum price.

Mr McDonald: Yr ydym wedi mynd ar drywydd contractwr rheoli am ein bod yn credu mai dyma'r ffordd o sicrhau bod yr adeilad yn barod o fewn yr amserlen orau a chyda'r rheolaeth orau. Credwn mai dim ond ychwanegu at gost darparu'r adeilad fyddai gosod uchafswm pris gwarantedig am ein bod yn credu y byddai unrhyw gontractwr rheoli yn blaen-lwytho'i gostau er mwyn gwrthbwyso unrhyw risg y gallai fod yn ei wynebu wrth roi uchafswm pris gwarantedig.

[104] **Dafydd Wigley:** I note the point that you made about working under time pressure. Would you perhaps have taken a different view had you not been under that time pressure?

[104] **Dafydd Wigley:** Nodaf y pwynt a wnaethoch am weithio dan bwysau amser. A fyddai eich barn wedi bod yn wahanol efallai pe na baech wedi bod dan bwysau amser o'r fath?

Mr McDonald: This has been reviewed recently by the policy steering group with regard to the new building. The policy steering group has endorsed that we stay with a management contractor route for the procurement of the new building.

Mr McDonald: Gyda golwg ar yr adeilad newydd, mae'r grwp llywio polisi wedi adolygu hyn yn ddiweddar. Mae'r grwp llywio polisi wedi cymeradwyo ein bod yn parhau i ddefnyddio contractwr rheoli ar gyfer caffael yr adeilad newydd.

[105] **Dafydd Wigley:** The design and construction stages overlap in a management contract. Is there not a risk that delays or variations to the design will cause substantial disruption and abortive costs during the construction stage?

[105] **Dafydd Wigley:** Mae'r cam cynllunio a'r cam adeiladu yn gorgyffwrdd mewn contract rheoli. Onid oes risg y gallai oedi neu amrywiadau i'r cynllun darfu'n sylweddol ar y gwaith a pheri costau ofer yn ystod y gwaith adeiladu?

Mr McDonald: It certainly is a risk of which we are conscious. It is part of our risk register, and is a risk that we believe can be managed successfully.

Mr McDonald: Mae'n sicr yn risg yr ydym yn ymwybodol ohoni. Mae'n rhan o'n cofrestr risgiau, ac yn risg y credwn y gellir ei rheoli'n llwyddiannus.

[106] **Janet Davies:** I believe that Alison Halford would like to return to the IT issue.

[106] **Janet Davies:** Credaf y byddai Alison Halford yn hoffi dychwelyd at fater TG.

[107] **Alison Halford:** I feel very agitated about the IT service. I was the first Member to have it installed in my constituency office in Delyn. We were given no way of testing what we wanted and I have been frustrated during the last 18 months by having to call the engineer out over and over again. I understand that Siemens' was the most expensive system—an untendered, most expensive system that we had foisted upon us. Can you confirm that or not?

[107] **Alison Halford:** Teimlaf yn anniddig iawn ynghylch y gwasanaeth TG. Fi oedd yr Aelod cyntaf i gael gosod y system yn fy swyddfa etholaethol yn Nelyn. Ni roddwyd cyfle inni brofi beth oedd ei eisiau arnom ac yr wyf wedi teimlo'n rhwystredig yn ystod y 18 mis diwethaf o orfod galw'r peiriannydd allan dro ar ôl tro. Deallaf mai system Siemens oedd y ddrutaf—system heb dendr, ofnadwy o ddrud a wthiwyd arnom. A allwch chi gadarnhau hynny ai peidio?

Mr Shortridge: In the case of the basic OSIRIS system, we carried forward our existing private finance initiative contract with Siemens. I think that to have done other than that and to have sought to have a separate system in place for the parliamentary end of the Assembly from the one that we as officials had, would have led to chaos.

Mr Shortridge: Gyda golwg ar system sylfaenol OSIRIS, parhawyd gyda'r contract cynllun cyllid preifat a oedd eisoes yn bodoli gyda Siemens. Credaf y buasai gwneud rhywbeth gwahanol i hynny a cheisio cael system ar wahân ar gyfer ochr seneddol y Cynulliad i'r system a oedd gennym ni fel swyddogion, wedi arwain at anrhefn llwyr.

[108] **Alison Halford:** You say that, but it is we, the Members, who are still living with a chaotic situation. I have asked the former Deputy Clerk over and over again why the system was so problematic, how much it cost and how much the maintenance calls were, bearing in mind that the engineer was regularly visiting Delyn. I was given very short shrift, even to the extent of being told that it was always user error and nothing to do with the system. Quite frankly, I resent that. So may we know the maintenance cost of the system?

[108] **Alison Halford:** Dyna eich barn chi, ond ni, yr Aelodau, sydd yn dal i fyw mewn anrhefn llwyr. Yr wyf wedi gofyn i'r cyn Ddirprwy Glerc dro ar ôl tro pam fod y system yn peri cymaint o broblemau, faint gostiodd hi a faint oedd cost y galwadau cynnal a chadw, gan gadw mewn cof fod y peiriannydd yn ymweld â Delyn yn aml. Ychydig iawn o ymateb a gefais, hyd yn oed i'r graddau o ddweud wrthyf mai camgymeriad y defnyddiwr oedd yn gyfrifol bob tro ac nad oedd a wnelo'r problemau ddim â'r system. A bod yn gwbl onest, mae hynny yn fy nghythruddo. Felly, a gawn wybod beth yw cost cynnal a chadw'r system?

Mr Shortridge: I will happily submit a note on that. I would just like to point out that in terms of IT procurement this report deals largely with the ICL contracts that we established and which were separate from the Siemens contract.

Mr Shortridge: Yr wyf yn ddigon bodlon cyflwyno nodyn ar hynny. Hoffwn dynnu sylw at y ffaith fod yr adroddiad hwn, o ran caffael TG, yn ymwneud yn bennaf â'r contractau ICL a sefydlwyd gennym a bod y rhain ar wahân i'r contract gyda Siemens.

[109] **Alison Halford:** This is my final question, and I thank you for indulging me. Would you not agree that it was somewhat arrogant of the civil service to give a system to Assembly Members, albeit that it was a new situation, without at least giving us an opportunity to try out a model to determine whether or not it was suitable for constituency needs 170 miles away at the end of a telephone line?

[109] **Alison Halford:** Dyma fy nghwestiwn olaf a diolchaf ichi am roi cymaint o amser imi. Oni fyddech chi'n cytuno ei bod ychydig yn drahaus ar ran y gwasanaeth sifil i roi system i Aelodau'r Cynulliad, a derbyn bod y sefyllfa'n un newydd, heb o leiaf roi cyfle inni arbrofi gyda model i benderfynu a oedd yn addas at ddibenion etholaethau 170 milltir i ffwrdd ar ben draw llinell ffôn ai peidio?

Mr Shortridge: I think that that returns to the point that we were seeking to establish a new institution that would operate from the very moment that Members arrived, as opposed to deferring a lot of decisions and giving Members the opportunity to contribute to whatever decisions were taken later.

Mr Shortridge: Credaf fod hynny yn ein dwyn yn ôl at y pwynt ein bod yn ceisio sefydlu sefydliad newydd a fyddai'n gweithredu o'r funud gyntaf pan fyddai'r Aelodau'n cyrraedd, yn hytrach na gohirio llawer o benderfyniadau a rhoi cyfle i Aelodau gyfrannu at ba benderfyniadau bynnag a gymerid yn ddiweddarach.

[110] **Jocelyn Davies:** May I come in on this one? Earlier on, you mentioned the vision of a virtual Assembly across Wales. You must agree with us that that is simply not possible under this system. My office is in Newport and we cannot get remote access. Do you think that, on the whole, we have just been a bit green? Perhaps the rush to set things up showed your inexperience in dealing with a project as big as setting up the National Assembly.

[110] **Jocelyn Davies:** A gaf i ddod i mewn ar hyn? Yn gynharach, soniasoch am y weledigaeth o rith-Gynulliad ledled Cymru. Rhaid ichi gytuno â ni nad yw hynny'n bosibl o gwbl dan y system hon. Mae fy swyddfa i yng Nghasnewydd ac ni allwn gael mynediad o bell. A ydych chi'n meddwl, ar y cyfan, ein bod wedi bod ychydig yn ddiniwed? Efallai fod y rhuthr i sefydlu pethau wedi dangos eich diffyg profiad wrth ymdrin â phrosiect mor fawr â sefydlu'r Cynulliad Cenedlaethol.

Mr Shortridge: I think that for preference, as officials, we would have liked more time to establish it.

Mr Shortridge: Credaf, pe baem yn cael dewis fel swyddogion, y byddem wedi hoffi cael mwy o amser i'w sefydlu.

[111] **Jocelyn Davies:** Do you think that a shadow period would have been useful?

[111] **Jocelyn Davies:** A ydych yn meddwl y byddai cyfnod cysgodi wedi bod yn fuddiol?

Mr Shortridge: We considered the shadow period. In the end, there was a shadow period of 10 weeks. I think that the judgment that we took—and you can tell us if we got it wrong—was that, if you establish a National Assembly for Wales and you tell the Members that they will have to wait up to a year before they exercise any powers, that would not have been a tenable outcome.

Mr Shortridge: Rhoddwyd ystyriaeth i gael cyfnod cysgodi. Yn y pen draw, cafwyd cyfnod cysgodi o 10 wythnos. Credaf mai ein barn ni—a chewch ddweud wrthym os oeddem yn anghywir—oedd, pe baech yn sefydlu Cynulliad Cenedlaethol Cymru ac yn dweud wrth yr Aelodau fod rhaid iddynt ddisgwyl hyd at flwyddyn cyn cael unrhyw rym i weithredu, na fyddai hynny'n dderbyniol.

[112] **Janet Davies:** Do you want to ask some questions, Peter?

[112] **Janet Davies:** A hoffech ofyn unrhyw gwestiynau, Peter?

[113] **Peter Law:** Yes, I have a few questions on procurement. We are in danger of getting into written evidence as the Permanent Secretary is submitting so many notes. I am getting concerned about that. Can you tell me about the background of the project team: how many people were in it and what were their professional backgrounds?

[113] **Peter Law:** Oes, mae gennyf rai cwestiynau ynghylch caffael. Yr ydym mewn perygl o fynd i faes tystiolaeth ysgrifenedig gan fod yr Ysgrifennydd Parhaol yn cyflwyno cymaint o nodiadau. Yr wyf yn dechrau pryderu am hynny. A allwch ddweud wrthyf am gefndir y tîm prosiect: faint o aelodau oedd yn y tîm a beth oedd eu cefndir proffesiynol?

Mr Shortridge: Are we talking about the project team in relation to the construction works on Crickhowell House?

Mr Shortridge: A ydym yn sôn am y tîm prosiect yng nghyswllt y gwaith adeiladu ar Dy Crycywel?

[114] **Peter Law:** I understand that there was a small team of civil servants in the Management Services Division called the project team. These were the people who controlled this project. Is that right?

[114] **Peter Law:** Yr wyf yn deall fod tîm bychan o weision sifil yn yr Adran Gwasanaethau Rheoli a elwid yn dîm prosiect. Y rheini oedd y bobl a oedd yn rheoli'r prosiect hwn. A yw hynny'n gywir?

Mr Shortridge: That is right, yes.

Mr Shortridge: Ydi, mae hynny'n gywir.

[115] **Peter Law:** How many of them were there?

[115] **Peter Law:** Faint ohonynt oedd yno?

Mr Shortridge: Although he was not in that post at the time, Gerry is now the head of the relevant division. He can tell you.

Mr Thomas: I can certainly tell you about the current team that is under my command. I was not around at the time when the Crickhowell House project was going ahead. I do not know what the make-up of that team was precisely. Perhaps Eric can fill you in on the detail—

[116] **Peter Law:** Were any of you part of the team?

Mr Thomas: Eric McDonald was part of that team.

[117] **Peter Law:** Well, perhaps Eric—

Mr Thomas: I just wanted to make the general point that the team would have been administrative civil servants experienced in managing accommodation. They were not professionals themselves, but they drew on the support of professionals, as we are doing now, from PACE, the Property Advisors to the Civil Estate, which is the Government agency set up to advise departments on property matters, and through our contracted professional project managers. That was the general background. Perhaps Eric would like to answer the question about the precise make-up of the team.

Mr McDonald: In terms of the members on the team, I was heading the team. I have had PRINCE project training and I had been in the Management Services Division for four years at that stage.

Mr Shortridge: Er nad oedd yn y swydd honno ar y pryd, Gerry yw pennaeth yr adran berthnasol erbyn hyn. Gall ef ddweud wrthych.

Mr Thomas: Gallaf yn sicr ddweud wrthych am y tîm sydd dan fy rheolaeth ar hyn o bryd. Nid oeddwn o gwmpas pan oedd prosiect Ty Crycywel yn mynd rhagddo. Ni wn pwy yn union oedd aelodau'r tîm hwnnw. Efallai y gall Eric roi'r manylion ichi—

[116] **Peter Law:** Oedd unrhyw un ohonoch chi'n rhan o'r tîm?

Mr Thomas: Yr oedd Eric McDonald yn rhan o'r tîm hwnnw.

[117] **Peter Law:** Wel, efallai y gall Eric—

Mr Thomas: Yr oeddwn am wneud y pwynt cyffredinol mai gweision sifil gweinyddol gyda phrofiad o reoli adeiladau fyddai aelodau'r tîm hwnnw. Nid oeddent yn bobl broffesiynol eu hunain, ond byddent yn manteisio ar gefnogaeth pobl broffesiynol, fel y gwnawn yn awr, gan PACE, Ymgynghorwyr Eiddo'r Ystâd Sifil, sef asiantaeth dan y Llywodraeth a sefydlwyd i gynghori adrannau ar faterion sydd yn ymwneud ag eiddo, a thrwy ein rheolwr prosiect proffesiynol dan gontract. Dyna'r cefndir cyffredinol. Efallai yr hoffai Eric ateb y cwestiwn ynghylch union aelodaeth y tîm.

Mr McDonald: Gyda golwg ar aelodau'r tîm, fi oedd y pennaeth. Yr wyf wedi cael hyfforddiant prosiect PRINCE ac yr oeddwn bryd hynny wedi bod yn yr Adran Gwasanaethau Rheoli am bedair blynedd.

[118] **Peter Law:** You are not an engineer, are you, Eric, or an architect?

[118] **Peter Law:** Nid ydych yn beiriannydd, nac yn bensaer ydych chi, Eric?

Mr McDonald: I am an administrative civil servant.

Mr McDonald: Gwas sifil gweinyddol ydwyf.

[119] **Peter Law:** What about the other members of the team?

[119] **Peter Law:** Beth am aelodau eraill y tîm?

Mr McDonald: The other members of the team were administrative civil servants of the Welsh Office, who had also had some PRINCE project training and who were working to me. We had four other members of the team over the period. We had a quantity surveyor and an estate surveyor working in the team from PACE. We had a qualified project manager, a qualified quantity surveyor and a qualified architect working for the Symonds Group, which was providing all of the professional input to make this adaptation of Crickhowell House happen.

Mr McDonald: Gweision sifil gweinyddol y Swyddfa Gymreig oedd aelodau eraill y tîm, yr oeddent hwythau wedi cael rhywfaint o hyfforddiant prosiect PRINCE ac yn gweithio oddi tanaf fi. Bu pedwar arall yn aelodau o'r tîm yn ystod y cyfnod. Bu maintfesurwr a syrfewr ystadau o PACE yn gweithio yn y tîm. Yr oedd gennym reolwr prosiect cymwys, maintfesurwr cymwys a phensaer cymwys yn gweithio i Grwp Symonds, a oedd yn darparu'r holl gyfraniad proffesiynol er mwyn sicrhau bod y gwaith addasu ar Dy Crycywel yn mynd rhagddo.

[120] **Peter Law:** But, in the project team, there were no professionally qualified people who had any experience in the construction of something of this nature—a £37 million major development—before?

[120] **Peter Law:** Ond, yn y tîm prosiect, nid oedd dim pobl gymwys broffesiynol a oedd yn meddu ar unrhyw brofiad o adeilad rhywbeth o'r natur hwn—datblygiad mawr £37 miliwn—o'r blaen?

Mr McDonald: The quantity surveyor from PACE who was part of the Welsh Office team certainly had experience of many projects.

Mr McDonald: Yn sicr, yr oedd gan y maintfesurwr o PACE, a oedd yn rhan o dîm y Swyddfa Gymreig, brofiad o lawer o brosiectau.

[121] **Peter Law:** That was an added person, though. That was not one of the original—

[121] **Peter Law:** Ond, yr oedd hwnnw'n berson a ychwanegwyd. Nid oedd yn un o'r [tîm] gwreiddiol—

Mr McDonald: He was working in the Welsh Office full-time throughout the period, and was specifically sat alongside us because he had that very good professional experience to bring to the team.

Mr McDonald: Yr oedd yn gweithio yn y Swyddfa Gymreig yn llawn-amser drwy gydol y cyfnod, ac yr oedd wedi cael ei roi i eistedd ochr yn ochr â ni'n benodol am fod ganddo brofiad proffesiynol da iawn i'w gyfrannu i'r tîm

[122] **Peter Law:** Who was the project sponsor?

[122] **Peter Law:** Pwy oedd noddwr y prosiect?

Mr McDonald: That was I.

Mr McDonald. Fi oedd hwnnw.

[123] **Peter Law:** That was?

[123] **Peter Law** Pwy oedd hwnnw?

Mr McDonald: That was I.

Mr McDonald: Fi oedd hwnnw.

[124] **Peter Law:** I understand that the budget to cover the costs was not monitored at a senior level. How high up was this monitoring taking place? Was it at your level?

[124] **Peter Law:** Yr wyf yn deall nad oedd y gyllideb ar gyfer y costau'n cael ei fonitro ar lefel uchel. Ar ba lefel yr oedd y monitro hwn yn digwydd? Ai ar eich lefel chi?

Mr McDonald: I was certainly monitoring it. We had a project manager's report at least every month throughout the period. As the scheme progressed, we were having project manager reports at fortnightly intervals. We have 35 reports from the professional project manager. Throughout, he was able to provide me with estimates and was able to track the expenditure from day one. We knew exactly what we were spending.

Mr McDonald: Yr oeddwn yn sicr yn ei fonitro. Yr oeddem yn cael adroddiad gan reolwr y prosiect o leiaf bob mis drwy gydol y cyfnod. Wrth i'r cynllun fynd rhagddo, yr oeddem yn cael adroddiadau gan reolwr y prosiect bob pythefnos. Mae gennym 35 adroddiad gan y rheolwr prosiect proffesiynol. Drwy gydol y prosiect, bu modd iddo roi amcangyfrifon imi ac yr oedd yn gallu olrhain y gwariant o'r diwrnod cyntaf. Gwyddem yn union faint yr oeddem yn ei wario.

[125] **Peter Law:** But you were the senior person monitoring all of it?

[125] **Peter Law:** Ond chi oedd yr uwch berson a oedd yn monitro'r cyfan?

Mr McDonald: I was making sure that I was keeping Gerry's predecessor—my head of division—informed of the expenditure that was being undertaken.

Mr McDonald: Yr oeddwn yn gwneud yn siwr fy mod i'n rhoi gwybod i ragflaenydd Gerry—pennaeth fy is-adran—am yr holl wariant a wnaethpwyd.

[126] **Peter Law:** But you had the responsibility, not the head of division? You were keeping him informed as a matter of courtesy, which—

[126] **Peter Law:** Ond chi oedd yn gyfrifol, nid pennaeth yr is-adran? Yr oeddech yn trosglwyddo gwybodaeth iddo fel mater o gwrteisi, a oedd—

Mr McDonald: No, I was doing it as a matter of accountability. I must account to my head of division for what I do.

Mr McDonald: Nage, yr oeddwn yn gwneud hyn fel mater o atebolrwydd. Rhaid imi fod yn atebol i bennaeth fy is-adran am fy ngwaith.

[127] **Peter Law:** Yes, but that person was not monitoring it. You were monitoring it.

[127] **Peter Law:** Oes, ond nid oedd y person hwnnw'n ei fonitro. Chi oedd yn ei fonitro.

Mr McDonald: I was monitoring it and he was checking the information that I was providing.

Mr McDonald: Yr oeddwn i yn ei fonitro ac yr oedd ef yn gwirio'r wybodaeth yr oeddwn i'n ei darparu.

[128] **Peter Law:** I will now ask about the procurement, generally, and about the information technology. I understand that four of the six contracts that were put out were not awarded to the lowest bidder. I listened to what you said earlier on, Eric. You said that you spoke to the contractors to confirm this and that they told you that it was the best price. Do you always listen to these contractors in that way? Do you always believe what they tell you?

[128] **Peter Law:** Gofynnaf yn awr am y caffael, yn gyffredinol, ac am y dechnoleg gwybodaeth. Deallaf fod pedair o'r chwe chontract a ddyfarnwyd heb eu rhoi i'r bidiwr isaf. Gwrandewais ar yr hyn a ddywedasoch yn gynharach, Eric. Dywedasoch eich bod wedi siarad â'r contractwyr i gadarnhau hyn a'u bod wedi dweud wrthych mai dyna'r pris gorau. A fyddwch bob amser yn gwrando ar y contractwyr hyn fel hynny? A fyddwch bob amser yn credu yr hyn a ddywedant wrthych?

Mr McDonald: On the furniture contract—I cannot speak about the IT contract, as that was not part of my responsibility—

Mr McDonald: Ar y contract dodrefn—ni allaf sôn am y contract TG, gan nad oedd hynny'n rhan o'm cyfrifoldeb—

[129] **Peter Law:** The furniture will do to start with.

[129] **Peter Law:** Gwnaiff y dodrefn y tro i ddechrau.

Mr McDonald: Certainly, as regards the furniture contract, we had only just awarded it. Therefore, we knew that we had been in a competitive situation and that the price of the furniture contract was already very competitive. We knew from the figures that we had from other contractors that that was the case. We sought as to whether they were likely to be responsive to a further reduction for work that we were seeking. I accept that that is not recorded, Chair.

Mr McDonald: Yn sicr, gyda golwg ar y contract dodrefn, dim ond newydd ei ddyfarnu yr oeddem. Gwyddem felly ein bod wedi bod mewn sefyllfa gystadleuol a bod pris y contract dodrefn eisoes yn gystadleuol iawn. Gwyddem o'r ffigurau a gawsom gan gontractwyr eraill mai dyna'r sefyllfa. Ceisiwyd gweld a fyddent yn debygol o ymateb i ostyngiad pellach ar gyfer y gwaith yr oeddem yn ei geisio. Yr wyf yn derbyn nad yw hynny wedi'i gofnodi, Gadeirydd.

[130] **Peter Law:** This figure was doubled from £1.5 million to £3.5 million. That is an awful lot of furniture. If you take the best value—and, coincidentally, a document on best value in local government has turned up on my computer—would you accept that a considerable number of people, not to mention furniture suppliers, outside this building, would feel that a matter of public expenditure like this should at least be put out to competitive tender?

[130] **Peter Law:** Dyblwyd y ffigur hwn o £1.5 miliwn i £3.5 miliwn. Mae hynny'n lot fawr o ddodrefn. Os cymerwch chi'r gwerth gorau—a, chyda llaw, mae dogfen ar werth gorau ym maes llywodraeth leol wedi ymddangos ar fy nghyfrifiadur—a fyddech yn derbyn bod nifer sylweddol o bobl, heb sôn am gyflenwyr dodrefn, y tu allan i'r adeilad hwn, yn teimlo y dylai mater o wariant cyhoeddus fel hyn o leiaf gael ei roi allan i dendr cystadleuol?

Mr McDonald: It had already been out to competitive tender. The only difference was that there was an increase in the value of a call-off contract.

Mr McDonald: Yr oedd eisoes wedi'i osod ar dendr cystadleuol. Yr unig wahaniaeth oedd bod gwerth y contract terfynu wedi cynyddu.

[131] **Peter Law:** It more than doubled.

[131] **Peter Law:** Yr oedd wedi mwy na dyblu.

Mr McDonald: There is no guarantee in any call-off contract as to what the value will be. Therefore, there is always a certain element of risk in the tenders that are provided as to whether, in fact, we will purchase the figure that is indicated might be the value of the tender. There is always some risk anyway.

Mr McDonald: Nid oes dim gwarant mewn unrhyw gontract terfynu ynghylch beth fydd ei werth. Felly, mae bob amser rhyw elfen o risg yn y tendrau a roddir ynghylch a fyddwn, mewn gwirionedd, yn prynu'r ffigur yr awgrymir y gall gwerth y tendr fod. Mae rhywfaint o risg bob amser beth bynnag.

[132] **Janet Davies:** Can you clarify that by a call-off contract, you mean that you were not certain as to how much you were actually going to require?

[132] **Janet Davies:** A allwch egluro eich bod yn golygu wrth gontract terfynu nad oeddech chi'n sicr faint yr oeddech chi wir yn mynd i fod â'i angen?

Mr McDonald: A call-off contract establishes a price and a discount rate, item by item, for the furniture that we get.

Mr McDonald: Mae contract terfynu yn sefydlu pris a chyfradd ddisgownt, fesul eitem, ar gyfer y dodrefn a gawn.

[133] **Peter Law:** If I can carry on—

[133] **Peter Law:** Os caf fwrw ymlaen —

[134] **Janet Davies:** Yes. I just wanted to clarify that.

[134] **Janet Davies:** Cewch. Yr oeddwn am gael eglurhad ar hynny, dyna i gyd.

[135] **Peter Law:** Of course, Chair. I have mentioned the furniture. Quite frankly, the figure of £3.5 million is in another world compared to the original figure of £1.5 million. It is a terrific increase. I think that most people outside would say that that should have been subject to a further tendering procedure. To turn to the information technology, as I understand it, its cost increased from £215,000 to £550,000. As far as these contracts were concerned, there appears to have been a sort of 'make it up as you go along' culture. What kind of example does this give to people outside in terms of the best value traditions of procurement and the best examples of probity, Mr Shortridge? All of these things are being watched very carefully by people outside, and we are the National Assembly for Wales. I can imagine that if this had happened in local government, quite a number of Members in this Assembly might be saying that there should be an inquiry. The District Auditor would be working overtime. What kind of example do you think that this gives outside, as far as procurement in the public sector is concerned?

[135] **Peter Law:** Wrth gwrs, Gadeirydd. Yr wyf wedi sôn am y dodrefn. A bod yn gwbl agored, mae'r ffigur o £3.5 miliwn mewn byd cwbl wahanol i'r ffigur gwreiddiol o £1.5 miliwn. Mae'r cynnydd yn aruthrol. Credaf y byddai'r rhan fwyaf o bobl y tu allan yn dweud y dylasai fod yn destun trefn dendro arall. I droi at y dechnoleg gwybodaeth, fel y'i deallaf, cynyddodd ei chost o £215,000 i £550,000. Cyn belled â bo'r contractau hyn yn y cwestiwn, ymddengys bod rhyw fath o ddiwylliant 'creu wrth fynd'. Pa fath o esiampl y mae hyn yn ei rhoi i bobl y tu allan o ran traddodiadau caffael ar sail gwerth gorau a'r enghreifftiau gorau o uniondeb, Mr Shortridge? Mae pobl ar y tu allan yn gwylio'r pethau hyn i gyd yn ofalus iawn, a ni yw Cynulliad Cenedlaethol Cymru. Gallaf ddychmygu pe bai hyn wedi digwydd ym myd llywodraeth leol, byddai nifer sylweddol o Aelodau yn y Cynulliad hwn yn dweud y dylid cynnal ymchwiliad. Byddai'r Archwilydd Dosbarth yn gweithio goramser. Pa fath o esiampl yr ydych yn meddwl y mae hyn yn ei rhoi oddi allan cyn belled ag y bo caffael yn y sector cyhoeddus yn y cwestiwn?

Mr Shortridge: In relation to the information technology contract, I have acknowledged that it is a serious criticism and I accept that.

Mr Shortridge: O ran y contract technoleg gwybodaeth, yr wyf wedi cydnabod ei bod yn feirniadaeth ddifrifol ac yr wyf yn derbyn hynny.

[136] **Peter Law:** And on the furniture?

[136] **Peter Law:** Ac ynghylch y dodrefn?

Mr Shortridge: The furniture, which we have discussed, was more of a judgment call. If we had not had the time pressure, clearly it should have gone out to tender. What we were doing was taking a view, managing the risk—given the overwhelming priority that we had—to ensure that when the Members arrived, they had properly fitted and furnished accommodation.

Mr Shortridge: Yr oedd y dodrefn, yr ydym wedi'i drafod, yn fwy o fater o farn. Pe na bai'r pwysau amser arnom, mae'n amlwg y dylai fod wedi mynd allan i dendr. Yr hyn a wnaethom oedd llunio barn, rheoli'r risg—ac ystyried y flaenoriaeth lethol a'n hwynebai—sef sicrhau pan fyddai'r Aelodau'n cyrraedd bod ganddynt adeilad a oedd wedi'i osod a'i ddodrefnu'n iawn.

[137] **Peter Law:** So it was acceptable to break all the rules to ensure that the building was open in May 1999?

[137] **Peter Law:** Felly yr oedd torri'r rheolau i gyd yn dderbyniol er mwyn sicrhau bod yr adeilad ar agor ym mis Mai 1999?

Mr Shortridge: We were not breaking all the rules. As Eric said, we had a call-off contract, which had only recently been competitively secured. To that extent, we had some assurance about the situation, but I accept that if we had had more time, or were prepared to take more risks, it would have been better to re-tender that contract.

Mr Shortridge: Nid oeddem yn torri'r rheolau i gyd. Fel y dywedodd Eric, yr oedd gennym gontract terfynu nad oedd ond newydd ei ennill drwy dendr cystadleuol. I'r graddau hynny, yr oedd gennym rywfaint o sicrwydd ynghylch y sefyllfa, ond yr wyf yn derbyn, petasai gennym fwy o amser, neu petasem yn barod i fentro mwy, y buasai wedi bod yn well aildendro'r contract hwnnw.

[138] **Peter Law:** That call-off contract was increased by double the original amount. That is a very good deal for somebody.

[138] **Peter Law:** Yr oedd y contract terfynu hwnnw'n ddwbl gwerth y contract gwreiddiol. Cafodd rhywun fargen dda iawn.

[139] **Jocelyn Davies:** How recently was recent?

[139] **Jocelyn Davies:** Pa mor ddiweddar oedd diweddar?

Mr Shortridge: It was something like October 1997.

Mr Shortridge: Oddeutu mis Hydref 1997.

Mr McDonald: It was August 1997 and we were working on this in April 1998, so it was less than 12 months that it had been let. It was a three-year call-off contract.

Mr McDonald: Awst 1997 oedd hi ac yr oeddem yn gweithio ar hyn yn Ebrill 1998, felly yr oedd y contract wedi'i osod lai na 12 mis ynghynt. Yr oedd yn gontract terfynu am dair blynedd.

[140] **Jocelyn Davies:** And it was for refurbishment at the then Welsh Office?

[140] **Jocelyn Davies:** Ac ar gyfer gwaith ailddodrefnu'r Swyddfa Gymreig ar y pryd yr oedd hwnnw?

Mr McDonald: It was for the provision of furniture and fittings for the whole of the Welsh Office's estate on a call-off basis.

Mr McDonald: Yr oedd ar gyfer darparu dodrefn a ffitiadau ar gyfer holl ystâd y Swyddfa Gymreig ar sail terfynu.

[141] **Peter Law:** Do you think it sends a good message to the public sector that out of six contracts, four of them were not awarded to the lowest bidder?

[141] **Peter Law:** A ydych chi'n meddwl ei fod yn cyfleu neges dda i'r sector cyhoeddus fod pedair o blith chwe chontract heb eu dyfarnu i'r cynigiwr isaf?

Mr Shortridge: I think that that has to be put in context. If you look at procurement appraisals, you do not just award the contract on cost. Some of the tenderers were not complying with the specification. We have very thorough procedures for assessing what is the best value for money from the tenders that we receive. I do not think that there was anything in this report that comments adversely on the actual value for money approach that we took to the individual contracts.

Mr Shortridge: Credaf fod rhaid rhoi hynny yn ei gyd-destun. Os edrychwch chi ar werthusiadau caffael, nid dim ond ar sail cost y dyfernir y contract. Nid oedd rhai o'r tendrwyr yn cydymffurfio â'r fanyleb. Mae gennym weithdrefnau trwyadl iawn ar gyfer asesu beth yw'r gwerth gorau am arian o blith y tendrau a dderbyniwn. Ni chredaf fod unrhyw sylw negyddol yn yr adroddiad hwn ar y safbwynt gwir werth am arian a gymerasom wrth ymdrin â'r contractau unigol.

[142] **Peter Law:** So you do accept that if you had tested the market further, which you could not do, you say, because of time constraints, you might have got a better deal?

[142] **Peter Law:** Felly a ydych yn derbyn pe baech wedi profi'r farchnad ymhellach, na allech wneud, meddech chi, oherwydd cyfyngiadau amser, y gallech chi fod wedi cael gwell bargen?

Mr Shortridge: On the furniture, I do accept that, yes.

Mr Shortridge: O ran y dodrefn, ydwyf, yr wyf yn derbyn hynny.

[143] **Janet Davies:** I think that the Committee is rightly concerned about this. Not only about the actual issue of getting the prices down, but as a Committee we have made strong recommendations to other public bodies over the past year regarding the way in which they procure their goods and services. If we are going to do that, as an Assembly, we have to be seen to be leading the way in good practice. I will turn back a bit and ask a couple of questions about the Pierhead building, which I left out earlier, because I knew that Dafydd Wigley was constrained in getting back to Caernarfon. It apparently took him 11 hours to get here.

[143] **Janet Davies:** Credaf fod y Pwyllgor hwn yn iawn i boeni am hyn. Nid dim ond ynghylch y mater penodol o ostwng y prisiau, ond fel Pwyllgor yr ydym wedi gwneud argymhellion cryf i gyrff cyhoeddus eraill yn ystod y flwyddyn ddiwethaf ynghylch y ffordd y maent yn caffael eu nwyddau a'u gwasanaethau. Os ydym am wneud hynny, fel Cynulliad, rhaid inni gael ein gweld yn cynnig arweiniad o ran arfer da. Trof yn ôl ychydig a gofyn ychydig o gwestiynau am adeilad Pierhead, a hepgorais ynghynt, oherwydd fy mod yn gwybod bod gan Dafydd Wigley broblem o ran cyrraedd yn ôl i Gaernarfon. Cymerodd 11 awr iddo gyrraedd yma, mae'n debyg.

[144] **Alison Halford:** On a train?

[144] **Alison Halford:** Ar drên?

[145] **Janet Davies:** No, but he had many problems. On the Pierhead building, Mr Shortridge, how was the acquisition of the building justified when subsequent decisions demonstrated that the Cabinet could be more conveniently accommodated in this building and there is already provision for an education and information area in the proposed new building?

[145] **Janet Davies:** Nage, ond fe gafodd lawer o broblemau. Gyda golwg ar adeilad Pierhead, Mr Shortridge, sut oedd modd cyfiawnhau caffael yr adeilad pan ddangosodd penderfyniadau wedi hynny y byddai'n fwy cyfleus lleoli'r Cabinet yn yr adeilad hwn a bod darpariaeth eisoes ar gyfer ardal addysg a gwybodaeth yn yr adeilad newydd arfaethedig?

Mr Shortridge: This was a decision taken by Ministers at the time.

Mr Shortridge: Penderfyniad a wnaethpwyd gan Weinidogion ar y pryd oedd hwn.

[146] **Janet Davies:** Could you give any information on whether it is thought that education and information activities will occupy the whole building?

[146] **Janet Davies:** A allech chi ddweud wrthym ai'r bwriad yw i weithgareddau addysg a gwybodaeth ddefnyddio'r adeilad i gyd?

Mr Shortridge: At the time that the decision was taken, as the report indicates, the view was that it would accommodate the Cabinet. I think that it was only when the decision was taken subsequently that the Cabinet should stay in Crickhowell House that particular consideration was given to using the building for education and information.

Mr Shortridge: Pan wnaethpwyd y penderfyniad, fel y dengys yr adroddiad, y farn oedd y byddai'n darparu lle ar gyfer y Cabinet. Credaf mai dim ond pan wnaethpwyd y penderfyniad wedi hynny y dylai'r Cabinet aros yn Nhy Crycywel y rhoddwyd ystyriaeth benodol i ddefnyddio'r adeilad ar gyfer addysg a gwybodaeth.

[147] **Janet Davies:** I have wondered whether it might be possible to make some money out of the building, while, of course, continuing to safeguard its architectural value. It seems to me that the information and education activities will not perhaps occupy the whole building.

[147] **Janet Davies:** Yr wyf wedi bod yn meddwl tybed a fyddai'n bosibl gwneud rhywfaint o arian o'r adeilad, tra, wrth gwrs, yn parhau i warchod ei werth pensaernïol. Ymddengys i mi na fydd y gweithgareddau gwybodaeth ac addysg efallai yn defnyddio'r adeilad i gyd.

Mr Shortridge: It is the case that we will want to take a close look at the use that is made of the Pierhead building, particularly in the light of the comments in this report.

Mr Shortridge: Mae'n wir y byddwn am edrych yn ofalus ar y defnydd a wneir o adeilad Pierhead, yn enwedig yng ngoleuni'r sylwadau yn yr adroddiad hwn.

[148] **Janet Davies:** The Auditor General for Wales pointed out potential savings of about £350,000 if the Assembly bought, rather than continued to rent, the building. Has the Assembly determined whether it has a long-term requirement for the Pierhead building and, if so, do you intend to optimise the potential savings through an early purchase of this building?

[148] **Janet Davies:** Tynnodd Archwilydd Cyffredinol Cymru sylw at arbedion posibl o oddeutu £350,000 pe bai'r Cynulliad yn prynu, yn hytrach nag yn parhau i rentu'r adeilad. A yw'r Cynulliad wedi penderfynu a oes ganddo ddefnydd i adeilad Pierhead yn y tymor hir ac, os oes, a ydych yn bwriadu manteisio i'r eithaf ar yr arbedion posibl drwy brynu'r adeilad hwn yn fuan?

Mr Shortridge: The question of purchase is clearly something that we must take a particularly close look at in the light of this report. The deal that we struck on the Pierhead building was one to maximise the flexibility of the Assembly in terms of whether it wanted to lease it or buy it or, indeed, whether it wanted to retain it. So, again, this was an element of risk management. That arrangement fixes an acquisition price for the Pierhead, most recently between the period of June this year

Mr Shortridge: Mae mater prynu'r adeilad yn amlwg yn rhywbeth y mae'n rhaid inni edrych yn ofalus iawn arno yng ngoleuni'r adroddiad hwn. Bwriad y fargen a darwyd ar adeilad Pierhead oedd sicrhau cymaint o hyblygrwydd ag y bo modd i'r Cynulliad o ran a oedd am ei brydlesu ynteu ei brynu ynteu, yn wir, a oedd am ei gadw. Felly, unwaith eto, yr oedd elfen o reoli risg ynghlwm wrth hyn. Mae'r trefniant hwnnw'n gosod pris ar gyfer caffael adeilad Pierhead, a hynny yn fwyaf diweddar ar gyfer

to, I think, December next year. We have that period to take a view as to whether we acquire the building for that particular fixed price, before it rises again.

y cyfnod rhwng Mehefin eleni tan, credaf, Ragfyr y flwyddyn nesaf. Mae'r cyfnod hwnnw gennym i lunio barn ynghylch a ddylem gaffael yr adeilad am y pris penodol arbennig hwnnw, cyn iddo godi eto.

[149] **Janet Davies:** Do you think that refurbishment can be justified if the Assembly does not buy the building?

[149] **Janet Davies:** A ydych yn meddwl y gellir cyfiawnhau'r adnewyddu oni fydd y Cynulliad yn prynu'r adeilad?

Mr Shortridge: I think that the relevant Assembly Members will have to consider that question very carefully, and we will have to put advice to them on that.

Mr Shortridge: Credaf y bydd yn rhaid i'r Aelodau Cynulliad perthnasol ystyried y cwestiwn hwnnw'n ofalus iawn, a bydd yn rhaid inni roi cyngor iddynt ynghylch hynny.

[150] **Janet Davies:** Is there a timescale for this consideration?

[150] **Janet Davies:** A oes amserlen ar gyfer ystyried hyn?

Mr Shortridge: The responsibility for the Pierhead building rests with the Office of the Presiding Officer. I tend not to involve myself personally in that office's business, unless I am drawn into it or unless I feel that I have an overriding concern as the Assembly's Accounting Officer. I think that, in the short term, it will be a matter for the Clerk to consider.

Mr Shortridge: Swyddfa'r Llywydd sydd yn gyfrifol am adeilad Pierhead. Yr wyf yn tueddu i beidio ag ymwneud yn bersonol â busnes y swyddfa honno, oni bai fy mod yn cael fy nhynnu i mewn iddo neu oni bai fy mod yn teimlo bod gennyf gonsýrn gorlywodraethol fel Swyddog Cyfrifo'r Cynulliad. Credaf, yn y tymor byr, mai mater i'r Clerc fydd ystyried hyn.

[151] **Alison Halford:** I only studied this report cursorily last night, but I thought that it was only until 2006 that we had a right to purchase the building and that after that we would then lose that right.

[151] **Alison Halford:** Dim ond yn fras yr astudiais yr adroddiad hwn neithiwr, ond yr oeddwn yn meddwl mai dim ond tan 2006 yr oedd gennym yr hawl i brynu'r adeilad ac y byddem yn colli'r hawl hwnnw wedi hynny.

Mr Shortridge: Yes, sorry. I hope that I was not misleading the Committee. What I am saying is—

Mr Shortridge: Ie, mae'n ddrwg gennyf. Gobeithiaf nad oeddwn yn camarwain y Pwyllgor. Yr hyn yr wyf yn ei ddweud yw—

[152] **Alison Halford:** You were asked whether there was a time constraint.

[152] **Alison Halford:** Gofynnwyd ichi a oedd cyfyngiad amser.

Mr Shortridge: I thought that it was more in terms of whether there is an immediate time constraint that we are about to hit.

Mr Shortridge: Yr oeddwn yn meddwl mai gofyn a oes cyfyngiad amser yn y dyfodol agos sydd ar fin ein taro.

[153] **Alison Halford:** But you only have until 2006 to decide whether the building can be purchased or not?

[153] **Alison Halford:** Ond dim ond tan 2006 sydd gennych i benderfynu a ellir prynu'r adeilad ai peidio?

Mr Shortridge: Yes, but in terms of the price on offer at the moment, we have until, I think, December 2001 to decide.

Mr Shortridge: Ie, ond o ran y pris sydd ar gynnig ar hyn o bryd, mae gennym tan fis Rhagfyr 2001 i benderfynu, yr wyf yn meddwl.

Mr McDonald: Yes, 2001. That expires in total on 31 August 2003, Chair.

Mr McDonald: Oes, 2001. Mae hynny'n dod i ben yn llwyr ar 31 Awst 2003, Gadeirydd.

[154] **Alison Halford:** I got it wrong again. Thank you.

[154] **Alison Halford:** Yr oeddwn yn anghywir eto. Diolch.

[155] **Janet Davies:** To clarify what I was asking, I was concerned that we were continuing to rent, and possibly spending money on refurbishment, without having made the decision on how long we were going to stay with the building. So it was a rather shorter timescale than 2006.

[155] **Janet Davies:** I egluro'r hyn yr oeddwn yn ei ofyn, yr oeddwn yn poeni ein bod yn parhau i rentu, ac efallai'n gwario arian ar adnewyddu, heb inni wneud y penderfyniad ynghylch pa mor hir yr oeddem am aros yn yr adeilad. Felly, yr oedd yr amserlen dipyn byrrach na 2006.

Mr Shortridge: I acknowledge that this matter is something to be looked at urgently.

Mr Shortridge: Yr wyf yn cydnabod bod y mater hwn yn rhywbeth y dylid ei ystyried ar frys.

[156] **Janet Davies:** Thank you. I will move to questions on the adaptation works at Crickhowell House and the Pierhead building. I would like to open this section and then we will break for coffee. Peter Law will continue with questions after the break.

[156] **Janet Davies:** Diolch. Symudaf ymlaen at gwestiynau ar y gwaith addasu ar Dy Crycywel ac adeilad Pierhead. Hoffwn agor yr adran hon ac yna cawn doriad am goffi. Bydd Peter Law yn parhau gyda'r cwestiynau ar ôl y toriad.

It has already been shown clearly that it took longer than expected to decide on the site for the new Assembly, leaving only 12 months for the Welsh Office to adapt Crickhowell House. That placed the project team under a great deal of pressure. However, you successfully met the deadline. What, in your opinion, were the key factors in achieving that deadline?

Dangoswyd yn glir eisoes ei bod wedi cymryd mwy o amser na'r disgwyl i benderfynu ar safle'r Cynulliad newydd, gan adael dim ond 12 mis i'r Swyddfa Gymreig addasu Ty Crycywel. Golygai hynny fod tîm y prosiect dan lawer iawn o bwysau. Fodd bynnag, llwyddasoch i gwblhau'r gwaith mewn pryd. Beth, yn eich barn chi, oedd y ffactorau allweddol o ran cyflawni hynny?

Mr Shortridge: I think that the key factors were recognising the flaws that I have indicated and the project management arrangements that we put in place. There was also an incredibly strong drive to ensure that we completed the project to time, to what we regarded as an acceptable standard.

Mr Shortridge: Credaf mai'r ffactorau allweddol oedd cydnabod y gwendidau a nodais a'r trefniadau rheoli prosiect a sefydlwyd gennym. Hefyd, yr oedd awydd cryf iawn i sicrhau ein bod yn cwblhau'r prosiect mewn pryd, yn unol â'r hyn yr oeddem yn ei hystyried yn safon dderbyniol.

[157] **Janet Davies:** However, I notice from the report that broadcasting and accommodation task groups did not meet to monitor progress and cost at a high level after the works had begun. Was this due to insufficient resources allocated to the monitoring project, and if so, most importantly, can you confirm that the new building project team is adequately resourced?

[157] **Janet Davies:** Fodd bynnag, sylwaf o'r adroddiad na chyfarfu'r tasgluoedd darlledu ac adeiladau i fonitro'r cynnydd a'r gost ar lefel uchel ar ôl i'r gwaith ddechrau. Ai oherwydd nad oedd digon o adnoddau wedi'u dyrannu i'r prosiect monitro oedd hyn, ac os felly, yn bwysicaf oll, a allwch chi gadarnhau bod gan dîm prosiect yr adeilad newydd adnoddau digonol?

Mr Shortridge: I acknowledge that the project management arrangements were not as efficient and as effective as they could have been and as I would have liked them to have been. In terms of the new building, the report endorses the arrangements that we have put in place. We have learnt the lessons from the constrained period that we had to establish Crickhowell House. I am satisfied that we are adopting best practice in terms of the arrangements for the new building.

Mr Shortridge: Yr wyf yn cydnabod nad oedd y trefniadau rheoli prosiect mor effeithlon ac effeithiol ag y gallasent fod nac ychwaith fel yr hoffaswn iddynt fod. O ran yr adeilad newydd, mae'r adroddiad yn cymeradwyo'r trefniadau a sefydlwyd gennym. Yr ydym wedi dysgu'r gwersi o'r cyfnod prin a oedd gennym i sefydlu Ty Crycywel. Yr wyf yn fodlon ein bod yn mabwysiadu'r ymarfer gorau o ran y trefniadau ar gyfer yr adeilad newydd.

[158] **Janet Davies:** Could you give any indication of the resources in terms of staffing that are going into this?

[158] **Janet Davies:** A allech chi roi unrhyw awgrym o'r adnoddau staffio a neilltuwyd ar gyfer y prosiect hwn?

Mr Shortridge: I think that as Gerry is very closely involved with the new building, I will ask him to answer that.

Mr Shortridge: Credaf gan fod Gerry yn ymwneud cryn dipyn â'r adeilad newydd, y gofynnaf iddo ef ateb hynny.

Mr Thomas: The administrative project team now comprises eight people, under Eric, who report to me. In the terminology of the project, Eric is the project sponsor, I am the project owner, and I am closely involved in it as well, with the team reporting to me. The eight administrative members of the team are supported by two professionals from Property Advisors to the Civil Estate: an estate surveyor and a quantity surveyor. We have taken on board a professional private sector property manager, our project manager under a contract, to manage the professional element in the delivery of the project: the architect, the management contractor and so on. So we work closely together as a team and we are supplemented by advice from the legal side of the office and also we are closely in touch with the procurement unit on all the contractual matters involved. That is basically the team. The team for the new building is substantially bigger than the team for the previous project, even though in some senses it is a more high profile project. However, it is less complex.

Mr Thomas: Mae tîm gweinyddu'r prosiect bellach yn cynnwys wyth o bobl, dan Eric, sydd yn adrodd i mi. Yn nherminoleg y prosiect, Eric yw noddwr y prosiect, fi yw perchennog y prosiect, ac mae gennyf ran allweddol ynddo hefyd, gyda'r tîm yn adrodd i mi. Mae wyth aelod gweinyddol y tîm yn cael cefnogaeth gan ddau berson proffesiynol sydd yn Ymgynghorwyr Eiddo i'r Ystâd Sifil: syrfëwr ystadau a maintfesurwr. Yr ydym wedi sicrhau gwasanaeth rheolwr eiddo proffesiynol o'r sector preifat, ein rheolwr prosiect dan gontract, i reoli elfen broffesiynol cyflwyno'r prosiect: y pensaer, y contractwr rheoli ac yn y blaen. Felly, yr ydym yn gweithio'n agos gyda'n gilydd fel tîm gan dderbyn cyngor ategol gan ochr gyfreithiol y swyddfa ac yr ydym hefyd mewn cysylltiad agos gyda'r uned caffael ynghylch yr holl faterion contractaidd perthnasol. Yn ei hanfod, dyna'r tîm. Mae'r tîm ar gyfer yr adeilad newydd yn sylweddol fwy na'r tîm ar gyfer y prosiect blaenorol, er, mewn ambell ystyr, ei fod yn brosiect uwch ei phroffil. Fodd bynnag, mae'n llai cymhleth.

[159] **Janet Davies:** You are meeting already, are you? How often do you meet?

[159] **Janet Davies:** Yr ydych chi'n cyfarfod eisoes, ydych chi? Pa mor aml y byddwch chi'n cyfarfod?

Mr Thomas: The team itself reports to a project management structure that has two facets. The first is a senior level project management board that is chaired by the director of the Personnel, Management and Business Services Group. It comprises the Principal Finance Officer and Mr George Craig, one of our other senior officers, plus relevant professionals. That meets monthly to ensure that we are on track in terms of budget and timetable. That in turn reports to the policy steering group chaired by the Minister for Finance, Local Government and Communities, and also consists of Mr Michael German, representatives of Plaid Cymru, The Presiding Officer and the Permanent Secretary. That looks after taking the decisions on important things such as design and ensuring that the building meets the needs of the Assembly in terms of its fitness for use. No additional cost can be incurred without the approval of that group.

Mr Thomas: Mae'r tîm ei hun yn adrodd i strwythur rheoli prosiect sydd â dwy haen iddo. Y cyntaf yw bwrdd rheoli prosiect ar lefel uwch dan gadeiryddiaeth cyfarwyddwr y Grwp Gwasanaethau Personél, Rheoli a Busnes. Mae'n cynnwys y Prif Swyddog Cyllid a Mr George Craig, un o'n huwch swyddogion eraill, yn ogystal â phobl broffesiynol berthnasol eraill. Mae'n cyfarfod bob mis i sicrhau ein bod ar y trywydd iawn o ran y gyllideb a'r amserlen. Yn ei dro, bydd yn adrodd i'r grwp llywio polisi dan gadeiryddiaeth y Gweinidog dros Gyllid, Llywodraeth Leol a Chymunedau, ac mae hefyd yn cynnwys Mr Michael German, cynrychiolwyr o Blaid Cymru, Y Llywydd a'r Ysgrifennydd Parhaol. Mae'n edrych ar ôl y penderfyniadau ar faterion pwysig megis y dylunio a sicrhau bod yr adeilad yn cyflawni anghenion y Cynulliad o ran ei fod yn addas at y diben. Ni cheir ychwanegu unrhyw gostau heb gymeradwyaeth y grwp hwnnw.

[160] **Janet Davies:** We will break for coffee for 15 minutes.

[160] **Janet Davies:** Cymerwn egwyl goffi am 15 munud.

[*Cynhaliwyd egwyl goffi rhwng 3.20 a 3.35 p.m.*]

[*A coffee break was held between 3.20 and 3.35 p.m.*]

[161] **Janet Davies:** We shall continue with questions on the adaptation works at Crickhowell House and the Pierhead building. Peter, I believe that you wish to pursue a line of questioning.

[161] **Janet Davies:** Awn ymlaen gyda chwestiynau am y gwaith addasu ar Dy Crycywel ac adeilad Pierhead. Peter, credaf eich bod am fynd ar drywydd arbennig.

[162] **Peter Law:** I have a couple of questions, Chair. I was interested to read about the broadcasting group, which you mentioned earlier. In fairness, from what I have read, the early part of the process of negotiation went quite well. I was quite pleased to see that, in fact, you were able to achieve a 50 per cent contribution here, which I think has to be recognised in comparison to Scotland where there was about a 36 per cent contribution. However, it did appear later that some confusion arose and put the completion of the adaptation works in time for the opening of the Assembly at risk. I would be interested to know how this confusion arose. Did you make any financial concessions to the broadcasting companies in order to secure their agreement to a course of action that enabled you to meet the final deadline? That would be of interest to me.

[162] **Peter Law:** Mae gennyf ychydig o gwestiynau, Gadeirydd. Yr oedd gennyf ddiddordeb mewn darllen am y grwp darlledu, y soniasoch amdano'n gynharach. A bod yn deg, o'r hyn a ddarllenais i, aeth rhan gyntaf y broses negodi'n eithaf da. Yr oeddwn yn eithaf balch o weld eich bod, mewn gwirionedd, wedi gallu sicrhau cyfraniad 50 y cant yma, sydd, credaf, yn rhywbeth y mae rhaid inni ei gydnabod o'i gymharu â'r Alban lle cafwyd cyfraniad o oddeutu 36 y cant. Fodd bynnag, ymddengys bod rhywfaint o ddryswch wedi codi'n ddiweddarach gan beryglu cwblhau'r gwaith addasu mewn pryd ar gyfer agor y Cynulliad. Byddai gennyf ddiddordeb mewn clywed sut y cododd y dryswch hwn. A wnaethoch chi unrhyw gonsesiynau ariannol i'r cwmnïau darlledu er mwyn cael eu cytundeb i ffordd o weithredu a'ch galluogodd i gwrdd â'r dyddiad terfynol? Byddai hynny o ddiddordeb imi.

Mr Shortridge: I am confident that we did not make any financial concessions, but I will ask David Richards to respond to that.

Mr Shortridge: Yr wyf yn hyderus na wnaethom ddim consesiynau ariannol, ond gofynnaf i David Richards ymateb i hynny.

Mr Richards: I think that the reason that there was a delay at the end was because the initial negotiations were conducted at a pretty high level and agreement was reached on heads of terms. What we should have done then, straight away, was send in the lawyers and accountants who can sweep through the heads of terms and turn it into the small print of a detailed contract. That was not done straight away and it should have been. It took us some time to put the arrangements in place, but in the meantime the bills were being paid so we did not have financial losses.

Mr Richards: Credaf mai'r rheswm dros yr oedi tua'r diwedd oedd oherwydd bod y negodi cychwynnol wedi digwydd ar lefel eithaf uchel a bod cytundeb wedi'i sicrhau ar benawdau'r telerau. Yr hyn y dylid fod wedi'i wneud wedyn, yn syth, fyddai rhoi'r cyfan yn nwylo cyfreithwyr a'r cyfrifwyr er mwyn iddynt ysgubo drwy benawdau'r telerau a'u troi'n brint mân contract manwl. Ni wnaethpwyd hynny'n syth a dylai fod wedi ei wneud. Cymerodd beth amser inni sefydlu'r trefniadau, ond yn y cyfamser, yr oedd y biliau'n cael eu talu felly ni chawsom golledion ariannol.

[163] **Peter Law:** Good. On capital costs, paragraph 4.5 of the report states that the estimate for adaptation costs in the economic appraisals was only £500,000. The final expenditure is estimated at £5.7 million for Crickhowell House and the Pierhead building. Why was the estimate so inadequate? A lot of people outside find it very difficult to understand that sort of difference.

[163] **Peter Law:** Da iawn. Gyda golwg ar gostau cyfalaf, dywed paragraff 4.5 yr adroddiad nad oedd yr amcangyfrif ar gyfer y costau addasu yn y gwerthusiadau economaidd ond yn £500,000. Amcangyfrifir mai'r gwariant terfynol yw £5.7 miliwn ar gyfer Ty Crycywel ac adeilad Pierhead. Pam fod yr amcangyfrif mor annigonol? Mae llawer o bobl ar y tu allan yn ei chael yn anodd iawn deall y math hwnnw o wahaniaeth.

Mr Shortridge: The initial estimate of £500,000 was the one that was put into the economic appraisal, and, as the report makes clear, that was an assumption which was applied to all the options with the intrinsic assumption that this would be a genuinely temporary solution, and that you do not want to incur more expenditure than you need to on something which is going to be overtaken by events. Once the decision had been taken to use Crickhowell House, which was to be part of the permanent home of the Assembly, then clearly you are not producing some short-term quick fix. So I think that the fairer comparison, if you look at figure 13 on page 37, is between £3.8 million, which is estimate 2, and the actual expenditure of £5.72 million, bearing in mind that the figures are for Crickhowell House and the Pierhead building together.

Mr Shortridge: Yr amcangyfrif cychwynnol o £500,000 oedd yr un a roddwyd yn y gwerthusiad economaidd, ac, fel y mae'r adroddiad yn ei wneud yn glir, y dybiaeth honno a ddefnyddiwyd ar gyfer yr holl opsiynau ar sail y dybiaeth sylfaenol mai ateb dros dro yn wir fyddai hyn, ac nad oeddem am wario mwy nag oedd rhaid ar rywbeth sydd yn mynd i gael ei ddisodli ymhen amser. Unwaith y gwnaethpwyd y penderfyniad i ddefnyddio Ty Crycywel, a oedd i fod yn rhan o gartref parhaol y Cynulliad, yna mae'n amlwg nad cynhyrchu ateb cyflym dros dro yr ydych. Felly, credaf mai'r gymhariaeth decach, os edrychwch ar ffigur 13 ar dudalen 37, yw rhwng £3.8 miliwn, sef amcangyfrif 2, a'r gwir wariant o £5.72 miliwn, gan gofio bod y ffigurau ar gyfer Ty Crycywel ac adeilad Pierhead gyda'i gilydd.

[164] **Peter Law:** Do you think that we should have confidence in the lower figures, bearing in mind our experience up to now?

[164] **Peter Law:** A ydych chi'n meddwl y dylai fod gennym hyder yn y ffigurau is, ac ystyried ein profiad hyd yn hyn?

Mr Shortridge: Sorry, are you—

Mr Shortridge: Mae'n ddrwg gennyf, ydych chi—

[165] **Peter Law:** In any estimates of anything in this project, do you think that we should have any confidence in using the lower figures of two extremes, bearing in mind our experience up to now as far as this whole project has been concerned?

[165] **Peter Law:** Mewn unrhyw amcangyfrifon ar gyfer unrhyw beth yn y prosiect hwn, a ydych chi'n meddwl y dylai fod gennym unrhyw hyder mewn defnyddio ffigurau isaf dau eithaf, ac ystyried ein profiad hyd yn hyn cyn belled ag y mae'r prosiect hwn yn ei grynswth yn y cwestiwn?

Mr Shortridge: I do accept that throughout the project we have consistently underestimated the cost. I think that in relation to the new building we have much clearer circumstances. We have had exhaustive work on the design and the Assembly has had the opportunity to scrutinise and give its views on the proposals. We are in a very different situation with the new building than we were with the adaptation and development of Crickhowell House, which was taking place simultaneously with the development of the thinking about what the Assembly's requirements would be.

Mr Shortridge: Yr wyf yn derbyn drwy gydol y prosiect ein bod wedi tanamcangyfrif y gost yn gyson. Credaf, gyda golwg ar yr adeilad newydd, fod yr amgylchiadau'n llawer mwy clir. Gwnaethpwyd gwaith sylweddol ar y cynllun ac mae'r Cynulliad wedi cael cyfle i archwilio'r cynigion a mynegi ei farn arnynt. Yr ydym mewn sefyllfa wahanol iawn gyda'r adeilad newydd i'r hyn yr oeddem gydag addasu a datblygu Ty Crycywel, a oedd yn digwydd ar yr un pryd â datblygu'r syniadau ynghylch beth fyddai gofynion y Cynulliad.

[166] **Peter Law:** A major reason for the increase that we see in both capital and running costs has been the need for additional space, primarily to accommodate a large increase in the number of staff. I understand that about 500 or so staff work in the building compared with the original estimate of 250. I probably know the answer to this but I need to ask you it publicly. Why was the original estimate so unrealistically low?

[166] **Peter Law:** Un o'r prif resymau dros y cynnydd a ragwelwn yn y costau cyfalaf a chynnal fu'r angen am fwy o le, yn bennaf ar gyfer y cynnydd mawr yn nifer y staff. Deallaf fod oddeutu 500 o staff yn gweithio yn yr adeilad o'i gymharu â'r amcangyfrif gwreiddiol o 250. Mae'n debyg fy mod yn gwybod yr ateb i hyn ond rhaid imi ei ofyn ichi'n gyhoeddus. Pam fod yr amcangyfrif gwreiddiol mor afreal o isel?

Mr Shortridge: There are two parts to the answer to that. I am certain that the initial estimate, which I think was of 100 additional staff, was again prepared at the very early stages of the development of this concept, not the building. As we realised what a complex institution this was going to be, that figure increased substantially. In terms of the numbers of staff in Crickhowell House, there is a small proportion of those who are not directly servicing—if I can put it this way—the Member end, the Parliamentary end of the Assembly. Once the decision was taken to acquire the whole of Crickhowell House, obviously we wanted to ensure that the best use was made of the space that we had acquired.

Mr Shortridge: Mae dwy ran i'r ateb i'r cwestiwn hwnnw. Yr wyf yn sicr fod yr amcangyfrif gwreiddiol, sef yr wyf yn meddwl 100 o staff ychwanegol, unwaith eto wedi'i baratoi yn ystod camau cynnar iawn datblygu'r cysyniad hwn, nid yr adeilad. Wrth inni sylweddoli pa mor gymhleth fyddai'r sefydliad hwn, cynyddodd y ffigur hwnnw'n sylweddol. O ran nifer y staff yn Nhy Crycywel, mae cyfran fach o'r rheini nad ydynt yn gwasanaethu'n uniongyrchol—os caf ddweud y peth fel hyn—ochr yr Aelodau, ochr Seneddol y Cynulliad. Unwaith y penderfynwyd meddu Ty Crycywel yn ei gyfanrwydd, yr oedd yn amlwg ein bod am sicrhau bod y defnydd gorau'n cael ei wneud o'r lle yr oeddem wedi'i feddu.

[167] **Peter Law:** So, in effect, it was the decision to locate the Cabinet here that had a knock-on effect? Is that right? Did that have an effect?

[167] **Peter Law:** Felly, mewn gwirionedd, y penderfyniad i leoli'r Cabinet yma a gafodd sgîl-effeithiau? A yw hynny'n iawn? A gafodd hynny effaith?

Mr Shortridge: That would have been an element in it. Another consideration was that I think that there was a growing feeling that it was not appropriate for a democratic institution like the Assembly to share its accommodation with another organisation. I think that that was one of the drivers—only one of them—in terms of acquiring the whole of the building.

Mr Shortridge: Buasai hynny'n un elfen. Ystyriaeth arall, credaf, yw bod teimlad cynyddol nad oedd yn briodol i sefydliad democrataidd megis y Cynulliad rannu ei adeilad gyda sefydliad arall. Credaf mai dyna un o'r prif ysgogiadau—dim ond un ohonynt—o ran meddu'r adeilad cyfan.

[168] **Peter Law:** How many extra staff would the inclusion of the Cabinet here have meant, roughly?

[168] **Peter Law:** Faint o staff ychwanegol y byddai cynnwys y Cabinet yn y fan hon wedi'i olygu, yn fras?

Mr Shortridge: I have those figures. The Cabinet Secretariat and the supporting Press Office account for 70 staff.

Mr Shortridge: Mae'r ffigurau hynny gennyf. Mae Ysgrifenyddiaeth y Cabinet a Swyddfa'r Wasg sydd yn gefn iddi yn cynnwys 70 o staff.

[169] **Peter Law:** So that is 70. Coming to the original decision, it was decided to move the Cabinet here from the original suggestion of the Pierhead building. That decision was obviously a political decision made by the Secretary of State at the time.

[169] **Peter Law:** Felly mae hynny'n 70. A dod at y penderfyniad gwreiddiol, penderfynwyd symud y Cabinet yma o'r awgrym gwreiddiol o adeilad Pierhead. Mae'n amlwg mai penderfyniad gwleidyddol a wnaethpwyd gan yr Ysgrifennydd Gwladol ar y pryd oedd hwnnw.

Mr Shortridge: Yes.

Mr Shortridge: Ie.

[170] **Jocelyn Davies:** On advice from civil servants?

[170] **Jocelyn Davies:** Ar sail cyngor gweision sifil?

Mr Shortridge: We always provide advice, but I would like to make the point, Chair, that as civil servants, we have always operated on the convention that the advice that we provide to Ministers is not revealed. Ministers account for the decisions and they take those decisions on the basis of advice and any other considerations that they consider appropriate.

Mr Shortridge: Byddwn bob amser yn darparu cyngor, ond hoffwn wneud y pwynt, Gadeirydd, fel gweision sifil, ein bod bob amser wedi gweithredu ar sail yr arfer nad yw'r cyngor a rown i Weinidogion yn cael ei ddatgelu. Gweinidogion sydd yn atebol am y penderfyniadau ac maent yn gwneud y penderfyniadau hynny ar sail cyngor ac unrhyw ystyriaethau eraill sydd yn eu barn hwy'n briodol.

[171] **Jocelyn Davies:** But they do not account for those decisions because you are accounting for them today. Ministerial decisions have been made in the past. You are accounting for those today as a civil servant and those Ministers are not here to answer those questions and they will not answer them anywhere else.

[171] **Jocelyn Davies:** Ond nid ydynt yn atebol am y penderfyniadau hynny oherwydd yr ydych chi'n ateb drostynt heddiw. Mae penderfyniadau gweinidogol wedi'u gwneud yn y gorffennol. Yr ydych chi'n ateb dros y rheini heddiw fel gwas sifil ac nid yw'r Gweinidogion hynny yma i ateb y cwestiynau hynny ac ni fyddant yn eu hateb yn unman arall.

Mr Shortridge: I am accountable for the financial accountability of this project. Where things could have been done better or mistakes were made by officials, I, as Accounting Officer, account for those. I also have a responsibility if Ministers are minded to take a decision which I regard as irregular, improper or which seriously affects value for money. I have a responsibility to draw that to their attention as Accounting Officer. If they continue with that decision I should seek a direction from them and, were I ever to do that, I would inform the Chair of this Committee. That is the way the accountability process works.

Mr Shortridge: Yr wyf yn atebol dros atebolrwydd ariannol y prosiect hwn. Lle gallesid gwneud pethau'n well neu lle gwnaeth swyddogion gamgymeriadau, yr wyf fi, fel y Swyddog Cyfrifo'n atebol am y rheini. Mae gennyf gyfrifoldeb hefyd os yw Gweinidogion yn bwriadu gwneud penderfyniadau sydd yn fy marn i yn afreolaidd, yn amhriodol neu sydd yn effeithio'n ddifrifol ar werth am arian. Mae'n gyfrifoldeb arnaf i dynnu hynny i'w sylw fel Swyddog Cyfrifo. Os byddant yn parhau gyda'r penderfyniad hwnnw, dylwn geisio cyfarwyddyd ganddynt, a phetawn yn gwneud hynny, ar unrhyw adeg, byddwn yn rhoi gwybod i Gadeirydd y Pwyllgor hwn. Dyna sut mae'r broses atebolrwydd yn gweithio.

[172] **Janet Davies:** We must remember that this Committee does not investigate and has no power to look at political decisions, only at how those decisions are carried out.

[172] **Janet Davies:** Rhaid inni gofio nad yw'r Pwyllgor hwn yn archwilio, ac nad oes ganddo rym i edrych ar benderfyniadau gwleidyddol, dim ond ar sut y gweithredir y penderfyniadau hynny.

[173] **Jocelyn Davies:** I can see that Janet, but I feel that we are looking back at decisions that were made in a time when the political context was quite different. Since these decisions were made there have been three Secretaries of State and two First Ministers, the creation of devolution, the doing away with the old Welsh Office and the creation of the Welsh Government. I feel that we are questioning the wrong people about decisions that were made, whether they were made on the advice of civil servants or not. I do not think that those people can be questioned anywhere else about those decisions.

[173] **Jocelyn Davies:** Gallaf weld hynny Janet, ond teimlaf ein bod yn edrych yn ôl ar benderfyniadau a wnaethpwyd ar adeg pan oedd y cyd-destun gwleidyddol yn eithaf gwahanol. Ers gwneud y penderfyniadau hynny, bu tri Ysgrifennydd Gwladol a dau Brif Weinidog, crëwyd datganoli, cafwyd gwared â'r hen Swyddfa Gymreig a chrëwyd Llywodraeth Cymru. Teimlaf ein bod yn holi'r bobl anghywir am benderfyniadau a wnaethpwyd, boed y rheini'n benderfyniadau a wnaethpwyd yn unol â chyngor gweision sifil ai peidio. Ni chredaf y gellir holi'r bobl hynny yn unman arall am y penderfyniadau hynny.

[174] **Janet Davies:** I think that there is a problem here that we will have to discuss at the end of this hearing.

[174] **Janet Davies:** Credaf fod yma broblem y bydd rhaid inni ei thrafod ar ddiwedd y gwrandawiad hwn.

[175] **Jocelyn Davies:** Okay.

[175] **Jocelyn Davies:** Iawn.

[176] **Janet Davies:** The Accounting Officer and the other officers and civil servants are here to be asked questions in a specific way.

[176] **Janet Davies:** Mae'r Swyddog Cyfrifo a'r swyddogion a'r gweision sifil eraill yma inni ofyn cwestiynau iddynt mewn ffordd benodol.

[177] **Alun Cairns:** May I come in with a supplementary to the last question? I hope that it will be in order. I am sure that it will. Bearing in mind that it was a political decision to locate the Cabinet and support staff in Crickhowell House, would the costing implications have been given also to the Secretary of State at that time?

[177] **Alun Cairns:** A gaf ofyn cwestiwn ategol i'r cwestiwn diwethaf? Gobeithiaf y bydd mewn trefn. Yr wyf yn siwr y bydd. A chofio mai penderfyniad gwleidyddol oedd lleoli'r Cabinet a'r staff cefnogi yn Nhy Crycywel, a fyddai goblygiadau'r costau wedi cael eu rhoi i'r Ysgrifennydd Gwladol ar y pryd hefyd?

Mr Shortridge: Normally, if a decision of that significance is to be taken, the financial implications would be drawn to that Minister's attention.

Mr Shortridge: Fel arfer, os cymerir penderfyniad mor bwysig, tynnid sylw'r Gweinidog hwnnw at y goblygiadau ariannol.

[178] **Peter Law:** I want to carry on. I appreciate Jocelyn's point, Chair. Your ruling is absolutely right and I accept that, but I think that as new members of this Committee it is reasonable that we raised that question. Some of us find it strange that we are unable to get to the bottom of some of these things, bearing in mind that the people we represent—some 3 million of them—are looking for answers to some of the things that are before us today. It is incumbent on us to ask these questions for our own credibility as well as that of the National Assembly.

[178] **Peter Law:** Yr wyf am fwrw ymlaen. Yr wyf yn gwerthfawrogi pwynt Jocelyn, Gadeirydd. Mae eich dyfarniad yn gwbl gywir a derbyniaf hynny, ond credaf fel aelodau newydd o'r Pwyllgor hwn ei fod yn rhesymol inni godi'r cwestiwn hwnnw. Mae rhai ohonom yn ei chael yn rhyfedd na allwn fynd at wraidd rhai o'r pethau hyn, ac ystyried bod y bobl a gynrychiolwn—oddeutu 3 miliwn ohonynt—yn chwilio am atebion i rai o'r pethau sydd ger ein bron yma heddiw. Ein dyletswydd ni yw gofyn y cwestiynau hyn er lles ein hygrededd ein hunain yn ogystal â hygrededd y Cynulliad Cenedlaethol.

On the point that you mentioned earlier when we were talking about political decisions, did you ever feel at any time during this project that you had to draw to the attention of any Secretary of State your concern about a decision on accommodation?

Gyda golwg ar y pwynt a godasoch ynghynt wrth inni sôn am benderfyniadau gwleidyddol, a wnaethoch deimlo erioed ar unrhyw adeg yn ystod y prosiect hwn fod rhaid ichi dynnu sylw unrhyw Ysgrifennydd Gwladol at eich pryder ynghylch penderfyniad am adeiladau?

Mr Shortridge: Not personally, because I was not Accounting Officer at the time but, clearly, these were matters that were of a continuing concern to us as officials because there were risks associated with certain options, and our responsibility is to draw such risks to Ministers' attention. The nature of the policy advice that we gave to Ministers is not something that, according to my understanding, is within the remit of this Committee.

Mr Shortridge: Nid yn bersonol, oherwydd nid fi oedd y Swyddog Cyfrifo ar y pryd, ond mae'n amlwg fod y rhain yn faterion a oedd yn destun pryder parhaus inni fel swyddogion oherwydd bod risgiau ynghlwm wrth rai opsiynau, a'n cyfrifoldeb yw tynnu sylw Gweinidogion at risgiau o'r fath. Yn ôl yr hyn a ddeallaf, nid yw natur y cyngor polisi a roesom i Weinidogion yn rhywbeth sydd o fewn cylch gwaith y Pwyllgor hwn.

[179] **Peter Law:** So you cannot comment further on that because of that principle?

[179] **Peter Law:** Felly ni allwch ddweud rhagor am hynny oherwydd yr egwyddor honno?

Mr Shortridge: That is right. Just to say, Chair, I do not want to give the appearance of being unhelpful to the Committee.

Mr Shortridge: Mae hynny'n gywir. Ond hoffwn ddweud, Gadeirydd, nad wyf am ymddangos fel pe na bawn am gynorthwyo'r Pwyllgor.

[180] **Peter Law:** I do not feel that he is, in fairness to Jon Shortridge, who has acquitted himself ably and honestly this afternoon in a very difficult situation, to be fair. That is the way the system is and we have to do our best to work with what we have.

[180] **Peter Law:** Nid wyf yn teimlo ei fod, a bod yn deg â Jon Shortridge, sydd wedi ymddwyn yn feistrolgar ac yn onest y prynhawn hwn, mewn sefyllfa anodd iawn, a bod yn deg. Dyna sut y mae'r drefn yn gweithio a rhaid inni wneud ein gorau i weithio gyda'r hyn sydd gennym.

Do you envisage a time when additional space may be needed here in the foreseeable future? I add to that the question that when the new building is completed, will there be spare accommodation on the ground floor or is it likely all to be taken?

A ydych yn rhagweld adeg y gall fod angen rhagor o le yma yn y dyfodol rhagweladwy? Ychwanegaf at hynny y cwestiwn ynghylch pan fydd yr adeilad newydd wedi'i gwblhau, a fydd lle dros ben ar y llawr gwaelod ynteu a yw'r cyfan yn debygol o fod yn cael ei ddefnyddio?

Mr Shortridge: I will give a general answer and then invite Gerry, who is much closer to the new building arrangements, to speak. I personally am particularly concerned about the whole of the Assembly's estate. The arrival of the Assembly means that there have also been increases in policy staff. I certainly want to see how we can make best use of the accommodation that is available to us, not only in Cardiff but elsewhere. Part of that will be to look at this part of the estate here. As for any proposals that may be around for this building, Gerry can answer on that.

Mr Shortridge: Rhoddaf ateb cyffredinol ac yna gwahoddaf Gerry, sydd yn ymwneud llawer mwy â threfniadau'r adeilad newydd, i siarad. Yn bersonol, yr wyf yn arbennig o bryderus ynghylch holl ystâd y Cynulliad. Gyda dyfodiad y Cynulliad, bu cynnydd hefyd yn y staff polisi. Yn sicr, yr wyf am weld beth yw'r ffordd orau o ddefnyddio'r adeiladau sydd ar gael inni, nid yn unig yng Nghaerdydd ond mewn mannau eraill. Rhan o hynny fydd edrych ar y rhan hon o'r ystâd yma. Gyda golwg ar unrhyw gynigion a all fod yn y gwynt ar gyfer yr adeilad hwn, gall Gerry ateb ynghylch hynny.

Mr Thomas: There are no immediate proposals to make much more use of space in this building, Mr Law. There are one or two vacant areas and staff will go in there in the relatively near future. As things stand, we do not see a demand for additional space in this building at the moment. It remains the case that once the new building is in operation, there will be questions to be decided in relation to the use of existing Committee rooms and the Chamber. I think that it will be a matter for the Office of the Presiding Officer to take a view on that as it is now responsible for the management of this building.

Mr Thomas: Nid oes dim cynigion yn y dyfodol agos i wneud llawer mwy o ddefnydd o'r lle yn yr adeilad hwn, Mr Law. Mae un neu ddwy ardal sydd yn wag a bydd staff yn mynd i'r rheini yn y dyfodol cymharol agos. Fel y mae pethau yn awr, ni ragwelwn y bydd galw am le ychwanegol yn yr adeilad hwn ar hyn o bryd. Wedi dweud hynny, unwaith y bydd yr adeilad newydd ar waith, bydd angen gwneud penderfyniadau ynghylch sut y defnyddir yr ystafelloedd Pwyllgora presennol a'r Siambr. Credaf mai mater i Swyddfa'r Llywydd benderfynu arno fydd hynny gan mai'r Swyddfa honno bellach sydd yn gyfrifol am reoli'r adeilad hwn.

[181] **Peter Law:** Thank you. Chair, although the refurbishment of Crickhowell House was a multi-million pound project, the Welsh Office did not consider it necessary to apply the techniques of whole-life costing and value engineering. This surprised me, bearing in mind the way in which we project this to local government and to other organisations that are sponsored by us. Given the savings that these techniques can realise, why was this not in fact included?

[181] **Peter Law:** Diolch. Gadeirydd, er bod adnewyddu Ty Crycywel yn brosiect gwerth miliynau o bunnoedd, nid oedd y Swyddfa Gymreig o'r farn bod angen defnyddio technegau costio oes-gyfan a pheirianneg gwerth. Yr oedd hyn yn syndod imi, a chofio sut y byddwn yn argymell hyn i lywodraeth leol a sefydliadau eraill a noddir gennym. Ac ystyried yr arbedion a all ddod yn sgîl y technegau hyn, pam, mewn gwirionedd, na chynhwyswyd hyn?

Mr Shortridge: I will bring in Eric, but the short answer is that the view is taken that those techniques are applicable to the design of a new building rather than the adaptation of an old one.

Mr Shortridge: Gofynnaf i Eric gyfrannu, ond yr ateb byr yw mai'r farn gyffredinol yw bod y technegau hynny'n berthnasol i gynllunio adeilad newydd yn hytrach nag i addasu hen adeilad.

Mr McDonald: Essentially, what we were doing in this building was putting in partitions. There is nothing very clever about partition work, so the value engineering was hardly an issue in the context of the very limited structural work that was being done. That is very much a matter for structures and initial design and the way in which a building would need to be maintained in the future. We had the building and those who constructed it would have done the value engineering.

Mr McDonald: Yn ei hanfod, yr hyn yr oeddem yn ei wneud yn yr adeilad hwn oedd gosod parwydydd. Nid oes dim byd cymhleth ynghylch gwaith parwydydd, felly, prin bod peirianneg gwerth yn berthnasol yng nghyd-destun yr ychydig waith strwythurol a wnaethpwyd. Mae'n ymwneud i raddau helaeth iawn â strwythurau a'r gwaith cynllunio cychwynnol a'r ffordd y byddai angen cynnal a chadw adeilad yn y dyfodol. Yr oedd yr adeilad gennym a byddai'r rhai a oedd wedi'i adeiladu wedi gwneud y beirianneg gwerth.

[182] **Peter Law:** I see. It will be applied to the new building?

[182] **Peter Law:** Gwelaf i. Bydd yn cael ei ddefnyddio ar gyfer yr adeilad newydd?

Mr McDonald: It will be applied to the new building as soon as we are beyond the present stage of scheme design and into detail design.

Mr McDonald: Bydd yn cael ei ddefnyddio ar gyfer yr adeilad newydd cyn gynted ag y byddwn y tu hwnt i gam presennol dylunio'r cynllun ac yn dechrau ar y dylunio manwl.

[183] **Kirsty Williams:** I refer you to paragraph 4.5 of the report on page 37. It states that that the original budget was based on a presumption of a basic standard of accommodation being provided. This was decided later to be inadequate. Basics were inadequate and we needed something fancier than that. I would be interested to know what was regarded as inadequate, what have we got instead for that money and when was that decided? Secondly, before we start complaining about other people's actions, let us look at our own. What additional demands were placed on the adaptation budget by the arrival of the 60 Members in this building?

[183] **Kirsty Williams:** Fe'ch cyfeiriaf at baragraff 4.5 yr adroddiad ar dudalen 37. Mae'n dweud bod y gyllideb wreiddiol wedi'i seilio ar dybiaeth y darperid adeilad o safon sylfaenol. Penderfynwyd yn ddiweddarach fod hyn yn annigonol. Yr oedd safon sylfaenol yn annigonol ac yr oedd angen rhywbeth gwell na hynny arnom. Byddai gennyf ddiddordeb mewn gwybod beth a ystyrid yn annigonol, beth a gawsom yn ei le am yr arian hwnnw a pha bryd y penderfynwyd hynny? Yn ail, cyn inni ddechrau cwyno am weithredoedd pobl eraill, gadewch inni edrych ar ein rhai ein hunain. Pa ofynion ychwanegol a roddwyd ar y gyllideb addasu pan gyrhaeddodd y 60 Aelod yr adeilad hwn?

Mr Shortridge: That is a very long and complex question. Initially, the best way to answer it is to refer you to figure 14 in the report. That essentially accounts for the differences between column 2 and column 3 in figure 13. I can take you through that very quickly or you can take me through the relevant parts, whichever you like.

Mr Shortridge: Mae hwnnw'n gwestiwn hir a chymhleth iawn. I ddechrau, y ffordd orau o'i ateb yw eich cyfeirio at ffigur 14 yn yr adroddiad. Yn ei hanfod mae hwnnw'n dangos y gwahaniaeth rhwng colofn 2 a cholofn 3 yn ffigur 13. Gallaf fynd â chi drwy hwnnw'n gyflym iawn neu gallwch chithau fynd â mi drwy'r rhannau perthnasol, beth bynnag sydd orau gennych.

[184] **Kirsty Williams:** No, that is fine.

[184] **Kirsty Williams:** Na, mae hynny'n iawn.

Mr Shortridge: Let us just go through it. From figure 14 we see that £536,000 was spent as a result of the relocation of the Cabinet. The next £719,000 was, I think, for matters of detail which had not been anticipated and arguably could not necessarily have been fully anticipated until you got into the building, started adapting it and realised certain inadequacies that it had, particularly bearing in mind the nature of the end user, if I could describe it in that way. The safety and security considerations are very important and the disabled access is very important. Eric can help me on the infrastructure and rooftop plant but, to a significant extent, that was the first phase of the air cooling where we had not—I certainly had not—anticipated the poor quality of air conditioning that we were going to inherit in this building. So, that was the £719,000. Those matters were largely, as this report indicates, recommendations from

Mr Shortridge: Gadewch inni fynd drwyddo. Yn ffigur 14, gwelwn fod £536,000 wedi'i wario o ganlyniad i adleoli'r Cabinet. Yr oedd y £719,000 arall, fe gredaf, ar gyfer manylion nad oeddent wedi'u rhagweld a gellid dadlau nad oedd modd i neb, o anghenraid, fod wedi'u rhagweld yn llwyr nes ichi fynd i'r adeilad, dechrau ei addasu a sylweddoli bod ynddo rai elfennau annigonol, yn enwedig o gofio beth oedd natur y defnyddiwr yn y pen draw, os caf ddisgrifio'r peth felly. Mae'r ystyriaethau diogelwch a gwarchodaeth yn bwysig iawn ac mae'r mynediad i'r anabl hefyd yn bwysig iawn. Gall Eric fy helpu gyda golwg ar y seilwaith a'r offer ar ben y to ond, i raddau sylweddol, hwnnw oedd cam cyntaf y system oeri aer gan nad oeddem—yn sicr nid oeddwn i—wedi rhagweld pa mor wael oedd safon yr aerdymheru y byddem yn ei etifeddu yn yr adeilad hwn. Felly, dyna beth oedd y £719,000. Yr oedd y pethau hyn gan fwyaf,

officials and professional advisers once we got into the place.

fel y mae'r adroddiad hwn yn ei awgrymu, yn argymhellion gan swyddogion a chynghorwyr proffesiynol unwaith inni fynd i mewn i'r lle.

There was a larger political involvement, if I can put it that way, in the next £385,000, because these were inadequacies that we, with Ministers, perceived in the building in terms of its usability. The staff restaurant and coffee shop that you would have inherited were not fit for purpose for Members. A decision was taken that we had to spend money to enhance that part of Crickhowell House and, similarly, the public end—the milling area end—of the building. We considered it very important, without being lavish, to have an acceptable environment there. Those, without going into too much detail, were matters that were partly officials' and partly Ministers' decisions. Where there was involvement with the Members themselves, that is certainly the additional expenditure, the £3 million or so at the bottom of that table. I think that everyone accepted that the air cooling was something that had to be done. The decision that I have referred to on making use of the whole of Crickhowell House and not sharing it had that consequence. Similarly, the Pierhead building was something that Members felt very strongly about.

Cafodd y gwleidyddion fwy o ran, os gallaf ei roi felly, yn y £385,000 nesaf, oherwydd bod y rhain yn elfennau annigonol yr oeddem ni, gyda'r Gweinidogion, yn eu gweld yn yr adeilad o ran ei ddefnyddiolrwydd. Nid oedd bwyty'r staff a'r siop goffi y byddech wedi'u hetifeddu yn addas at ddibenion Aelodau. Penderfynwyd bod yn rhaid gwario arian i wella'r rhan honno o Dy Crycywel, ac yn yr un modd, ochr gyhoeddus—ochr ymgynnull—yr adeilad. Yr oeddem o'r farn ei bod yn bwysig iawn, heb fod yn rhy afradlon, inni ddarparu amgylchedd derbyniol yno. Yr oedd y rheini, heb fynd i ormod o fanylion, yn faterion a oedd yn rhannol yn benderfyniadau gan swyddogion ac yn rhannol yn benderfyniadau gan Weinidogion. Lle bu gan yr Aelodau eu hunain ran yn y penderfyniadau, hynny'n sicr yw'r gwariant ychwanegol, y £3 miliwn neu oddeutu hynny sydd ar waelod y tabl. Credaf fod pawb yn derbyn bod y system oeri aer yn rhywbeth yr oedd yn rhaid ei wneud. Canlyniad y penderfyniad y cyfeiriais ato i ddefnyddio Ty Crycywel yn ei gyfanrwydd a pheidio â'i rannu oedd hynny. Yn yr un modd, yr oedd adeilad Pierhead yn rhywbeth y teimlai Aelodau'n gryf iawn yn ei gylch.

[185] **Peter Law:** The air cooling was an extra. We have heard all about it here, the £1 million or whatever it cost. I found it extraordinary that, given the expertise that is in this organisation, nobody planned air conditioning in a building like this in advance. Would anybody like to comment on why it was not foreseen?

[185] **Peter Law:** Yr oedd y system oeri aer yn ychwanegol. Clywsom y cyfan am hynny yma, y £1 miliwn ychwanegol neu beth bynnag a gostiodd. Yr oedd yn rhyfeddod i mi, ac ystyried yr arbenigedd sydd yn y sefydliad hwn, nad oedd neb wedi cynllunio ar gyfer tymheru adeilad fel hwn ymlaen llaw. A fyddai unrhyw un yn hoffi rhoi sylwadau ar pam na ragwelwyd hyn?

Mr Shortridge: Eric, can you help on that?

Mr Shortridge: Eric, a allwch chi helpu gyda hynny?

Mr McDonald: Well, certainly, it was a building that was designed without air cooling. It was regarded as satisfactory for occupation. There are many buildings that do not have air cooling. It was one of those items of expenditure that we did not feel that we could justify at the outset. Given that we have a responsibility for sustainable development and issues like that, and there are windows that open, air cooling was just a step beyond what we felt we had the finance to cope with.

Mr McDonald: Wel, yn sicr, yr oedd yn adeilad a gynlluniwyd heb system oeri aer. Fe'i hystyrid yn un boddhaol i'w ddefnyddio. Ceir llawer o adeiladau sydd heb system oeri aer. Yr oedd yn un o'r eitemau gwariant hynny nad oeddem yn teimlo y gallem ei chyfiawnhau ar y dechrau. Ac ystyried bod gennym gyfrifoldeb dros ddatblygu cynaliadwy a materion o'r fath, a bod yno ffenestri sydd yn agor, yr oedd oeri aer yn un cam y tu hwnt i'r hyn y teimlem y gallem ymdopi ag ef gyda'r cyllid a oedd gennym.

[186] **Peter Law:** However, air conditioning was installed in the debating Chamber at the time, so that was thought about. It was thought necessary to install it there, but not in any of the other offices or Committee rooms?

[186] **Peter Law:** Fodd bynnag, gosodwyd system dymheru yn y Siambr ddadlau ar y pryd, felly yr oedd rhywun wedi ystyried hynny. Teimlid bod angen ei gosod yno, ond nid mewn unrhyw swyddfa neu ystafell Bwyllgora arall?

Mr McDonald: It was very important to put it in the Chamber because of the nature of that space, because of the number of cameras and lighting and because of the fact that that was a room in which a number of people would gather for a considerable period. That was an area where air conditioning was critical, whereas office space is used much more intermittently.

Mr McDonald: Yr oedd yn bwysig ei gosod yn y Siambr oherwydd natur y lle hwnnw, oherwydd nifer y camerâu a'r goleuadau ac oherwydd ei bod yn ystafell lle byddai nifer o bobl yn ymgasglu am gyfnod sylweddol. Yr oedd honno'n ystafell lle'r oedd cael system dymheru yn holl bwysig, tra bo swyddfeydd yn cael eu defnyddio'n llawer mwy ysbeidiol.

[187] **Peter Law:** On reflection, bearing in mind that this country's climate has become warmer over the last decade, and the fact that it was 1999—and you expect the most up to date conditions when you move into a building and are entering a new era—would it not have been reasonable to have foreseen this?

[187] **Peter Law:** Ac edrych yn ôl, gan gofio bod hinsawdd y wlad hon wedi cynhesu yn ystod y degawd diwethaf, a'r ffaith mai 1999 oedd hi—a'ch bod yn disgwyl y cyfleusterau diweddaraf wrth symud i adeilad newydd a dechrau ar gyfnod newydd—oni fyddai wedi bod yn rhesymol rhagweld hyn?

Mr McDonald: Well, it is a balance between sustainable development priorities and personal preferences in terms of the conditions in which we work.

Mr McDonald: Wel, mater o daro cydbwysedd yw hi rhwng blaenoriaethau datblygu cynaliadwy a'r math o amgylchiadau y byddai'n well gennym weithio ynddynt.

[188] **Kirsty Williams:** The air conditioning helps create global warming, Peter.

[188] **Kirsty Williams:** Mae'r system dymheru yn cyfrannu at gynhesu byd-eang, Peter.

[189] **Peter Law:** Yes, but on the other hand, we have obligations to the staff that work for us. They work very ably throughout these buildings, as in all other buildings. We are in a climate that is becoming increasingly warm. It would have been reasonable for people to have thought, from their own experience of sitting in offices, that, perhaps, air conditioning was necessary in this building, before the final costings were arrived at.

[189] **Peter Law:** Ydyw, ond ar y llaw arall, mae gennym gyfrifoldebau i'r staff sydd yn gweithio inni. Maent yn gwneud eu gwaith yn fedrus iawn yn yr adeiladau hyn i gyd, fel y maent ym mhob adeilad arall. Yr ydym yn byw mewn hinsawdd sydd yn cynhesu fwyfwy o hyd. Byddai wedi bod yn rhesymol i bobl fod wedi meddwl, o'u profiad hwy eu hunain o eistedd mewn swyddfeydd, bod system dymheru yn angenrheidiol yn yr adeilad hwn, cyn llunio'r costiadau terfynol.

[190] **Janet Davies:** I do not know whether I should declare an interest here, because my office was one of the ones that had air conditioning from the start.

[190] **Janet Davies:** Ni wn a ddylwn ddatgan diddordeb yma, oherwydd fy swyddfa i oedd un o'r rhai lle'r oedd system dymheru o'r dechrau.

[191] **Alun Cairns:** I am not sure whether I am satisfied with Mr McDonald's response. It seemed to me quite flippant in terms of striking a balance between global warming and air conditioning in the unit. Surely that would have been a political decision and, therefore, was advice given to the relevant Minister at the time to take that decision or was it a complete oversight?

[191] **Alun Cairns:** Nid wyf yn siwr a ydwyf yn fodlon ar ymateb Mr McDonald. Yr oedd yn ymddangos yn eithaf gwamal i mi o ran taro cydbwysedd rhwng cynhesu byd-eang a thymheru yn yr uned. Penderfyniad gwleidyddol fuasai hynny, onide, ac, felly, a roddwyd cyngor i'r Gweinidog perthnasol ar y pryd i gymryd y penderfyniad hwnnw, ynteu ai amryfusedd llwyr oedd hyn?

Mr McDonald: Certainly, on a question of detail like that, we relied on our professional advisers. We were conscious that this was a building that had been occupied satisfactorily for five years without air conditioning, and our professional advisers did not consider that it was necessary. Bearing in mind that we have a green policy—the Welsh Office had a green policy and the Assembly now has one—it was an issue that we did not take further than that.

Mr McDonald: Yn sicr, ar bwnc mor fanwl â hwn, yr oeddem yn dibynnu ar ein hymgynghorwyr proffesiynol. Sylweddolem fod hwn yn adeilad yr oedd pobl wedi bod yn ei ddefnyddio'n foddhaol am bum mlynedd heb system dymheru, ac nid oedd ein hymgynghorwyr proffesiynol o'r farn ei fod yn angenrheidiol. A chofio bod gennym bolisi gwyrdd—yr oedd gan y Swyddfa Gymreig bolisi gwyrdd ac mae gan y Cynulliad un yn awr—yr oedd yn fater na wnaethom fynd ag ef ymhellach na hynny.

[192] **Alun Cairns:** Therefore, bearing in mind that you received professional advice, is it possible to make a claim against the advice that was given?

[192] **Alun Cairns:** Felly, a chadw mewn cof ichi gael cyngor proffesiynol, a oes modd ichi wneud hawliad yn erbyn y cyngor a roddwyd?

Mr McDonald: Well, the advice certainly did not cost us anything.

Mr McDonald: Wel, yn sicr ni chostiodd y cyngor ddim inni.

[193] **Alun Cairns:** If you received professional advice, would you not normally pay for it and then there would be a contractual obligation?

[193] **Alun Cairns:** Os cawsoch gyngor proffesiynol, oni fyddech chi fel arfer yn talu amdano ac yna byddai cyfrifoldeb contractaidd?

Mr McDonald: The professional advice did not cause us to spend money. We would have had to spend money if we had chosen to install the air cooling, if we had been given different professional advice.

Mr McDonald: Ni fu'n rhaid inni wario arian i gael y cyngor proffesiynol. Byddem wedi gorfod gwario arian pe baem wedi dewis gosod y system oeri aer, pe baem wedi cael cyngor proffesiynol gwahanol.

[194] **Alun Cairns:** Let me rephrase the question. You said in your answer that professional advice was given regarding the state and condition of the building, and whether air conditioning was needed would have been part of those considerations. Advice was given that air conditioning was not needed, but, since that time, that advice has proven to be incorrect. Therefore, is there a recourse for the taxpayer to make a claim against the advice that was given to you as officials, because you mentioned that professional advice was received?

[194] **Alun Cairns:** Gadewch imi aralleirio'r cwestiwn. Dywedasoch yn eich ateb fod cyngor proffesiynol wedi'i roi ynghylch cyflwr ac amgylchiadau'r adeilad, ac y byddai penderfynu a oedd angen system oeri aer yn rhan o'r ystyriaethau hynny. Rhoddwyd cyngor nad oedd angen system dymheru, ond ers hynny, mae'r cyngor hwnnw wedi profi'n anghywir. Felly, a oes modd i'r trethdalwr wneud hawliad yn erbyn y cyngor a roddwyd ichi fel swyddogion, gan ichi ddweud eich bod wedi cael cyngor proffesiynol?

Mr McDonald: I do not believe that there is.

Mr McDonald: Ni chredaf fod.

[195] **Peter Law:** Who suggested, six months after moving into this building, that air cooling was appropriate and necessary? Where did that advice come from?

[195] **Peter Law:** Pwy a awgrymodd, chwe mis ar ôl symud i mewn i'r adeilad hwn, fod cael system oeri aer yn briodol ac yn angenrheidiol? O ba le y daeth y cyngor hwnnw?

Mr Shortridge: I actually felt very strongly that this was a health and safety issue. I was a strong advocate of the air cooling, and I am conscious of the fact that this was a view that was being expressed by the House Committee as well. However, I did feel, as head of paid service, that I had a particular obligation to ensure that we were creating a satisfactory environment, not just for Members, but also for staff.

Mr Shortridge: Yr oeddwn i mewn gwirionedd yn teimlo'n gryf iawn mai mater iechyd a diogelwch oedd hyn. Yr oeddwn yn gryf o blaid y system oeri aer, ac yr wyf yn ymwybodol fod hon yn farn a oedd yn cael ei mynegi gan Bwyllgor y Ty hefyd. Fodd bynnag, yr oeddwn yn teimlo, fel pennaeth y gwasanaeth cyflog, fod gennyf gyfrifoldeb arbennig i sicrhau ein bod yn creu amgylchedd boddhaol, nid yn unig i'r Aelodau, ond i'r staff hefyd.

[196] **Peter Law:** I applaud that.

[196] **Peter Law:** Yr wyf yn cymeradwyo hynny.

[197] **Janet Davies:** I am not prepared to pursue this any longer. I do not think that it is going to be a particularly productive line of argument because—whatever the advice was—if it had been decided to put in air-conditioning sooner, it would probably have cost the same amount of money. We still have quite a lot to go through; I am a bit concerned about whether we are going to get through it.

[197] **Janet Davies:** Nid wyf yn barod i fwrw ymlaen ragor ar y pwynt hwn. Ni chredaf ei fod yn debygol o fod yn drywydd dadlau arbennig o gynhyrchiol oherwydd—beth bynnag oedd y cyngor—pe bai'r penderfyniad i osod y system dymheru wedi'i wneud ynghynt, mae'n debyg mai'r un faint o arian y byddai wedi'i gostio. Mae gennym gryn dipyn i'w drafod eto; yr wyf ychydig yn bryderus a ydym am ddod i ben â'r gwaith.

[198] **Peter Law:** My concern, Chair, is that it would not have become the major issue that it did become if the forethought had been there on the part of people who were advising us just six or eight months before. I find it hard to understand how that forethought was not there, particularly after the last statement that the Permanent Secretary made. I applaud his concern for staff.

[198] **Peter Law:** Fy mhryder i, Gadeirydd, yw na fyddai hyn wedi troi'n bwnc o bwys fel y gwnaeth pe bai'r bobl a oedd yn ein cynghori chwech i wyth mis ynghynt wedi meddwl ychydig ymlaen llaw. Yr wyf yn ei chael yn anodd deall sut nad oedd neb wedi meddwl am hyn ymlaen llaw, yn enwedig ar ôl datganiad diwethaf yr Ysgrifennydd Parhaol. Yr wyf yn cymeradwyo ei gonsýrn am staff.

[199] **Alison Halford:** I know that you want to get on, but there is so much here.

[199] **Alison Halford:** Gwn eich bod am fwrw ymlaen, ond mae cymaint yma i'w drafod.

This is mopping up on Peter's comment when the broadcasting issue was addressed. I know that Mr Richards has commented on that. Page 28 of the document accepts that the Welsh Office recognised the importance of proper broadcasting. They even appointed external consultants to advise on it. Yet everything was done on oral agreement. I cannot believe that it was left to oral agreement and not firmed up in a written legal framework. I just find that terribly incompetent. Am I being unfair in making that assessment of the situation?

Hoffwn ail afael yn y drafodaeth ar ddarlledu yn dilyn sylw Peter. Gwn fod Mr Richards wedi sôn am hynny. Mae tudalen 28 y ddogfen yn derbyn bod y Swyddfa Gymreig yn cydnabod pwysigrwydd gwasanaeth darlledu iawn. Penodwyd ymgynghorwyr allanol hyd yn oed i ddarparu cyngor ar hyn. Eto i gyd, gwnaethpwyd popeth ar sail cytundeb llafar. Ni allaf gredu y gadawyd y cytundeb yn un llafar ac na chadarnhawyd ef ar ffurf fframwaith cyfreithiol. Mae hynny'n ymddangos yn ofnadwy o aneffeithiol i mi. A ydwyf yn bod yn annheg wrth asesu'r sefyllfa yn y fath fodd?

Mr Richards: Certainly I think that it should have been tied up at the time. It is tied up now. It took quite a lot of time, actually, to tie it up. I think that the fault was in the delay, as opposed to it not being done. Certainly, as soon as the heads of terms were agreed, we should have tied it right up and nailed it down then.

Mr Richards: Yn sicr, credaf y dylai fod wedi'i setlo ar y pryd. Mae wedi setlo erbyn hyn. Cymerodd gryn dipyn o amser, a dweud y gwir, i derfynu'r cytundeb. Credaf mai'r drwg oedd arafwch y broses yn hytrach na diffyg gweithredu. Yn sicr, unwaith yr oedd penawdau'r telerau wedi'u cytuno arnynt, dylem fod wedi llunio'r cytundeb terfynol a'i hoelio bryd hynny.

[200] **Alison Halford:** Did you have to pay for this expert external advice?

[200] **Alison Halford:** A fu'n rhaid ichi dalu am y cyngor allanol arbenigol hwn?

Mr Richards: We paid for the external advice. However, I do not think that the external advice related to transferring the head of terms of agreement into a written contract, which I think was done using our own legal service.

Mr Richards: Talwyd am y cyngor allanol. Fodd bynnag, ni chredaf fod y cyngor allanol yn ymwneud â throi penawdau telerau cytundeb yn gontract ysgrifenedig. Credaf fod hynny wedi'i wneud drwy ddefnyddio ein gwasanaeth cyfreithiol ni ein hunain.

[201] **Alison Halford:** So we pay for external advice and still end up in a mess because it was not formalised on paper?

[201] **Alison Halford:** Felly, yr ydym yn talu am gyngor allanol ac yn dal i gael ein hunain mewn cawl oherwydd nad oedd wedi'i ffurfioli ar bapur?

Mr Richards: No, I do not think so.

Mr Richards: Na, ni chredaf fod hynny'n wir.

[202] **Alison Halford:** If I am being unfair, tell me, but I am only reading the report.

[202] **Alison Halford:** Os wyf yn bod yn annheg, dywedwch wrthyf, ond dim ond darllen yr adroddiad yr wyf i.

[203] **Janet Davies:** Perhaps Mr Shortridge would like to come in on that?

[203] **Janet Davies:** Efallai yr hoffai Mr Shortridge ddod i mewn ar hynny?

Mr Shortridge: The external advice was in relation to the technical requirements, and the administrative matter in terms of converting the heads of terms into a legal document was one that we should have got right. We could not blame a technical adviser for not helping us to get that right. I accept that criticism. I have two things to say on it: this was something which our own systems of review identified. So, to that extent, we had that amount of professionalism about it. Again, it is important that Members at least understand the sheer pressure that was on colleagues in the Welsh Office at the time over those last six months, to convert this building pretty much out of nothing. That is not an excuse. I acknowledge the point but I think that it is quite important, nonetheless, to recall the context.

Mr Shortridge: Yr oedd y cyngor allanol yn ymwneud â'r gofynion technegol ac yr oedd y gwaith gweinyddol o droi penawdau'r telerau yn ddogfen gyfreithiol yn waith y dylem fod wedi'i wneud yn iawn. Ni allem feio ymgynghorydd technegol am beidio â'n helpu i gael hynny'n iawn. Yr wyf yn derbyn y feirniadaeth honno. Mae gennyf ddau beth i'w dweud am hyn: yr oedd yn rhywbeth y tynnwyd sylw ato yn ein systemau adolygu ni ein hunain. Felly, i'r graddau hynny, ymdriniwyd â'r peth yn broffesiynol. Unwaith eto, mae'n bwysig bod Aelodau o leiaf yn deall y pwysau mawr a oedd ar ein cydweithwyr yn y Swyddfa Gymreig ar y pryd yn ystod y chwe mis diwethaf hynny, i addasu'r adeilad hwn o ddim, fwy neu lai. Nid esgus mo hynny. Yr wyf yn cydnabod y pwynt ond credaf, fodd bynnag, ei fod yn eithaf pwysig cofio beth oedd y cyd-destun.

[204] **Alison Halford:** Thank you.

[204] **Alison Halford:** Diolch.

[205] **Janet Davies:** We have had a look at the decision to come to this particular site, and the costs of adapting this building and the Pierhead building. I would like to go on to looking at the issues of the new building. Perhaps we could take a look at some issues arising out of the design competition assessment panel, mentioned in paragraph 5.9. Why were the competitors' fees bids not included in the costs considered by the panel? Was this a deliberate decision or was it an oversight?

[205] **Janet Davies:** Yr ydym wedi edrych ar y penderfyniad i ddod i'r safle arbennig hwn, ac ar gostau addasu'r adeilad hwn ac adeilad Pierhead. Hoffwn yn awr fynd ymlaen i edrych ar y pynciau sydd yn ymwneud â'r adeilad newydd. Efallai y gallem edrych ar rai materion sydd yn codi o banel asesu'r gystadleuaeth gynllunio, y cyfeiriwyd atynt ym mharagraff 5.9. Pam nad oedd bidiau ffioedd y cystadleuwyr wedi'u cynnwys yn y costau a ystyriwyd gan y panel? Ai penderfyniad bwriadol oedd hyn ynteu amryfusedd?

Mr Shortridge: I am pretty sure that it was not a deliberate decision, I am just stumbling over the word ‘oversight’. I think that the focus was very much on the cost of the building, as opposed to the supporting fees. Eric, do you want to comment further?

Mr Shortridge: Yr wyf yn eithaf siwr nad penderfyniad bwriadol oedd hyn, ond yr wyf yn baglu dros y gair ‘amryfusedd’. Credaf fod y ffocws i raddau helaeth iawn ar gost yr adeilad, yn hytrach nag ar y ffioedd ategol. Eric, a hoffech chi ychwanegu at hyn?

Mr McDonald: The remit of the design competition panel was to look at the design and to select the design, and not to look at the other issues, because it was believed that it was the design that those people had the expertise to look at, and contribute towards.

Mr McDonald: Cylch gwaith panel y gystadleuaeth gynllunio oedd edrych ar y cynllun, a dewis y cynllun, nid edrych ar faterion eraill, oherwydd credid mai arbenigedd y bobl hynny oedd edrych ar y cynllun a chyfrannu ato.

[206] **Janet Davies:** Nevertheless, it appears that there was no way of knowing what effects the fees would have had on the relative costs of each option, was there?

[206] **Janet Davies:** Fodd bynnag, mae’n ymddangos, onid ydyw, nad oedd dim modd gwybod beth fyddai effaith y ffioedd ar gostau cymharol pob dewis?

Mr McDonald: Certainly not for the design competition panel but that advice was available immediately after the design competition panel had met. It was submitted with the design and opened afterwards.

Mr McDonald: Yn sicr nid i banel y gystadleuaeth gynllunio ond yr oedd y cyngor hwnnw ar gael yn syth ar ôl i banel y gystadleuaeth gynllunio gyfarfod. Fe’i cyflwynwyd gyda’r cynllun a’i agor wedyn.

[207] **Alun Cairns:** Paragraph 5.8 of the report states that the technical advisers to the assessment panel identified several problems with the designs. Five of the six designs had features that exceeded the site boundary, most of them exceeded the growth area specified in the project brief and the costs were understated. To what extent did these significant flaws affect the judgment of the assessment panel?

[207] **Alun Cairns:** Dywed paragraff 5.8 yr adroddiad fod ymgynghorwyr technegol y panel asesu wedi nodi nifer o broblemau gyda’r cynlluniau. Yr oedd pump o’r chwe chynllun yn cynnwys nodweddion a oedd yn mynd y tu hwnt i ffin y safle, yr oedd y rhan fwyaf ohonynt yn mynd y tu hwnt i’r ardal twf a bennid ym mrîff y prosiect ac yr oedd y costau wedi’u tanamcangyfrif. I ba raddau yr effeithiodd y gwendidau sylweddol hyn ar farn y panel asesu?

Mr Shortridge: Let me give an initial response and again move on to Eric. I think that the assessment panel focused very much on the design issue and that they saw these matters as secondary and resolvable and therefore not things that they had to treat on an equal basis with the fundamental issue of design. Eric, you wanted to comment further.

Mr Shortridge: Gadewch imi roi ymateb cychwynnol ac unwaith eto symud ymlaen at Eric. Credaf fod y panel asesu wedi canolbwyntio i raddau helaeth iawn ar y cynllun ei hun a'u bod yn gweld yr elfennau hyn yn bethau eilradd ac yn bethau y gellid eu datrys ac nid felly yn bethau yr oedd yn rhaid iddynt roi'r un faint o sylw iddynt ag a roddent i hanfodion y cynllun. Eric, yr oeddech am gynnig sylwadau ychwanegol.

Mr McDonald: Yes. One of the things that the designers had been asked to do was to suggest how the external areas could be treated as part and parcel of dealing with the area beyond the building, so it was not unexpected that they did deal with some of the external areas. In terms of the designs exceeding the gross floor area, there was an indication of certain areas which needed to be accommodated. The design competition brief did permit the designers to look at how they might deal with the whole design and allow them some freedom. In terms of cost, the advice of Symonds Group certainly looked at the views and reviewed the extent to which any of the costs were or were not deliverable. That information was made known to the design competition panel before it interviewed the six designers who had submitted the final designs.

Mr McDonald: Oeddwn. Un o'r pethau y gofynnwyd i'r cynllunwyr ei wneud oedd awgrymu sut y gellid trin yr ardaloedd allanol fel rhan hanfodol o ymdrin â'r ardal y tu hwnt i'r adeilad, felly nid oedd yn annisgwyl eu bod wedi ymdrin â rhai o'r ardaloedd allanol. O ran y cynlluniau a oedd yn mynd y tu hwnt i arwynebedd gros y llawr, cafwyd awgrym ynghylch rhai ardaloedd yr oedd angen darparu lle ar eu cyfer. Yr oedd brîff y gystadleuaeth yn caniatáu i'r cynllunwyr edrych ar sut y byddent yn ymdrin â'r cynllun yn ei grynswth gan ganiatáu rhywfaint o ryddid iddynt. O ran y gost, yr oedd cyngor Grwp Symonds yn sicr yn ystyried y safbwyntiau ac adolygasant i ba raddau yr oedd modd cyflawni'r cynlluniau o fewn yr amcangost ai peidio. Rhoddwyd yr wybodaeth honno i banel y gystadleuaeth gynllunio cyn iddo gyfweld y chwe chynllunydd a gyflwynodd y cynlluniau terfynol.

[208] **Alun Cairns:** Thank you for that answer, but surely in any competition should there not be automatic disqualification if an entry does not meet the stated criteria? I refer back to an issue that I raised in my earlier question. Five of the six had features that exceeded the site boundary. Surely that is a fundamental principle. If you have an area of land to build a building in, you cannot go over that. If any members of the public who have ever built a house or something were observing this, they would say that that is completely

[208] **Alun Cairns:** Diolch ichi am yr ateb hwnnw, ond mewn unrhyw gystadleuaeth, oni ddylid gwahardd rhywun yn syth onid yw cais yn cwrdd â'r meini prawf a bennwyd? Cyfeiriaf yn ôl at fater a godais yn fy nghwestiwn blaenorol. Yr oedd gan bump o'r chwech nodweddion a oedd yn mynd y tu hwnt i ffin y safle. Onid yw hynny'n egwyddor sylfaenol? Os oes gennych ardal o dir i godi adeilad arno, ni allwch fynd y tu hwnt iddo. Pe bai unrhyw aelodau o'r cyhoedd sydd erioed wedi codi ty neu rywbeth yn edrych ar hyn,

unacceptable. What would the Local Government and Housing Committee say?

byddent yn dweud bod hynny'n gwbl annerbyniol. Beth fyddai'r Pwyllgor Llywodraeth Leol a Thai yn ei ddweud?

Mr McDonald: They were invited to suggest how the external areas might be treated. That was something that they were specifically invited to do as part and parcel of the design.

Mr McDonald: Fe'u gwahoddwyd i awgrymu sut y gellid ymdrin â'r ardaloedd allanol. Yr oedd hynny'n rhywbeth y gwahoddwyd hwy i'w wneud yn benodol fel rhan hanfodol o'r cynllun.

[209] **Alun Cairns:** Did they not put the Assembly under an obligation to purchase an additional area surrounding the earmarked site, which has driven costs up still further as a result?

[209] **Alun Cairns:** Oni roesant y Cynulliad dan orfodaeth i brynu tir ychwanegol o gwmpas y safle a glustnodwyd, sydd wedi gyrru'r costau'n uwch byth o ganlyniad?

Mr McDonald: That was a decision to be taken once the design competition panel reported. The design competition panel did not make the final decision. It made a recommendation.

Mr McDonald: Yr oedd hwnnw'n benderfyniad i'w wneud ar ôl i banel y gystadleuaeth gynllunio gyflwyno'i adroddiad. Nid panel y gystadleuaeth gynllunio a wnaeth y penderfyniad terfynol. Ggwneud argymhelliad a wnaeth.

[210] **Alun Cairns:** Bearing in mind those issues, should not it have set alarm bells ringing that not all figures quoted were necessarily accurate, bearing in mind the point that you made in relation to the Symonds Group?

[210] **Alun Cairns:** A chofio'r materion hynny, oni ddylai hynny fod wedi canu cloch i rybuddio nad oedd yr holl ffigurau a ddyfynnwyd o anghenraid yn gywir, a chofio eich pwynt ynglyn â Grwp Symonds?

Mr McDonald: I think that it is fair to say that the figures were adjusted by the review that Symonds Group did and that that brought all the figures into a comparable situation.

Mr McDonald: Credaf ei bod yn deg dweud i'r ffigurau gael eu haddasu ar sail yr adolygiad a wnaeth Grwp Symonds a bod hynny wedi golygu bod yr holl ffigurau ar ffurf lle y gellid eu cymharu.

[211] **Alun Cairns:** But not the architects' fees, and should not that have again set alarm bells ringing? It was in the interests of the architects and designers to win the contract, and bearing in mind that it was a public rather than a private sector project, cost was going to be paramount in the selection. Did not that set alarm bells ringing?

[211] **Alun Cairns:** Ond nid ffioedd y penseiri, ac oni ddylai hynny unwaith eto fod wedi canu'r gloch rybudd? Yr oedd ennill y contract er budd y penseiri a'r cynllunwyr, a chan gofio mai prosiect yn y sector cyhoeddus, yn hytrach nag yn y sector preifat oedd hwn, y gost fyddai un o'r prif ystyriaethau wrth ddethol. Oni wnaeth hynny ganu'r gloch rybudd?

Mr McDonald: I am not sure what the connection is between the adjustment in the costs that Symonds Group made, which would invalidate the design being acceptable and being a basis on which those fees could then be assessed. I think that an assessment of the fees based on the work that Symonds Group did was a valid way to look at what the fees would be.

Mr McDonald: Nid wyf yn siwr beth yw'r cysylltiad rhwng yr addasiad a wnaeth Grwp Symonds i'r costau a fyddai'n annilysu'r cynllun o ran bod yn dderbyniol ac yn sail ar gyfer asesu'r ffioedd hynny wedyn. Credaf fod asesu'r ffioedd ar sail y gwaith a wnaeth Grwp Symonds yn ffordd ddilys o edrych ar beth fyddai'r ffioedd.

[212] **Alun Cairns:** Surely, if people are tendering for a contract, they largely underestimate the cost of the contract. It is then adjusted by independent professional people to bring it up to a level playing field. Is it fair to assume that, if you have not been given the whole story at the outset, costs could well rise thereafter?

[212] **Alun Cairns:** Ond onid yw pobl, wrth dendro ar gyfer contract, yn tanamcangyfrif cost y contract i raddau helaeth. Yna, bydd pobl broffesiynol annibynnol yn addasu'r gost honno er mwyn creu cae chwarae gwastad. A yw hi'n deg tybio, os nad ydych wedi cael y stori gyflawn ar y dechrau, ei bod yn ddigon posibl y gall y costau gynyddu wedyn?

Mr McDonald: I do not think that that is necessarily so, because the Symonds Group was able to look at the cost with its knowledge of ground conditions in the area and the extent, particularly, to which ground conditions might affect the estimates that had been made by people who had not had the benefit of the information that the Symonds Group had, from its local knowledge, about ground conditions.

Mr McDonald: Ni chredaf fod hynny'n dilyn o anghenraid, oherwydd yr oedd Grwp Symonds yn gallu edrych ar y gost gan wybod beth oedd cyflwr tir yr ardal ac i ba raddau, yn benodol, y gallai cyflwr y tir hwnnw effeithio ar amcangyfrifon pobl nad oeddent wedi gallu manteisio ar yr wybodaeth am gyflwr y tir a oedd gan Grwp Symonds, yn sgîl ei wybodaeth leol.

[213] **Alun Cairns:** There have been significant delays to the new building project to date and you now plan a completion date in January 2003. Does this programme include any contingency time and are you satisfied that that date is realistic, given the overruns that have occurred at the initial stages of the design process?

[213] **Alun Cairns:** Bu oedi sylweddol gyda phrosiect yr adeilad newydd hyd yn hyn ac yn awr, y dyddiad cwblhau, yn ôl eich cynlluniau, yw mis Ionawr 2003. A yw'r rhaglen hon yn cynnwys unrhyw amser rhag-ofn ac a ydych chi'n fodlon fod y dyddiad hwn yn realistig, ac ystyried y gor-redeg sydd wedi bod gyda chamau cychwynnol y broses gynllunio?

Mr Shortridge: I do not think that we have built in any significant contingency time. The Assembly has a strong desire to see this building completed as soon as possible, and that is driving the programme that we have.

Mr Shortridge: Ni chredaf ein bod wedi cynnwys unrhyw amser wrth gefn sylweddol. Mae'r Cynulliad yn awyddus iawn i weld yr adeilad hwn yn cael ei gwblhau cyn gynted ag y bo modd, a hynny sydd yn llywio'r rhaglen sydd gennym.

[214] **Alun Cairns:** Paragraph 5.14 mentions Turner and Townsend, which made a recommendation. The firm suggested extending the programme by 31 weeks to reduce the risk of an overrun occurring. Is it not time to be completely frank about the project and about the whole scheme, rather than committing to unrealistic objectives?

[214] **Alun Cairns:** Mae paragraff 5.14 yn sôn am Turner and Townsend, a wnaeth argymhelliad. Awgrymodd y cwmni ymestyn y rhaglen 31 wythnos er mwyn lleihau'r risg y byddai'r rhaglen yn gor-redeg. Onid yw'n bryd bod yn gwbl agored am y prosiect a'r cynllun drwyddo draw, yn hytrach nag ymrwymo i amcanion afrealistig?

Mr Shortridge: I think that I will ask Gerry Thomas to respond in detail but, certainly, I can say that that recommendation of the Turner and Townsend report was considered very carefully before we fixed on the date of January 2003.

Mr Shortridge: Credaf y gofynnaf i Gerry Thomas ymateb yn fanwl, ond, yn sicr, gallaf ddweud bod argymhelliad adroddiad Turner a Townsend wedi'i ystyried yn ofalus iawn cyn inni bennu dyddiad Ionawr 2003.

Mr Thomas: If I could just add to that, Turner and Townsend also concluded that the existing timetable was tight but deliverable, and it was against that background that we considered it. It was considered by the policy steering group, I think, back in July, when we went through the arguments, and at that point it decided to stick with the original timetable, given the desire to which Jon alluded for the building to be available as soon as possible. However, let us not lose sight of the fact that Turner and

Mr Thomas: Petawn i'n gallu ychwanegu at hynny, casglodd Turner a Townsend hefyd bod yr amserlen bresennol yn dynn ond ei bod yn un y gellid ei chyflawni, ac ar sail y cefndir hwnnw yr ystyriwyd hyn. Credaf i'r pwyllgor llywio polisi ei ystyried yn ôl ym mis Gorffennaf, pan drafodwyd y dadleuon, a phryd hynny, penderfynwyd glynu wrth yr amserlen wreiddiol, ac ystyried yr awydd y cyfeiriodd Jon ato i'r adeilad fod ar gael cyn gynted ag y bo modd. Fodd bynnag, gadewch

Townsend agree with our professional advisers that, although it is tight, that timetable is deliverable.

inni beidio â cholli golwg ar y ffaith fod Turner a Townsend yn cytuno â'n hymgynghorwyr proffesiynol, bod yr amserlen, er yn dynn, yn un y gellir ei chyflawni.

[215] **Alun Cairns:** We must bear in mind our existing record to date on this, not only in terms of cost but in terms of timescale. I think that it was Peter Law who said at the outset that, when two options or two variances are given, it is safer to go for the other one, and that, if it comes in cheaper or finishes early, that is a bonus for the taxpayer.

[215] **Alun Cairns:** Rhaid inni gadw mewn cof ein record bresennol hyd yn hyn yn hyn o beth, nid yn unig o ran cost ond o ran amserlen. Yr wyf yn meddwl mai Peter Law a ddywedodd ar y cychwyn, pan fo dau ddewis neu ddau amrywiad yn cael eu cynnig, mai'r peth mwyaf diogel yw dewis y llall, ac os yw hwnnw yn y pen draw yn rhatach neu'n gorffen yn gynnar, mae hynny'n fonws i'r trethdalwr.

Mr Thomas: There might be an element of risk reduction if we extended the timescale. There would certainly be an element of cost increase if we did so, arising through inflation. There was a judgment to be made about whether one gives priority to the desire to have the building open earlier rather than later. That judgment has been made and it has been decided to stick with the original timetable, which we believe, on the basis of professional advice, is deliverable.

Mr Thomas: Efallai y byddai elfen o ostwng y risg ynghlwm wrth ymestyn yr amserlen. Yn sicr, byddai elfen o ychwanegu at y gost pe baem yn gwneud hynny, oherwydd chwyddiant. Yr oedd rhaid gwneud penderfyniad ynghylch a ddylid rhoi blaenoriaeth i sicrhau bod yr adeilad yn agor yn gynt yn hytrach nag yn hwyrach. Gwnaethpwyd y penderfyniad hwnnw a phenderfynwyd glynu wrth yr amserlen wreiddiol, sydd, fe gredwn, ar sail cyngor proffesiynol, yn un y gellir ei chyflawni.

[216] **Alun Cairns:** First of all, let me come back on that. I do not accept the answer in terms of cost inflation that, if the timescale were extended, that would necessarily lead to additional charges, because, surely, it would be the objective to complete it as quickly as possible. However, let us be rather frank about the timescale rather than pretend that we can complete it by one date and then see it run on thereafter, undermining public confidence in the building once again.

[216] **Alun Cairns:** Yn gyntaf, gadewch imi ddod yn ôl ar hynny. Nid wyf yn derbyn yr ateb yn nhermau chwyddo'r costau, y byddai ymestyn yr amserlen o anghenraid yn arwain at gostau ychwanegol, oherwydd onid y nod fyddai ei gwblhau cyn gynted ag y byddai modd. Fodd bynnag, gadewch inni fod braidd yn agored ynghylch yr amserlen yn hytrach nag esgus ein bod yn gallu ei gwblhau erbyn un dyddiad ac yna'i weld yn rhedeg ymlaen ar ôl y dyddiad hwnnw, gan danseilio hyder y cyhoedd yn yr adeilad unwaith eto.

Mr Thomas: There is no pretence in this. We are not pretending that we can deliver it by this date; we are advised that we can. There is some risk because one does not know what is going to happen when we get on site. There is always some risk but, on the basis of the information that we have, we were advised by our professional advisers—and this was accepted by Turner and Townsend—that it is deliverable within this timetable. None of us are in a position to give you a guarantee on that, obviously, because we are subject to things outside our control. This is the best estimate that we can make at the moment, and we believe that it is deliverable.

Mr Thomas: Nid oes elfen o esgus yn hyn. Nid ydym yn esgus ein bod yn gallu cyflawni'r gwaith erbyn y dyddiad hwn; y cyngor a gawsom yw y gallwn. Mae elfen o risg oherwydd ni wyr neb beth sydd yn mynd i ddigwydd pan gyrhaeddwn y safle. Mae rhywfaint o risg bob amser, ond ar sail yr wybodaeth sydd gennym, cawsom gyngor gan ein hymgynghorwyr proffesiynol—a derbyniwyd hyn gan Turner a Townsend—bod modd cyflawni hynny o fewn yr amserlen hon. Nid oes neb ohonom mewn sefyllfa i warantu hynny ichi, mae'n amlwg, oherwydd ein bod yn agored i bethau sydd y tu hwnt i'n rheolaeth. Dyma'r amcangyfrif gorau y gallwn ei roi ar hyn o bryd, a chredwn fod modd ei gyflawni.

[217] **Alun Cairns:** Madam Chair, I want us to be frank and honest to the public about this issue. We need to bear in mind the lack of public confidence that exists in the building. If we are setting ourselves goals that are potentially unachievable, when suggestions from Turner and Townsend said that we should add another 31 weeks to reduce the risk of an overrun occurring, at least that would do something to instil greater confidence by the end of the project.

[217] **Alun Cairns:** Madam Gadeirydd, yr wyf am inni fod yn agored ac yn onest gyda'r cyhoedd ynghylch y mater hwn. Rhaid inni gofio diffyg hyder y cyhoedd yn yr adeilad. Os ydym yn gosod nodau inni'n hunain sydd o bosibl yn rhai nad oes modd eu cyflawni, pan fo Turner a Townsend yn awgrymu y dylem ychwanegu 31 wythnos arall i leihau'r risg o or-redeg, o leiaf byddai hynny'n gwneud rhywbeth i greu mwy o hyder erbyn diwedd y prosiect.

Mr Thomas: The judgment on this—and there is a judgment to be made—is that the issues have been exposed to the policy steering group, which decides in the end what it wants us to achieve. Issues have been exposed to the group, along with all the professional advice, and it concluded that we should stick to the timetable that we have.

Mr Thomas: Y farn ar hyn—a rhaid llunio barn—yw bod y pynciau dan sylw wedi'u rhoi ger bron y pwyllgor llywio polisi, sydd yn penderfynu yn y pen draw beth y mae am inni ei gyflawni. Rhoddwyd y pynciau hyn ger bron y grwp, ynghyd â'r holl gyngor proffesiynol a'i gasgliad oedd y dylem lynu wrth yr amserlen sydd gennym.

[218] **Alun Cairns:** Okay, I will try another tack in relation to another question. Thank you for that answer. Can we turn now to the contingency provision of £3.5 million that exists in addition to the £23.2 million budget? How did you determine this figure and how certain are you that it is sufficient to cover the project's total cost?

[218] **Alun Cairns:** Iawn, ceisiaf ddilyn trywydd arall gyda golwg ar gwestiwn arall. Diolch am yr ateb hwnnw. A gawn droi yn awr at y ddarpariaeth wrth gefn o £3.5 miliwn ar ben y gyllideb o £23.2 miliwn? Sut y pennwyd y ffigur hwn a pha mor sicr ydych ei fod yn ddigon i gwrdd â chyfanswm cost y prosiect?

Mr Thomas: This figure was determined by our professional advisers in relation to their assessment of risk with the project. Turner and Townsend have looked at that issue, of course, and its average risk figure, which is the one that it would suggest we use in terms of budgeting, came out with a total cost of about £26.9 million, including contingency. Our figure, arrived at independently, was £26.8 million, including contingency. Therefore, we have the comfort that Turner and Townsend has gone over the same ground as our professional advisers and arrived at pretty much the same conclusion.

Mr Thomas: Pennwyd y ffigur hwn gan ein hymgynghorwyr proffesiynol gyda golwg ar eu hasesiad o'r risg sydd ynghlwm wrth y prosiect. Mae Turner a Townsend wedi edrych ar y mater hwnnw, wrth gwrs, a'i ffigur risg gyfartalog, sef yr un y mae'n awgrymu y dylem ei ddefnyddio wrth gyllidebu, yw cyfanswm cost o oddeutu £26.9 miliwn, gan gynnwys arian wrth gefn. Ein ffigur ni, y cyrhaeddwyd ato'n annibynnol, oedd £26.8 miliwn, gan gynnwys arian wrth gefn. Felly, mae'n gysur inni fod Turner a Townsend wedi mynd dros yr un tir â'n hymgynghorwyr proffesiynol ac wedi dod i'r un casgliad fwy neu lai.

[219] **Alun Cairns:** Paragraph 5.9 mentions the recommendation to amend the contingency fund. Another report from Turner and Townsend is 10 per cent higher again than the Assembly's estimate which, incidentally, was close to the surveyor's estimate. Why has that recommendation not been acted upon?

[219] **Alun Cairns:** Sonia paragraff 5.9 am yr argymhelliad i ddiwygio'r gronfa wrth gefn. Mae adroddiad arall gan Turner a Townsend 10 y cant yn uwch eto nag amcangyfrif y Cynulliad sydd, gyda llaw, yn agos at amcangyfrif y syrfëwr. Pam na weithredwyd ar sail yr argymhelliad hwnnw?

Mr Thomas: Sorry, I do not understand that question.

Mr Thomas: Mae'n ddrwg gennyf, nid wyf yn deall y cwestiwn hwnnw.

[220] **Alun Cairns:** There is a recommendation in paragraph 5.9 that mentions the contingency fund. It recommends a higher contingency fund, bearing in mind the risk, which is very close to the original surveyor's estimate. Why have we not acted on that?

[220] **Alun Cairns:** Mae argymhelliad ym mharagraff 5.9 sydd yn sôn am y gronfa wrth gefn. Mae'n argymell cronfa wrth gefn uwch, a chofio am y risg, sydd yn agos iawn at amcangyfrif y syrfëwr gwreiddiol. Pam nad ydym wedi gweithredu ar hynny?

Mr Thomas: Paragraph 5.9 refers to the original design.

Mr Thomas: Mae paragraff 5.9 yn cyfeirio at y cynllun gwreiddiol.

[221] **Alun Cairns:** Paragraph 5.19.

[221] **Alun Cairns:** Paragraff 5.19.

Mr Thomas: I beg your pardon. We have decided to keep the project budget as it is—as the estimate was, and it is still the estimate that we can deliver for—at £23.2 million in order to keep downward pressure on the costs.

Mr Thomas: Mae'n ddrwg gennyf. Yr ydym wedi penderfynu cadw cyllideb y prosiect fel y mae—fel yr oedd yr amcangyfrif, a dyma'r amcangyfrif o hyd ar gyfer cyflawni'r gwaith—sef £23.2 miliwn er mwyn gwthio i lawr ar y costau.

[222] **Alun Cairns:** I was talking about the difference between the expected cost as well as the contingency. Turner and Townsend has made a recommendation to reduce the contingency and transfer it to the actual cost of the building. Why have you not followed that recommendation? My theme is consistent. I do not believe that we are necessarily being completely honest in this regard—the Assembly, not you as officials—when we are potentially setting ourselves goals that are unachievable.

[222] **Alun Cairns:** Yr oeddwn yn sôn am y gwahaniaeth rhwng y gost a ragwelir yn ogystal â'r arian wrth gefn. Mae Turner a Townsend wedi gwneud argymhelliad i leihau'r arian wrth gefn a'i drosglwyddo i wir gost yr adeilad. Pam nad ydych wedi dilyn yr argymhelliad hwnnw? Yr un thema sydd gennyf. Ni chredaf ein bod o anghenraid yn bod yn gwbl onest yn hyn o beth—y Cynulliad, nid chi fel swyddogion—wrth inni, o bosibl, osod amcanion inni'n hunain nad oes modd eu cyflawni.

Mr Thomas: We looked at this when Turner and Townsend made its recommendation and again took our own advice, which remained that we believe that the project is deliverable within our earlier estimate. We thought that it would be wrong to transfer half the contingency fund into the estimated cost because that would reduce the downward pressure on costs. We are very anxious to keep a downward pressure on costs, Chair. We are very anxious to stay within the original estimate. That is the way in which we are working with our architects.

Mr Thomas: Edrychwyd ar hyn pan wnaeth Turner a Townsend ei argymhelliad ac unwaith eto, dilynwyd ein cyngor ni'n hunain, sef ein bod yn dal i feddwl bod modd cyflawni'r prosiect o fewn ein hamcangyfrif cynharach. Teimlwyd y byddai'n anghywir trosglwyddo hanner y gronfa wrth gefn i'r amcangost oherwydd y byddai hynny'n ysgafnu'r gwasgu ar gostau. Yr ydym yn awyddus iawn i barhau i wasgu ar y costau, Gadeirydd. Yr ydym yn awyddus iawn i aros o fewn yr amcangyfrif gwreiddiol. Dyna'r ffordd yr ydym yn gweithio gyda'n penseiri.

[223] **Alun Cairns:** Surely the size of the contingency or the size of the expected costs of the building excluding the contingency, is irrelevant. It will cost whatever it costs to actually build whether we use a contingency or not. I am trying to gain as much public confidence in the building as possible. Surely, should we not be honest rather than having to use, later down the road, a larger amount of the contingency budget?

[223] **Alun Cairns:** Ond onid yw maint y gronfa wrth gefn neu faint costau disgwyliedig yr adeilad heb y gronfa wrth gefn yn amherthnasol? Mewn gwirionedd, bydd y gwaith adeiladu'n costio beth bynnag y bydd yn ei gostio, a hynny os defnyddiwn arian wrth gefn ai peidio. Ceisio ennyn cymaint o hyder y cyhoedd yn yr adeilad ag y bo modd yr wyf i. Oni ddylem fod yn onest, yn hytrach na gorfod defnyddio, yn ddiweddarach, swm mwy o'r gyllideb wrth gefn?

Mr Shortridge: May I try to answer it in this way? We certainly want to have a discipline over costs and that means, I am sure, that we want to be very careful and only acknowledge an increase in costs if we have very sound reasons to do so. On the contingency, I am sure that there has not been any dishonesty. I think that the Minister for Finance, Local Government and Communities has made it very clear that she is the person who will release money from that contingency sum. So there was a very strong public political acknowledgement of the way in which any further increase in the cost of this project will be managed.

Mr Shortridge: A gaf geisio'i ateb fel hyn? Yn sicr, yr ydym am reoli'r costau ac mae hynny'n golygu, yr wyf yn siwr, ein bod am fod yn ofalus iawn, a dim ond am gydnabod cynnydd yn y costau os oes gennym resymau cadarn iawn dros wneud hynny. Ar y gyllideb wrth gefn, yr wyf yn siwr na fu unrhyw anonestrwydd. Credaf fod y Gweinidog dros Gyllid, Llywodraeth Leol a Chymunedau wedi ei gwneud yn glir iawn mai hi yw'r person a fydd yn rhyddhau arian o'r swm wrth gefn hwnnw. Felly, yr oedd cydnabyddiaeth wleidyddol gyhoeddus gref iawn gyda golwg ar y ffordd y rheolir unrhyw gynnydd pellach yng nghost y prosiect hwn.

[224] **Alun Cairns:** Thank you for that, but some might say that that is a bit like closing the stable door after the horse has bolted. Turner and Townsend in its independent review of project costs suggested an average risk of £3.25 million and a maximum likely risk of £8.4 million. The latter figure is much higher than the contingency provision of £3.5 million that you are proposing. Does this indicate a significant risk that the contingency will be insufficient even if you maintain it at the size that it is?

[224] **Alun Cairns:** Diolch ichi am eich ateb, ond byddai rhai yn dweud mai codi pais yw hynny. Yn ei adroddiad annibynnol ar gostau'r prosiect, awgrymodd Turner a Townsend risg ar gyfartaledd o £3.25 miliwn a chyfanswm risg tebygol o £8.4 miliwn. Mae'r ail ffigur yn uwch o lawer na'r ddarpariaeth wrth gefn o £3.5 miliwn a gynigiwch chi. A yw hyn yn awgrymu bod risg sylweddol y bydd yr arian wrth gefn yn annigonol hyd yn oed os byddwch yn ei gadw ar y lefel bresennol?

Mr Shortridge: I will let Gerry come in on this, but basically the £8.4 million is derived from multiplying together all the worst case risks, so it is the most unlikely figure to be reached, which is why Turner and Townsend felt able to focus on the £3.25 million.

Mr Shortridge: Gadawaf i Gerry ddod i mewn ar hyn, ond yn y bôn, mae'r £8.4 miliwn yn deillio o luosogi gyda'i gilydd yr holl risgiau gwaethaf, felly dyma'r ffigur fwyaf annhebygol a geir, a dyna pam y teimlai Turner a Townsend eu bod yn gallu canolbwyntio ar y £3.25 miliwn.

Mr Thomas: That is the answer, Jon. The higher figure is a maximum risk. If everything conceivable went totally wrong and we did not manage any of the risks, we might end up there. We are setting out to manage the risks as carefully as we can. It was comforting to us that Turner and Townsend, in the £26.9 million figure, arrived at much the same total provision in terms of project cost and contingency as we ourselves had done as being the reasonable basis on which to plan.

Mr Thomas: Dyna'r ateb, Jon. Y ffigur uchaf yw'r risg fwyaf posibl. Pe bai popeth posibl yn mynd o'i le yn y ffordd waethaf un, ac nad oedd modd inni reoli dim o'r risgiau, efallai mai yn y fan honno y byddem yn ein cael ein hunain. Yr ydym yn mynd ati i reoli'r risgiau mor ofalus ag y gallwn. Yr oedd yn gysur inni i gyd fod Turner a Townsend, yn y ffigur o £26.9 miliwn, wedi cynnig yr un math o gyfanswm darpariaeth o ran costau'r prosiect a'r arian wrth gefn ag yr oeddem ni ein hunain wedi'u cynnig yn sail resymol ar gyfer cynllunio.

[225] **Alun Cairns:** One could say that that seems to be the only piece of advice that you have accepted from the firm, when you have ignored everything else that Turner and Townsend presented, but I will leave that point. It is clear that the use of a contingency fund will depend on the number and severity of the risks that materialise. Could you give us an idea of what these risks are and how you plan to manage them?

[225] **Alun Cairns:** Gallai rhywun ddweud mai dyna i bob golwg oedd yr unig ddarn o gyngor yr ydych wedi'i dderbyn gan y cwmni, a chithau wedi anwybyddu popeth arall a gyflwynwyd gan Turner a Townsend, ond gadawaf hynny. Mae'n amlwg y bydd defnyddio cronfa wrth gefn yn dibynnu ar faint o'r risgiau sydd yn cael eu gwireddu a'u difrifoldeb. A allwch chi roi syniad inni o beth yw'r risgiau hyn a sut y bwriadwch eu rheoli?

Mr Thomas: There are risks at every stage and a risk that there may be changes in design that add to costs. That is a question for us in terms of finalising the design to identify the cost consequences of every change proposed, to look at whether it could be incorporated by offsetting savings, and if it cannot, for any decision on whether that change could be made or not be made in terms of full knowledge of the cost consequences. It is a matter of being aware of the cost consequences of change and

Mr Thomas: Mae risgiau ynghlwm wrth bob cam a risg y gall fod newidiadau i'r cynllun sydd yn ychwanegu at y costau. Mater inni yw hynny wrth lunio'r cynllun terfynol a nodi beth yw effaith pob newid a gynigir ar y costau, i edrych i weld a ellid ei gynnwys drwy wneud arbedion mewn man arall, ac oni ellir, i sicrhau bod unrhyw benderfyniad ynghylch a oes modd newid y cynllun yn y modd hwnnw ai peidio yn cael ei wneud gan ddeall yn llwyr beth fydd effaith hynny ar gostau. Mater o fod

we are working very hard to ensure that any change proposal is properly costed and identified. If it is accepted, we find offsetting savings if we can, but if it is not possible to do that, the decision is taken in the full knowledge of the cost consequence of it. It is a matter of understanding the consequences of design change.

yn ymwybodol o effaith newidiadau ar gostau ydyw ac yr ydym yn gweithio'n galed iawn i sicrhau bod unrhyw newid a gynigir yn cael ei gostio a'i nodi'n gywir. Os derbynnir y newid, byddwn yn chwilio am arbedion i wneud iawn am hynny os oes modd, ond os nad oes modd, bydd y penderfyniad yn cael ei wneud gan ddeall yn llwyr beth fydd effaith hynny ar gostau. Mater o ddeall canlyniadau newid y cynllun ydyw.

It is more difficult to forecast other things. We have estimates of what the contract prices may be. When we go to the market, they may prove to be inaccurate because of changes in conditions that we clearly cannot control, but of which we have to be aware. Other major risks include site conditions—the site has been surveyed but one never knows until one starts digging the foundations what one will find. We have to be aware of that and keep on top of it. There are other risks. We want to avoid a culture where our contractors might be looking to make claims against us all the time, thus bumping up the cost. That means that we must work very closely with them to try to create a co-operative atmosphere and minimise any chance for claims. We have to be aware of those and manage accordingly. Those are some of the areas where we might face risks.

Mae'n fwy anodd rhagweld pethau eraill. Mae gennym amcangyfrifon o'r hyn y gall prisiau'r contract fod. Pan awn allan i'r farchnad, efallai y gwelwn fod yr amcangyfrifon hynny'n anghywir oherwydd bod amgylchiadau wedi newid, amgylchiadau sydd wrth gwrs y tu hwnt i'n rheolaeth ond y mae'n rhaid inni fod yn ymwybodol ohonynt. Un o'r risgiau mawr eraill yw cyflwr y safle—cynhaliwyd arolwg ar y safle ond nid oes neb yn gwybod beth sydd yno nes i rywun ddechrau palu ar gyfer y sylfeini. Rhaid inni fod yn ymwybodol o hynny a sicrhau ein bod yn cadw ar flaen y sefyllfa. Ceir risgiau eraill. Yr ydym am osgoi awyrgylch lle gallai ein contractwyr fod yn ceisio hawlio yn ein herbyn drwy'r amser, gan wthio'r costau i fyny. Golyga hynny bod yn rhaid inni weithio'n agos iawn gyda hwy er mwyn creu awyrgylch cydweithredol ac osgoi hawliadau gymaint ag y bo modd Rhaid inni fod yn ymwybodol ohonynt a'u rheoli mewn ffordd briodol. Dyna rai o'r meysydd lle gallem fod yn wynebu risgiau.

[226] **Alun Cairns:** Paragraph 5.21 of the Auditor General's report outlines the reasons for the increase in costs of estimated construction from £12.5 million to the current budget of £23.18 million. It appears that design changes accounted for only £2.23 million of the increase, and that the rest is due to corrections to original estimates, fitting out costs and external landscaping costs that were not provided for in the original estimate. Does this not show that the budget was seriously underestimated and that the building could never have been completed for the £12.5 million that was claimed at the outset?

[226] **Alun Cairns:** Mae paragraff 5.21 adroddiad yr Archwilydd Cyffredinol yn amlinellu'r rhesymau dros y cynnydd yng nghostau'r amcangyfrif ar gyfer adeiladu o £12.5 miliwn i'r gyllideb bresennol o £23.18 miliwn. Ymddengys mai dim ond £2.23 miliwn o'r cynnydd sydd yn deillio o newid y cynllun a bod y gweddill yn deillio o gywiro'r amcangyfrifon gwreiddiol, costau ffitio a chostau tirlunio'r tu allan nad oeddent wedi'u cynnwys yn yr amcangyfrif gwreiddiol. Onid yw hyn yn dangos bod y gyllideb wedi'i thanamcangyfrif yn ddifrifol ac na ellid erioed fod wedi cwblhau'r adeilad am y £12.5 miliwn a honnwyd ar y dechrau?

Mr Thomas I think that the original figure related to the construction of the building. That is certainly the case; it did not take into account all project costs. It was the figure used at the time of the competition. What would it cost to build us a landmark building of an appropriate standard in the bay? The figure was put at £12.5 million. That figure did not include all the costs and I think that that was probably an error. Perhaps Eric can add to the explanation on that. However, it is certainly the case that some costs were excluded from the original figure.

Mr Thomas: Credaf fod y ffigur gwreiddiol yn cyfeirio at adeiladu'r adeilad. Yn sicr, dyna'r sefyllfa; nid oedd yn cynnwys holl gostau'r prosiect. Dyna'r ffigur a ddefnyddid adeg y gystadleuaeth. Beth fyddai'n ei gostio inni godi adeilad nodedig o safon briodol yn y bae? Gosodwyd ffigur o £12.5 miliwn. Nid oedd y ffigur hwnnw'n cynnwys yr holl gostau a chredaf mai camgymeriad oedd hynny, mae'n debyg. Efallai y gall Eric ychwanegu at yr esboniad ar hynny. Fodd bynnag, mae'n sicr yn wir bod rhai costau wedi'u hepgor o'r ffigur wreiddiol.

Mr McDonald: The explanation, really, is the one that the First Secretary gave to the Assembly in January of this year, which reconciled the £12.5 million with the £22.8 million. It is certainly the case that the £12.5 million did not include such things as fees, fitting out or work that was beyond the site boundary. There were some changes from the Assembly and some corrections to the original estimate.

Mr McDonald: Yr esboniad, a dweud y gwir, yw'r un a roddodd y Prif Ysgrifennydd i'r Cynulliad yn Ionawr eleni a oedd yn cysoni'r £12.5 miliwn gyda'r £22.8 miliwn. Mae'n sicr yn wir nad oedd y £12.5 miliwn yn cynnwys pethau megis ffioedd, gwaith ffitio neu waith a oedd y tu hwnt i ffin y safle. Cafwyd rhywfaint o newidiadau gan y Cynulliad a rhai cywiriadau i'r amcangyfrif gwreiddiol.

[227] **Alun Cairns:** I understand that one of those costs was to improve disability access. That is just one of them. Surely would not that have been contained within the requirements of the competition at the outset? Therefore, is it right that the taxpayers are paying for amendments thereafter when it would have been costed by the Richard Rogers Partnership?

[227] **Alun Cairns:** Deallaf mai ymwneud â gwella'r mynediad i'r anabl oedd un o'r costau hynny. Dim ond un ohonynt yw hwnnw. Oni fyddai hynny wedi'i gynnwys yng ngofynion y gystadleuaeth o'r dechrau? Felly, a ydyw'n iawn bod trethdalwyr yn talu am newidiadau wedyn pan fyddai hynny wedi'i gostio gan Bartneriaeth Richard Rogers?

Mr McDonald: There were certainly changes to the design, and the changes to the design that Assembly Members required added to the cost. It was a fairly significant redesign to the interior of the proposed building, which provides very much better access for people with a disability.

Mr McDonald: Yn sicr, newidiwyd y cynllun, ac yr oedd y newidiadau i'r cynllun y gofynnodd Aelodau'r Cynulliad amdanynt yn ychwanegu at y gost. Yr oedd yn golygu ailgynllunio i raddau sylweddol du mewn yr adeilad arfaethedig, sydd yn darparu mynediad llawer gwell i bobl ag anabledd.

[228] **Alun Cairns:** So is it the case that the taxpayer is now paying for an oversight by the architects at the outset?

[228] **Alun Cairns:** Felly a ydyw'n wir bod y trethdalwr bellach yn talu am amryfusedd gan y penseiri ar y dechrau?

Mr McDonald: No, the taxpayer is paying for a much improved building that the Assembly sought to get.

Mr McDonald: Nag ydyw, mae'r trethdalwr yn talu am adeilad llawer gwell yr oedd y Cynulliad yn dymuno'i gael.

[229] **Alun Cairns:** So you are telling me that the design at the outset by the architects was not appropriate or was not good enough for the standards that were necessary, but it was still approved, and the costs were agreed within the provisions that they supplied?

[229] **Alun Cairns:** Felly yr ydych yn dweud wrthyf nad oedd y cynllun ar y dechrau gan y penseiri yn briodol neu nad oedd yn ddigon da i gwrdd â'r safonau a oedd yn angenrheidiol, ond bod y cynllun hwnnw dal wedi cael ei gymeradwyo, a'r costau wedi eu cytuno arnynt ar sail eu darpariaethau hwy?

Mr McDonald: I think that one must recognise that what we had at competition stage was a concept design. A concept design is something that develops over a period of time; it is not a fixed idea, and Assembly Members sought to influence that.

Mr McDonald: Credaf fod yn rhaid i rywun sylweddoli mai'r hyn a oedd gennym adeg y gystadleuaeth oedd cynllun cysyniadol. Mae cynllun cysyniadol yn rhywbeth sydd yn datblygu dros gyfnod; nid syniad digyfnewid mohono, a cheisiodd Aelodau'r Cynulliad ddylanwadu ar hynny.

[230] **Alison Halford:** May I come in?

[231] **Janet Davies:** I am sorry, Alison, I am not allowing supplementary questions.

[232] **Alison Halford:** It is just that I totally object to that statement.

[233] **Janet Davies:** Leave it with Alun.

[234] **Alun Cairns:** Surely, the specifications that would have been presented at the competition stage, at the concept stage, would have called for disability access to the required standard. That obviously was not achieved to the standard that the Assembly requires. However, we are now in a situation where the taxpayer is paying in addition to what was quoted at the outset. Is it not fair that the architects should pay for the inadequacies of the building at the outset, when it had not even been built, so therefore design amendments could have been made at their end rather than the taxpayer having to find yet additional funds?

Mr McDonald: I think that that is just a consequence of the development of the design, that a client requires different and better provision from that which is first provided.

[235] **Alun Cairns:** But surely either we were not specific enough at the outset or the architect's design was inappropriate for our needs? Which one was it?

[230] **Alison Halford:** A gaf i gyfrannu?

[231] **Janet Davies:** Mae'n ddrwg gennyf, Alison, nid wyf am ganiatáu cwestiynau ategol.

[232] **Alison Halford:** Ond yr wyf yn gwrthwynebu'r datganiad hwnnw'n llwyr.

[233] **Janet Davies:** Gadewch hynny i Alun.

[234] **Alun Cairns:** Oni fyddai'r manylebion a gyflwynasid adeg y gystadleuaeth, adeg y cysyniad, wedi gofyn am fynediad i'r anabl yn ôl y safon ofynnol? Mae'n amlwg nad oedd hynny wedi'i gyflawni i'r safon y mae'r Cynulliad yn dymuno'i chael. Fodd bynnag, yr ydym yn awr yn wynebu sefyllfa lle bo'r trethdalwr yn talu ar ben yr hyn a ddyfynnwyd ar y dechrau. Onid yw'n deg bod y penseiri'n gorfod talu am elfennau annigonol yr adeilad ar y dechrau, pan nad oedd hyd yn oed wedi'i adeiladu, felly, gellid fod wedi newid y cynllun yn eu pen hwy, yn hytrach na bod rhaid i'r trethdalwr ddod o hyd i arian ychwanegol eto?

Mr McDonald: Credaf mai canlyniad datblygu'r cynllun yw hynny, dyna i gyd, bod cleient yn gofyn am ddarpariaeth sydd yn wahanol ac yn well na'r hyn a gynigir ar y dechrau.

[235] **Alun Cairns:** Ond onid yw hynny'n golygu ynteu nad oeddem yn ddigon penodol ar y dechrau neu nad oedd cynllun y pensaer yn briodol ar gyfer ein hanghenion? Pa un sydd yn wir?

Mr McDonald: The architect was invited to come up with ideas: that is what a concept design is all about. A concept is then developed and the clients can influence how that develops. If the client requires change and there is development, then that may change the cost.

Mr McDonald: Gwahoddwyd y pensaer i gyflwyno syniadau: dyna beth yw hanfod cynllun cysyniadol. Yna, datblygir y cysyniad a gall y cleientiaid ddylanwadu ar sut mae hynny'n datblygu. Os yw'r cleient yn dymuno gweld newid a bod datblygu'n digwydd, yna gall hynny newid y gost.

[236] **Alun Cairns:** I am still not comfortable with this. It is one or the other. We either gave insufficient or inappropriate criteria at the outset or the design has been inappropriate. I do not see why the taxpayer has to foot the bill at the end of it. If it had been designed correctly at the outset or if the criteria had been sufficiently accurate, then the costs that have been incurred since that time could have been taken into consideration when the decision was made about which building to choose.

[236] **Alun Cairns:** Yr wyf yn dal i fod yn anghyfforddus â hyn. Mae'n un neu'r llall. Naill ai yr oedd y meini prawf a roesom ar y dechrau yn annigonol neu'n amhriodol neu yr oedd y cynllun yn amhriodol. Ni welaf pam fod yn rhaid i'r trethdalwr dalu yn y pen draw. Pe bai wedi cael ei gynllunio'n iawn o'r dechrau neu pe bai'r meini prawf wedi bod yn ddigon manwl, yna, gellid fod wedi ystyried y costau sydd wedi codi ers hynny wrth benderfynu pa adeilad i'w ddewis.

[237] **Janet Davies:** I wonder, Mr Shortridge, whether you might be able to help on this?

[237] **Janet Davies:** Ys gwn i, Mr Shortridge, a allwch helpu gyda hyn?

Mr Shortridge: I cannot give a definitive reply, but I will try to be as helpful as I can. My impression and recollection is that the Richard Rogers Partnership, along with the other architects, submitted designs that were sufficiently compliant in the panel's view. However, they were concept designs. In terms of disability—for whatever reason, and I would acknowledge that it was probably due to the specification that was given—the standards that we required at that stage were not as high as the Members have required, now that they have had the opportunity to consider the original design. That, I think, is an illustration of the problem that we had all along. Before the Assembly existed we did not have a client, in the fullest sense of the term. What has happened—and the reason for the delay, although there was a lot of value in the delay—is that Members have had the opportunity to interrogate and scrutinise that design against

Mr Shortridge: Ni allaf roi ateb pendant, ond ceisiaf fod o gymaint o gymorth ag y bo modd. Yr argraff a gefais i a'r cof sydd gennyf yw bod Partneriaeth Richard Rogers, ynghyd â'r penseiri eraill, wedi cyflwyno cynlluniau a oedd yn cydymffurfio'n ddigon agos ym marn y panel. Fodd bynnag, cynlluniau cysyniadol oedd y rhain. Gyda golwg ar anabledd—am ba reswm bynnag, a byddwn yn cydnabod mae'n debyg mai oherwydd y fanyleb a roddwyd yr oedd hyn—nid oedd y safonau yr oeddem yn dymuno'u cael bryd hynny mor uchel ag y mae'r Aelodau wedi mynnu, a hwythau bellach wedi cael cyfle i ystyried y cynllun gwreiddiol. Credaf fod hynny'n dangos y broblem a gawsom ar hyd yr amser. Cyn creu'r Cynulliad, nid oedd gennym gleient, yn ystyr llawn y term. Beth sydd wedi digwydd—a'r rheswm dros yr oedi, er bod yr oedi hwnnw wedi bod yn werthfawr mewn sawl ffordd—yw bod Aelodau wedi cael y cyfle i archwilio a

their own values, and against what they regard as important. We have, as a result of this period, in my judgment, secured very significant improvements in the design of this building. However, I am not aware that we can properly lay the charge at the Richard Rogers Partnership that any increase in cost is due to flaws in what it originally submitted.

manylu ar y cynllun hwn ar sail eu gwerthoedd hwy eu hunain, ac ar sail yr hyn sydd yn bwysig yn eu barn hwy. O ganlyniad i'r cyfnod hwn, yn fy marn i, yr ydym wedi sicrhau gwelliannau sylweddol iawn yng nghynllun yr adeilad hwn. Fodd bynnag, nid wyf yn ymwybodol y gallwn feio Partneriaeth Richard Rogers am unrhyw gynnydd yn y gost oherwydd gwendidau yn yr hyn a gyflwynodd yn wreiddiol.

[238] **Alun Cairns:** May I add, Madam Chairman, and to the Committee as a whole, that I support the improvements? I merely used them as an example to contrast between the specifications and the actual provision made by the architect.

[238] **Alun Cairns:** A gaf ychwanegu, Fadam Gadeirydd, ac i'r Pwyllgor i gyd, fy mod yn cefnogi'r gwelliannau? Eu defnyddio'n enghraifft yn unig a wneuthum i dangos y gwrthgyferbyniad rhwng y manylebion a'r ddarpariaeth a gafwyd mewn gwirionedd gan y pensaer.

[239] **Peter Law:** May I ask—?

[239] **Peter Law:** A gaf ofyn—?

[240] **Janet Davies:** We are running so late now, I am afraid that I cannot—

[240] **Janet Davies:** Rydym gymaint ar ei hôl hi erbyn hyn, mae ofn arnaf na allaf—

[241] **Peter Law:** That is my point here. I have to say this. I think that if we cannot do all of these things today, then, in the interest of the people of Wales, we have to have another hearing on another day. I ask you to consider that because I have a number of supplementary questions that I want to ask, and I know that colleagues do too. I know that you do not want to do this, but I do not think that we should be constrained in any way when there is a matter of such public concern here under public scrutiny.

[241] **Peter Law:** Dyna fy mhwynt yma. Rhaid imi ddweud hyn. Oni allwn wneud y pethau hyn i gyd heddiw, yna, er lles pobl Cymru, rhaid inni gynnal gwrandawiad arall ar ddiwrnod arall. Gofynnaf ichi ystyried hynny oherwydd bod gennyf nifer o gwestiynau ategol y dymunaf eu gofyn, a gwn fod gan fy nghydweithwyr hefyd. Gwn nad ydych am wneud hyn, ond nid wyf yn credu y dylem gael ein cyfyngu mewn unrhyw ffordd pan fo mater o gymaint o gonsýrn i'r cyhoedd dan y chwyddwydr cyhoeddus yma.

[242] **Janet Davies:** I think that what you are asking for, Peter, is a major review by the Business Committee of the amount of sessions that are awarded to this Committee, because the last thing that we want to do is fail to consider some other report, on which a great deal of money will have been spent, by using one of those sessions for a second one of these. However, we will certainly consider it at the end, if we get to the end.

[242] **Janet Davies:** Credaf mai'r hyn yr ydych yn gofyn amdano, Peter, yw adolygiad sylweddol gan y Pwyllgor Busnes o faint o sesiynau a roddir i'r Pwyllgor hwn, oherwydd y peth olaf y dymunwn ei wneud yw methu ag ystyried rhyw adroddiad arall, y bydd llawer iawn o arian wedi'i wario arno, drwy ddefnyddio un o'r sesiynau hynny i gynnal ail sesiwn fel hon. Fodd bynnag, byddwn yn sicr yn ystyried hynny ar y diwedd, os cyrhaeddwn y diwedd.

[243] **Peter Law:** I do not think, with respect, that you can do justice to a major report like this in three hours.

[243] **Peter Law:** Ni chredaf, gyda pharch, y gallwch wneud cyfiawnder ag adroddiad pwysig fel hwn mewn tair awr.

[244] **Alun Cairns:** I think that we have to recognise the public concern that lies in this document and that we would not be fulfilling our obligations unless we gave it the time and the attention that it deserves. I would support the request made by Peter Law.

[244] **Alun Cairns:** Credaf fod yn rhaid inni gydnabod fod y ddogfen hon yn fater o gonsýrn cyhoeddus ac na fyddem yn cyflawni ein dyletswydd oni bai ein bod yn rhoi amser a sylw haeddiannol iddi. Byddwn yn cefnogi'r cais a wnaethpwyd gan Peter Law.

[245] **Janet Davies:** As I said, we will discuss it at the end.

[245] **Janet Davies:** Fel y dywedais, trafodwn hynny ar y diwedd.

I want to ask a question rising from paragraph 5.22, about the fee structure for the architects, Richard Rogers Partnership. The base fee has risen by at least 73 per cent in line with the construction cost. Why have you chosen to link the fee directly to construction costs, when this carries a very obvious risk of cost escalation?

Yr wyf am ofyn cwestiwn sydd yn codi o baragraff 5.22, am strwythur ffioedd y penseiri, Partneriaeth Richard Rogers. Mae'r ffi sylfaenol wedi codi o leiaf 73 y cant yn unol â'r costau adeiladu. Pam y dewisoch gysylltu'r ffi yn uniongyrchol â'r costau adeiladu, pan fo elfen amlwg o risg ynghlwm wrth hyn o ran cynyddu'r costau?

Mr Shortridge: The short answer to that is that in line with the Royal Institute of British Architects design competition arrangements, those were the conditions and circumstances laid down. We simply adopted an existing system and approach. I do not know whether Gerry wants to comment further.

Mr Shortridge: Yr ateb byr i hynny yw, yn unol â threfniadau cystadlaethau cynllunio Sefydliad Brenhinol Penseiri Prydain, dyna'r amodau a'r amgylchiadau a bennwyd. Mabwysiadu trefn a dull a oedd eisoes yn bodoli a wnaethom. Ni wn a yw Gerry am roi sylwadau pellach.

Mr Thomas: I think, with hindsight, Jon, that that was probably something that we should have tackled earlier, post-competition, and tried to sort out. We have been trying to sort it out since, in detailed negotiations with the architects. We have now, in the last couple of weeks, arrived at an agreement with them on a capped fee, which will be tied to the estimated construction cost when we sign off the final design. That means that, should the cost accelerate beyond those we are planning for at that stage there will be no further increase in the architects' fee. We have managed to reach that agreement with them recently.

Mr Thomas: Credaf, ac edrych yn ôl, Jon, fod hynny mae'n debyg yn rhywbeth y dylem fod wedi mynd i'r afael ag ef ynghynt, ar ôl y gystadleuaeth, a cheisio'i ddatrys. Yr ydym wedi bod yn ceisio'i ddatrys ers hynny, drwy negodi'n fanwl gyda'r penseiri. Yr ydym yn awr, yn ystod y pythefnos diwethaf, wedi cael cytundeb â hwy ar uchafswm ffi a glymir at amcangost yr adeiladu pan fyddwn yn llofnodi'r cynllun terfynol. Ystyr hynny yw, pe bai'r gost yn mynd y tu hwnt i'r costau yr ydym yn cynllunio ar eu cyfer bryd hynny, na fydd cynnydd pellach yn ffi'r penseiri. Yr ydym wedi llwyddo i gael y cytundeb hwnnw â hwy'n ddiweddar.

[246] **Janet Davies:** I am very pleased to hear that. Kirsty, do you want to pursue this?

[246] **Janet Davies:** Yr wyf yn falch iawn o glywed hynny. Kirsty, a ydych chi am ddilyn y trywydd hwn?

[247] **Kirsty Williams:** Paragraph 5.22 also states that the indicative fee percentage submitted by each architect at the time of the design competition would form the basis of negotiations with the successful architect, and could be used to set a fixed fee. You have just acknowledged that you should have done that soon after the completion of the competition. Why did you not do that at the completion of the design competition and therefore reduce the risk of the costs escalating as has now happened? You said that you should have and I am interested in why you did not.

[247] **Kirsty Williams:** Mae paragraff 5.22 hefyd yn dweud y byddai canran y ffi nodweddiadol a gyflwynid gan bob pensaer adeg y gystadleuaeth cynllunio yn sail ar gyfer negodi gyda'r pensaer llwyddiannus ac y gellid defnyddio hwnnw i bennu'r ffi sefydlog. Yr ydych newydd gydnabod y dylech fod wedi gwneud hynny'n fuan ar ôl cwblhau'r gystadleuaeth. Pam na wnaethoch hynny wrth gwblhau'r gystadleuaeth cynllunio a thrwy hynny ostwng y perygl bod y costau'n dringo fel sydd wedi digwydd erbyn hyn? Dywedasoch y dylech fod wedi gwneud hyn a hoffwn glywed pam na wnaethoch.

Mr Thomas: We should have attempted to do so, is what I said. We are not particularly negotiating from a position of strength once the design has been accepted and endorsed and we are into the development stage. That was a feature in this—

Mr Thomas: Yr hyn a ddywedais oedd y dylem fod wedi ceisio gwneud hynny. Nid ydym yn negodi o sefyllfa arbennig o gryf unwaith i'r cynllun gael ei dderbyn a'i gymeradwyo a'n bod ar ganol y cam datblygu. Yr oedd hynny'n nodwedd o'r—

[248] **Kirsty Williams:** You are not in a position of strength now having to do it at this late stage.

[248] **Kirsty Williams:** Nid ydych mewn sefyllfa gref yn awr wrth orfod ei wneud cyn hwyred â hyn.

Mr Thomas: No. I would not want to give you the impression that we only thought of this a fortnight ago.

Mr Thomas. Nac ydym. Ni fyddwn am roi'r argraff ichi mai dim ond pythefnos yn ôl y trawodd hyn arnom.

[249] **Kirsty Williams:** No, I know that.

[249] **Kirsty Williams:** Na, gwn hynny.

Mr Thomas: The negotiations with the architects, and Eric can tell you more as he has been involved for longer than I, have been going on for a long time. This is an issue on which we have found it very difficult to move them. We have now succeeded in moving them and we have achieved the agreement to which I referred earlier.

Mr Thomas: Mae'r negodiadau â'r penseiri, a gall Eric ddweud mwy wrthych gan ei fod wedi bod yn rhan o hyn yn hwy na fi, wedi bod yn mynd rhagddynt ers tro. Cawsom anhawster mawr i'w symud ar y pwnc hwn. Yr ydym erbyn hyn wedi llwyddo i'w symud ac yr ydym wedi sicrhau'r cytundeb y cyfeiriais ato ynghynt.

[250] **Kirsty Williams:** I am still not sure why you did not attempt to do it. I am still not sure why. I know that you acknowledge that those attempts should have been made but I am still not quite sure why you did not do it at that precise moment. Were there reasons? Maybe there were no reasons.

[250] **Kirsty Williams:** Nid wyf yn siwr eto pam na wnaethoch geisio gwneud hyn. Nid wyf yn siwr eto pam. Gwn eich bod yn cydnabod y dylid bod wedi gwneud ymdrech ond nid wyf yn siwr eto pam na wnaethoch hynny ar yr adeg arbennig honno. A oedd rhesymau? Efallai nad oedd rhesymau.

Mr Shortridge: My judgment is that it was an oversight.

Mr Shortridge: Fy marn i yw mai amryfusedd oedd hynny.

[251] **Kirsty Williams:** Thank you.

[251] **Kirsty Williams:** Diolch.

Mr McDonald: We have been talking to them throughout. We have been dealing with their contract throughout. We have been seeking to get a price fixed with them throughout and we have had no success whatsoever until a fortnight ago.

Mr McDonald: Yr ydym wedi bod yn siarad â hwy drwy gydol yr amser. Yr ydym wedi bod yn ymwneud â'u contract drwy gydol yr amser. Yr ydym wedi bod yn ceisio am bris sefydlog ganddynt drwy gydol yr amser ac nid ydym wedi cael dim llwyddiant o gwbl tan bythefnos yn ôl.

[252] **Kirsty Williams:** Thank you. So, can I confirm that you have agreed a cap on the fee? Have contracts now been exchanged?

[252] **Kirsty Williams:** Diolch. Felly, a gaf gadarnhau eich bod wedi cytuno ar gapio'r ffi? A yw'r contractau wedi'u cyfnewid erbyn hyn?

Mr Thomas: Contracts have not yet been exchanged. There are still some details to work out.

Mr Thomas: Nid yw'r contractau wedi'u cyfnewid eto. Mae rhai manylion i'w datrys o hyd.

[253] **Kirsty Williams:** Given the fact that the civil service, I hope, does not usually have people running around working for it without contracts—I am hoping that that is the case—why was it the case in this instance that a contract was not signed and why, as late as we are down the line, are we still negotiating with them? Is it strange? Maybe I am not aware and this is usual practice.

[253] **Kirsty Williams:** Ac ystyried y ffaith nad yw'r gwasanaeth sifil, gobeithio, fel arfer, yn caniatáu i bobl redeg o gwmpas yn gweithio drosto heb gontractau—yr wyf yn gobeithio nad ydyw—pam na chafodd contract mo'i lofnodi ar yr achlysur hwn, a pham, a ninnau wedi cerdded mor bell ar hyd y llwybr, yr ydym yn dal i fod yn negodi â hwy? A yw hyn yn rhyfedd? Efallai nad wyf yn deall ac mai dyma'r drefn arferol.

Mr Thomas: Part of the reason that it has taken so long is that we have been negotiating with them on the fees and have not come to an agreement. It has taken a long time to do that. It has not inhibited the development of the project to do that.

Mr Thomas: Rhan o'r rheswm pam mae hyn wedi cymryd cyhyd yw ein bod wedi bod yn negodi'r ffioedd â hwy a heb ddod i gytundeb. Mae hynny wedi cymryd amser hir. Nid yw hynny wedi rhwystro'r prosiect rhag datblygu.

[254] **Kirsty Williams:** Or the costs. Are there any other consultants' fees based on the construction costs? I am particularly concerned about the project manager.

[254] **Kirsty Williams:** Na'r costau. A oes unrhyw ffioedd eraill i ymgynghorwyr sydd wedi'u seilio ar y costau adeiladu? Yr wyf yn arbennig o bryderus ynghylch rheolwr y prosiect.

Mr Thomas: The project manager contract is a fixed fee.

Mr Thomas: Mae contract rheolwr y prosiect yn gontract ffi sefydlog.

[255] **Kirsty Williams:** Thank goodness for that.

[255] **Kirsty Williams:** Diolch byth am hynny.

[256] **Janet Davies:** Thank you, Kirsty. Jocelyn, do you wish to come in with a few questions?

[256] **Janet Davies:** Diolch, Kirsty. Jocelyn, a hoffech ofyn ychydig o gwestiynau?

[257] **Jocelyn Davies:** I want to explore that theme a little further, I suppose. Why have you decided not to employ your own quantity surveyor but to rely on Hanscomb, which is employed by the architect? Is that not a highly unusual arrangement and is there not perhaps a conflict of interest if a quantity surveyor reports on the value of the work done when its employer is the architect and may then benefit—until a fortnight ago, anyway—through the architect's fee being linked to the construction costs?

[257] **Jocelyn Davies:** Hoffwn archwilio'r thema honno ychydig ymhellach, mae'n debyg. Pam wnaethoch chi benderfynu peidio â chyflogi eich maintfesurwr eich hun ond dibynnu ar Hanscomb, a gyflogir gan y pensaer? Onid yw hynny'n drefniant hynod o anghyffredin ac onid oes gwrthdaro efallai o ran buddiannau os yw maintfesurwr yn adrodd ar werth y gwaith a wnaethpwyd, a'i gyflogwr yn bensaer a all elwa—tan bythefnos yn ôl, beth bynnag—gan fod ffi'r pensaer yn gysylltiedig â'r costau adeiladu?

Mr Thomas: This is not as straightforward as it may sound. Hanscomb also has a contractual relationship with us, under the contract that we have through Richard Rogers, to be available to advise us separately. It has a professional duty to look after our interests under that. We have internally in our team a quantity surveyor who is offering us separate advice. The project manager has a duty under the contract to look at these issues as well and provide us with assurance on costs, so we are not thoroughly exposed on this. We are not entirely in the hands of Hanscomb. We have two forms of intelligent customer advice, if I can put it that way. There is an issue that if we took on board yet another independent quantity surveyor that that would add to our costs. So, a judgment has to be made on that.

Mr Thomas: Nid yw hyn mor syml ag y mae'n ymddangos. Mae gan Hanscomb hefyd berthynas gontractaidd â ni, dan y contract sydd gennym drwy Richard Rogers, i fod ar gael i'n cynghori ar wahân. Mae ganddo ddyletswydd proffesiynol i warchod ein buddiannau dan y contract hwnnw. Yn ein tîm mewnol, mae gennym faintfesurwr sydd yn rhoi cyngor ar wahân inni. Mae gan reolwr y prosiect ddyletswydd dan y contract i ystyried y materion hyn hefyd a rhoi sicrwydd inni ynghylch costau, fel nad ydym yn gwbl ddiymadferth yn hyn o beth. Nid ydym yn llwyr yn nwylo Handscomb. Mae gennym ddau fath o gyngor deallus-i-gwsmer, os caf ei roi felly. Un ystyriaeth yw pe baem yn cyflogi maintfesurwr annibynnol arall y byddai hynny'n ychwanegu at ein costau. Felly, rhaid llunio barn ynghylch hynny.

Mr Shortridge: May I just say that I take the recommendation in this report very seriously. I have asked that we give very careful, close and urgent consideration to this matter so that we can decide whether we should shift from the position that we have taken up to now, which Mr Thomas has outlined, to the one that the National Audit Office recommended.

Mr Shortridge: A gaf ddweud fy mod yn ystyried yr argymhelliad yn yr adroddiad hwn yn ddifrifol iawn. Yr wyf wedi gofyn ein bod yn rhoi ystyriaeth ofalus, drwyadl i'r mater hwn yn ddi-oed, fel y gallwn benderfynu a ddylem droi oddi wrth y sefyllfa y buom ynddi hyd yn hyn, a amlinellwyd gan Mr Thomas, a thuag at y sefyllfa a argymhellwyd gan Swyddfa'r Archwilydd Cenedlaethol.

[258] **Jocelyn Davies:** Thank you. I am almost tempted to say that, if we should ever have to set up another National Assembly, we would be able to do it perfectly next time. Going on to the scope for savings, in paragraph 5.26, the report states that you sought savings by reducing the number of Committee rooms, meeting rooms and offices, and by retaining the dock wall. What scope is there for further savings and how do you plan to achieve them?

[258] **Jocelyn Davies:** Diolch. Mae'n demtasiwn imi ddweud, pe baem yn gorfod sefydlu Cynulliad Cenedlaethol arall rywbryd eto, y gallem ei wneud yn berffaith y tro nesaf. A symud ymlaen i'r potensial ar gyfer arbedion, ym mharagraff 5.26, dywed yr adroddiad eich bod wedi ceisio sicrhau arbedion drwy gwtogi ar nifer yr ystafelloedd Pwyllgora, yr ystafelloedd cyfarfod a'r swyddfeydd, a thrwy gadw wal y doc. A oes lle i arbed rhagor a sut ydych chi'n bwriadu cyflawni hynny?

Mr Shortridge: I think that that is a question for Gerry.

Mr Shortridge: Credaf mai cwestiwn i Gerry yw hwnnw.

Mr Thomas: It is part of the detailed design process and it will certainly be part of the value engineering process, which we move on to next in the detailed design stage. Every stage will be looking at whole life costs and looking for the best solution. During that stage, we will involve our management contractors, when they are put in place, to advise us on the best way of achieving what we want to do in the cheapest possible way. It is a constant process during the design stage.

Mr Thomas: Rhan o'r cynllun manwl yw hyn ac yn sicr, bydd yn rhan o'r broses peiriannu gwerth, y byddwn yn symud ymlaen iddi nesaf yn ystod y cam cynllunio manwl. Yn ystod pob cam, edrychir ar gostau oes gyfan gan chwilio am yr ateb gorau. Yn ystod y cam hwnnw, bydd ein contractwyr rheoli yn cael eu cynnwys, pan fyddant wedi'u sefydlu, i'n cynghori ar y ffordd orau o gyflawni'r hyn y dymunwn ei wneud yn y ffordd rataf bosibl. Mae hon yn broses barhaus yn ystod y cam cynllunio.

[259] **Jocelyn Davies:** I understand that you plan to use value engineering techniques at an appropriate stage of the project. When exactly is that stage?

[259] **Jocelyn Davies:** Deallaf eich bod yn bwriadu defnyddio technegau peiriannu gwerth ar adeg briodol o'r prosiect. Pa bryd yn union mae'r cam hwnnw?

Mr Thomas: In broad terms, there are three stages in the design. There is the outline design, which we have been through and signed off. Then, there is the design stage, where we take that concept and turn it into a broad design and decide on the internal layouts and so on, and the exact provision that we want there. Then we move after that—and we are getting to the stage where we will be moving to this next stage—into the detailed design process, when we will look at materials and

Mr Thomas: A siarad yn fras, mae tri cham i'r cynllun. Ceir y cynllun amlinell, ac mae hwnnw wedi'i gwblhau a'i lofnodi. Yna, ceir y cam cynllunio, pan fyddwn yn cymryd y cysyniad hwnnw a'i droi'n gynllun bras gan benderfynu ar yr addurniadau mewnol ac yn y blaen a'r union ddarpariaeth y dymunwn ei chael yno. Yna, byddwn yn symud yn ein blaen ar ôl hynny—ac yr ydym yn cyrraedd y cam lle byddwn yn symud i'r cam nesaf hwn—i'r broses cynllunio manwl, pan fyddwn yn

techniques and so on. That is when value engineering comes into play.

ystyried deunyddiau a thechnegau ac yn y blaen. Adeg honno y defnyddir peiriannu gwerth.

[260] **Jocelyn Davies:** I thank you for your time this afternoon because I think that we have given you a real grilling, although I still think that maybe there are other individuals who, more appropriately, should have been asked some of the questions. It is rather interesting that, since devolution, some people escape accountability and other people are put under the microscope.

[260] **Jocelyn Davies:** Diolch ichi am eich amser y prynhawn hwn oherwydd teimlaf ein bod wedi eich rhoi drwy'r felin, er fy mod yn dal i feddwl efallai y byddai wedi bod yn fwy priodol inni ofyn rhai o'r cwestiynau i unigolion eraill. Mae'n eithaf diddorol bod rhai pobl, ers datganoli, yn llwyddo i ddianc rhag atebolrwydd a bod pobl eraill yn cael eu rhoi o dan y chwyddwydr.

[261] **Janet Davies:** I hate to say this, but I have two Members who want to ask a couple of supplementary questions. I am afraid that we have not quite finished. I will call Peter first and then Alison.

[261] **Janet Davies:** Mae'n gas gennyf ddweud hyn, ond mae gennyf ddau Aelod sydd am ofyn ychydig o gwestiynau ategol. Mae arnaf ofn nad ydym wedi gorffen yn llwyr. Galwaf ar Peter yn gyntaf, ac yna ar Alison.

[262] **Peter Law:** I have a few questions, actually. I have been storing them up, Chair, as we have been going along. I did not want to interrupt colleagues who had questions to ask.

[262] **Peter Law:** Mae gennyf ychydig o gwestiynau, a dweud y gwir. Yr wyf wedi bod yn eu cronni, Gadeirydd, wrth inni fynd yn ein blaen. Nid oeddwn am dorri ar draws cyd-Aelodau a oedd â chwestiynau i'w gofyn.

I have listened very carefully this afternoon. At best, we have heard a catalogue of oversights and, at worst, we have heard a catalogue of what people would perceive as incompetence. It concerned me, for instance, that Turner and Townsend recommended that a quantity surveyor should be appointed directly by the Assembly. How can that advice be ignored, bearing in mind what I heard earlier—which I was very impressed with—when I think that you said that Turner and Townsend was very comforting to us on an issue? Therefore, you were in agreement on something earlier, but you actually went against Turner and Townsend's recommendation there. It was amazing to me, actually, that an architect should appoint the quantity surveyor. I think that a lot of people outside this building would

Yr wyf wedi gwrando'n ofalus iawn y prynhawn hwn. Ar y gorau, clywsom gatalog o amryfusedd, ac ar y gwaethaf, clywsom gatalog o'r hyn y byddai pobl yn ei ystyried yn anfedrusrwydd. Yr oedd yn destun pryder imi, er enghraifft, fod Turner a Townsend wedi argymell y dylai'r Cynulliad benodi maintfesurwr yn uniongyrchol. Sut y gellir anwybyddu'r cyngor hwnnw, a chadw mewn cof yr hyn a glywais yn gynharach—a gwnaeth hynny argraff fawr arnaf—pan ddywedasoch, yr wyf yn meddwl, fod Turner a Townsend yn cynnig cysur mawr inni ar un mater? Felly, yr oeddech yn cytuno â hwy ar un peth yn gynharach, ac eto i gyd, aethoch yn groes i argymhelliad Turner a Townsend yn y fan honno. Yr oedd yn destun rhyfeddod imi, a dweud y gwir, bod pensaer yn penodi'r

be very surprised to see that, with the amount of money that we are talking about. That is only one thing.

maintfesurwr. Credaf y byddai llawer o bobl y tu allan i'r adeilad hwn yn synnu'n fawr o weld hynny, ac ystyried y swm o arian yr ydym yn sôn amdano. Un peth yn unig yw hynny.

Consider the things that we heard earlier; for example, the fact that the panel, right back at the beginning, never had the fees of the competing bids reported to it, and that four of the six designs did not fit the actual site, as has been stated, which led to construction costs having to be increased by £1.25 million. Bear that in mind and the fact that this whole project has increased in cost by 93 per cent to date. There is a contingency sum for £3.5 million, which, in fact, Turner and Townsend say could actually be £8.5 million, as Alun Cairns mentioned, or £8.4 million. Bearing in mind the experience that we have had up until now, one has to look at the higher end of this, not the lower end.

Ystyriwch y pethau a glywsom yn gynharach; er enghraifft, y ffaith na chafodd y panel, yn ôl ar y dechrau'n deg, erioed wybod beth oedd ffioedd y cynigion a oedd yn cystadlu yn erbyn ei gilydd, ac nad oedd pedwar o'r chwe chynllun o fewn ffiniau'r safle, fel y'i nodwyd, gan arwain at gynydd o £1.25 miliwn yn y costau adeiladu. Cofiwch hynny a'r ffaith bod cost y prosiect hwn yn ei gyfanrwydd wedi cynyddu 93 y cant hyd yn hyn. Mae swm o £3.5 miliwn wrth gefn, swm y dywed Turner a Townsend a allai fod mewn gwirionedd yn £8.5 miliwn, fel y soniodd Alun Cairns, neu yn £8.4 miliwn. A chadw mewn cof y profiad a gawsom hyd yn hyn, rhaid edrych tua'r swm uchaf, yn hytrach na'r un isaf.

I come from a place that is very deprived—a community where 12 per cent of people are unemployed, where 43 per cent do not have access to a car and which has the worst health statistics. Bearing in mind that even though this project team might well be made up of well-meaning people—and some may say that that they are well-meaning, but they are amateurs because, with respect, they have not had experience in the construction industry—how do you establish credibility in the eyes of the public throughout Wales, and particularly in very poor areas, with the type of response that we have had this afternoon, particularly with referring to oversights on so many occasions? This oversight is a glaring one, where you had particular professional advice and still went ahead and allowed the architect to appoint the quantity surveyor, which I think has to be detrimental to the Assembly in the stewardship of the whole contract. I would be interested to have some comments on that.

Yr wyf fi'n dod o le hynod o ddifreintiedig—cymuned lle bo 12 y cant o'r bobl yn ddi-waith, lle nad oes gan 43 y cant gar at eu defnydd, ac sydd â'r ystadegau iechyd gwaethaf. Er bod aelodau tîm y prosiect o bosibl yn bobl sydd â'r bwriadau gorau—a byddai rhai efallai'n dweud eu bod yn bwriadu'r gorau, amaturiaid ydynt, oherwydd, gyda pharch, nad oes ganddynt brofiad yn y diwydiant adeiladu—sut y mae creu hygrededd yng ngolwg y cyhoedd ledled Cymru, ac yn enwedig mewn ardaloedd tlawd iawn, yn sgîl y math o ymateb a gawsom y prynhawn hwn, yn enwedig pan gyfeiriwyd at amryfusedd gymaint o weithiau? Mae'r amryfusedd hwn yn un hynod o amlwg, pan gawsoch gyngor proffesiynol penodol a'ch bod eto wedi bwrw ymlaen a chaniatáu i'r pensaer benodi'r maintfesurwr, sydd yr wyf yn meddwl yn sicr o fod yn niweidiol i'r Cynulliad wrth stiwardio'r contract drwyddo draw. Hoffwn glywed rhai sylwadau ar hynny.

Mr Shortridge: On the quantity surveyor point, I have said that I take that recommendation very seriously and I have asked that we should look at it urgently. My understanding is that the architects would have their own quantity surveyors anyway as part of the process, so this is buying additional security for the Assembly. I have said that that should be looked at very seriously.

Mr Shortridge: Ar y pwynt ynghylch y maintfesurwr, yr wyf wedi dweud fy mod yn ystyried yr argymhelliad hwnnw'n ddifrifol iawn ac fy mod wedi gofyn inni edrych arno ar frys. Fy nealltwriaeth i yw y byddai gan y penseiri eu maintfesurwyr eu hunain beth bynnag fel rhan o'r broses, ac felly mai prynu sicrwydd ychwanegol i'r Cynulliad y mae hyn. Yr wyf wedi dweud y dylid edrych ar hynny'n ddifrifol iawn.

On the question of professional competence—and I cannot find the reference—the report acknowledges that we made proper and effective use of professional advice. It is the case that what we must do as officials is not actually employ all the professionals but make best use of external, professional advice to deal with particular issues as they arise. The other thing that I would say for balance—because I have attempted to be as honest and open as I can with the Committee because I take my accountability responsibilities very seriously—is that the Committee has and is quite properly focusing on the things that went wrong and could have been done better. However, I would like to make it clear that given the scale of what we had to achieve in a very short space of time, a number of things went very right indeed and you do need ultimately to acknowledge that, albeit in the context of what I said about my personal accountability for things that went wrong.

Ar fedrusrwydd proffesiynol—ac ni allaf ddod o hyd i'r cyfeiriad—mae'r adroddiad yn cydnabod ein bod wedi gwneud defnydd priodol ac effeithiol o gyngor proffesiynol. Mae'n wir mai'r hyn y mae'n rhaid inni ei wneud fel swyddogion yw nid cyflogi'r holl bobl broffesiynol ond gwneud y defnydd gorau o gyngor proffesiynol allanol i ymdrin â materion penodol wrth iddynt godi. Y peth arall y byddwn yn ei ddweud er mwyn bod yn gytbwys—oherwydd imi geisio bod mor onest ac agored ag y gallaf gyda'r Pwyllgor oherwydd fy mod yn cymryd fy nghyfrifoldeb i fod yn atebol yn ddifrifol iawn—yw bod y Pwyllgor wedi ac yn canolbwyntio'n gwbl gywir ar y pethau a aeth o'u lle ac y gellid fod wedi'u gwneud yn well. Fodd bynnag, hoffwn ei gwneud yn glir, ac ystyried faint yr oedd rhaid inni ei gyflawni mewn cyfnod byr iawn, fod nifer o bethau wedi'u cyflawni'n dda iawn ac yn y pen draw mae angen ichi gydnabod hynny, er bod hynny yng nghyd-destun yr hyn a ddywedais am fy atebolrwydd personol am y pethau a aeth o'u lle.

[263] **Peter Law:** We do acknowledge that to some extent. The worrying thing is that we are still at the beginning of this project. We have not seen a brick laid yet. As I say, it is worrying for the future how much this total project will cost, bearing in mind that a lot of people feel that some of this money could be spent in better ways in communities where there are great problems.

[263] **Peter Law:** Yr ydym yn cydnabod hynny i ryw raddau. Y peth sydd yn poeni rhywun yw ein bod yn dal i fod ar ddechrau'r prosiect hwn. Nid ydym wedi gweld gosod yr un fricsen eto. Fel y dywedaf, mae'n destun pryder ar gyfer y dyfodol faint fydd cost y prosiect hwn yn ei gyfanrwydd, a chofio bod llawer o bobl yn teimlo y gallai peth o'r arian hwn gael ei wario mewn gwell ffyrdd mewn cymunedau lle ceir problemau mawr.

[264] **Alison Halford:** You do not realise that when we go back to our constituencies, we take an enormous amount of flack. The Welsh Assembly is not popular in my part of the world and it does not do my nor the Assembly's credibility any good to have local newspapers making sport at the cost of mistakes that have been made, in okay, good faith and under certain circumstances. When we discussed—and I am sorry about this, but we are here to probe—the fact that the land for the new building was going to cost £1 and we agreed that it cost much more, I asked you whether there were any other hidden costs. I even suggested that the site boundary had to be extended. You could not think of any hidden costs. I ask you to look at paragraph 5.13 and comment on that. Paragraph 5.13 for those who do not have the report, states that an extra 1.6 acres of land had to be purchased to fit the building design, and that that was a yearly cost to the taxpayer of £50,000.

[264] **Alison Halford:** Nid ydych yn sylweddoli pan awn yn ôl i'n hetholaethau ein bod yn wynebu llawer iawn o feirniadaeth. Nid yw'r Cynulliad Cenedlaethol yn boblogaidd yn fy rhan i o'r byd ac nid yw'n gwneud lles i fy hygrededd i na hygrededd y Cynulliad i gael papurau newydd lleol yn gwneud sbort am ben cost y camgymeriadau a wnaethpwyd, iawn, gyda phob bwriad da ac o dan amgylchiadau arbennig. Pan drafodasom—ac mae'n ddrwg gennyf am hyn, ond yr ydym yma i brocio—y ffaith fod tir yr adeilad newydd am gostio £1 a'n bod wedi cytuno iddo gostio llawer mwy, gofynnais a oedd unrhyw gostau cudd eraill. Awgrymais hyd yn oed bod ffin y safle wedi gorfod cael ei ymestyn. Ni allech feddwl am unrhyw gostau cudd. Gofynnaf ichi edrych ar baragraff 5.13 a rhoi eich sylwadau ar hwnnw. Ar gyfer y rhai nad yw'r adroddiad ganddynt, noda paragraff 5.13 fod yn rhaid prynu 1.6 erw ychwanegol o dir i weddu i gynllun yr adeilad ac yr oedd hynny'n gost flynyddol i'r trethdalwr o £50,000.

Mr Shortridge: It was not my intention in any way to mislead you when I answered your earlier question.

Mr Shortridge: Nid fy mwriad i mewn unrhyw ffordd oedd eich camarwain pan atebais eich cwestiwn cynharach.

[265] **Alison Halford:** I did not think that it was for one moment.

[265] **Alison Halford:** Ni feddyliais hynny am eiliad.

Mr Shortridge: What I was doing was focusing specifically on the negotiation at the time for the original site 1E. I did not have in mind, at the time I was answering that question, the wider issue to which you have now drawn attention.

Mr Shortridge: Yr hyn yr oeddwn yn ei wneud oedd canolbwyntio'n benodol ar y negodi ar y pryd ar gyfer safle gwreiddiol 1E. Nid oedd gennyf newn golwg, wrth ateb y cwestiwn hwnnw, y mater ehangach yr ydych yn awr wedi tynnu fy sylw ato.

[266] **Alison Halford:** I did not ask you the question in order to suggest that you were trying to mislead me. I asked it for the purpose of putting on the record that more money has been expended. Mr McDonald, did the competition brief, on which the panel decided, include a need for crèche facilities and disability access? Yes or no?

[266] **Alison Halford:** Ni ofynnais y cwestiwn ichi er mwyn awgrymu eich bod yn ceisio fy nghamarwain. Fe'i gofynnais er mwyn cofnodi'r ffaith fod mwy o arian wedi'i wario. Mr McDonald, oedd brîff y gystadleuaeth, y penderfynodd y panel arno, yn cynnwys yr angen am gyfleusterau gofal palnt a mynediad i'r anabl? Oedd ynteu nac oedd?

Mr McDonald: No on crèche facilities and on exemplar on accessibility.

Mr McDonald: Nac oedd gyda golwg ar gyfleusterau gofal plant a ar gynddelw ar gyfer mynediad.

[267] **Alison Halford:** Please explain 'exemplar'.

[267] **Alison Halford:** A wnewch chi esbonio 'cynddelw' os gwelwch yn dda?

Mr McDonald: That on accessibility, it would be the best achievable practice that could be brought into the design for accessibility.

Mr McDonald: Gyda golwg ar fynediad, ystyr hynny fyddai'r arfer gorau y gellid ei gyflawni ac y gellid ei gynnwys yn y dyluniad ar gyfer mynediad.

[268] **Alison Halford:** On page 43, figure 19, Disability Wales is mentioned. When was it brought into consultation?

[268] **Alison Halford:** Ar dudalen 43, ffigur 19, sonnir am Anabledd Cymru. Pa bryd yr ymgynghorwyd ag ef?

Mr McDonald: It saw the design very early after the design competition.

Mr McDonald: Gwelodd y cynllun yn gynnar iawn ar ôl y gystadleuaeth gynllunio.

[269] **Alison Halford:** Did it make a comment?

[269] **Alison Halford:** A gyflwynodd sylw?

Mr McDonald: Yes it did, and it believed that the steps did not represent good accessibility.

Mr McDonald: Do, a chredai nad oedd y grisiau'n cynnig mynediad da.

[270] **Alison Halford:** I need to put on record that I am shocked—and I must agree with Alun Cairns—that when the whole philosophy of the Assembly is openness, inclusiveness, disability access, and a willingness by the Assembly to be accessible to everybody, that it was allowed for a competition to be won by a design that was not totally acceptable to Disability Wales. I find that a shocking admission, I have to say. Would you comment, please?

[270] **Alison Halford:** Rhaid imi gofnodi fy mod wedi syfrdannu—a rhaid imi gytuno gydag Alun Cairns—ac ystyried mai bod yn agored, yn gynhwysol, darparu mynediad i'r anabl a bod yn barod i fod ar gael i bawb yw holl athroniaeth y Cynulliad, bod cynllun nad oedd yn gwbl dderbyniol i Anabledd Cymru wedi cael ennill y gystadleuaeth. Mae'r cyfaddefiad hwnnw'n fy syfrdannu, rhaid imi ddweud. A fyddech gystal â rhoi eich sylwadau?

Mr McDonald: I think that that is not something on which I am qualified to comment, because the question of which was the winning design was a matter that was decided at political level.

Mr McDonald: Ni chredaf fod hynny'n rhywbeth yr wyf yn gymwys i roi sylwadau arno, oherwydd mater a benderfynwyd ar lefel wleidyddol oedd penderfynu pa gynllun oedd yn fuddugol.

[271] **Alison Halford:** So it is the politicians that we blame for this huge cock-up?

[271] **Alison Halford:** Felly'r gwleidyddion sydd i'w beio am y llanast anferth hwn?

Mr Shortridge: I was a bit remote from this process, but what we had here was a panel that made a clear recommendation and that recommendation was accepted.

Mr Shortridge: Nid oeddwn yn ymwneud yn agos â'r broses hon, ond yr hyn a oedd gennym yma oedd panel a wnaeth argymhelliad clir a derbyniwyd yr argymhelliad hwnnw.

[272] **Alison Halford:** But you understand where I am coming from?

[272] **Alison Halford:** Ond yr rydych yn deall fy myrdwn i?

Mr Shortridge: Yes, I do understand.

Mr Shortridge: Ydwyf, yr wyf yn ei ddeall.

[273] **Alison Halford:** And you do understand that we are entitled to our views this late in the day?

[273] **Alison Halford:** Ac yr ydych yn deall bod gennym ein hawl i'n barn mor hwyr â hyn yn y dydd?

Mr Shortridge: Absolutely.

[274] **Peter Law:** Paragraph 5.20 of the report has been touched on, but we did not actually get the definitive costing of the architect's fees. Paragraph 5.20 identifies three ways, I think, in which you hope to contain the architect's fees. I am nearly tempted to say, 'Ask the audience, phone a friend or 50:50', the way that it is going. However, what is the figure at which you have now managed to succeed in capping it? Where are we at? Have we got anything that we can be told today so that we have got some hope for the future, or is this open cheque to carry on?

Mr Thomas: No, it will be a figure finally determined, Mr Law, when we have finally signed off the design.

[275] **Peter Law:** So you cannot tell us today?

Mr Thomas: I cannot give you that figure today.

[276] **Peter Law:** In effect, we are still where we were in this report at the moment. There is no definitive end to this architect's fee at present.

Mr Thomas: On the basis of the figures of estimated costs quoted in the report, the architect's fee is as quoted in the report.

Mr Shortridge: Yn sicr.

[274] **Peter Law:** Yr ydym wedi cyffwrdd â pharagraff 5.20 yr adroddiad, ond ni chawsom mewn gwirionedd gostiad terfynol ar gyfer ffioedd y pensaer. Mae paragraff 5.20, yn nodi tair ffordd, yr wyf yn meddwl, y gobeithiwch eu defnyddio i reoli ffioedd y pensaer. Yr wyf bron iawn yn cael fy nhemtio i ddweud, 'Gofynnwch i'r gynulleidfa, ffoniwch ffrind, neu 50:50', fel y mae pethau'n mynd. Fodd bynnag, beth yw'r ffigur yr ydych bellach wedi llwyddo i'w gapio? Ymhle yr ydym arni? A oes unrhyw beth y gellir ei ddweud wrthym heddiw a fyddai'n rhoi rhywfaint o obaith ar gyfer y dyfodol, ynteu ai siec agored i fwrw ymlaen yw hon?

Mr Thomas: Na, bydd hwn yn ffigur a bennir yn derfynol, Mr Law, pan fyddwn wedi llofnodi'r cynllun fel un terfynol.

[275] **Peter Law:** Felly, ni allwch ddweud wrthym heddiw?

Mr Thomas: Ni allaf roi'r ffigur hwnnw ichi heddiw.

[276] **Peter Law:** Mewn gwirionedd, yr ydym yn dal i fod yn yr un fan ag yr oeddem yn yr adroddiad hwn ar hyn o bryd. Nid oes dim pen draw terfynol i ffi'r pensaer hwn ar hyn o bryd.

Mr Thomas: Ar sail y ffigurau yn yr amcangostau a ddyfynnwyd yn yr adroddiad, mae ffi y pensaer fel y'i dyfynnir yn yr adroddiad.

[277] **Peter Law:** So the more the project's capital costs go up, the more the architect's fee goes up?

[277] **Peter Law:** Felly, mwyaf y cynydda costau cyfalaf y prosiect, mwyaf y bydd ffi'r pensaer yn cynyddu?

Mr Thomas: If the Assembly requires changes in the design, which increase that cost, before we finalise the design, then there may be some further increase in that figure. However, it will be capped at that point.

Mr Thomas: Os bydd y Cynulliad yn gofyn am newid y cynllun, sydd yn cynyddu'r gost, cyn inni gael y cynllun ar ei ffurf derfynol, yna, gall fod cynnydd pellach yn y ffigur honno. Fodd bynnag, caiff ei gapio ar y pwynt hwnnw.

[278] **Peter Law:** Yes, but we have no definitive date or figure of what that capping will be or when it will take place, today, as it stands.

[278] **Peter Law:** Caiff, ond nid oes gennym ddyddiad na ffigur benodol ar gyfer y capio hwnnw na pha bryd y bydd yn digwydd, heddiw, fel y mae pethau.

Mr Thomas: Not today.

Mr Thomas: Dim heddiw.

[279] **Peter Law:** It is still open.

[279] **Peter Law:** Mae'n dal i fod yn agored.

[280] **Alun Cairns:** Madam Chair, in my questioning, I sought to generate or instil as much confidence in the project from here on in as is possible. I think that there is a need for us to be as open and as honest as possible in accepting, potentially, the greater contingencies. When two variances are presented, we need to be looking at the largest figure rather than what we have been looking at up until now—the smaller figure, which has always been proven wrong. Otherwise, we are going to find ourselves, before the new building is built, in a situation where costs are escalating still further. We need to know the largest cost possible and work from there, and hope that it comes in on a lesser figure.

[280] **Alun Cairns:** Madam Gadeirydd, yn fy nghwestiynau, ceisiais gynhyrchu neu greu cymaint o hyder yn y prosiect o'r fan hon ymlaen ag sydd yn bosibl. Credaf fod angen inni fod mor agored ac mor onest ag y bo modd wrth dderbyn y symiau wrth gefn uchaf sydd yn bosibl. Pan gyflwynir dau amrywiad, dylem fod yn edrych ar y ffigur mwyaf, yn hytrach nag ar yr hyn yr ydym wedi bod yn edrych arno hyd yn awr—y ffigur lleiaf, sydd bob amser wedi'i brofi'n anghywir. Fel arall, yr ydym yn mynd i'n canfod ein hunain, cyn codi'r adeilad newydd, mewn sefyllfa lle bo'r costau'n dringo'n uwch fyth. Rhaid inni wybod beth yw'r gost fwyaf posibl a gweithio o'r fan honno, gan obeithio y cwblheir y gwaith am ffigur is yn y pen draw.

[281] **Janet Davies:** I think that that will be taken on board and will be considered. There are also dangers to always taking the worst options, because sometimes if you take the worst options, you actually meet them, having taken them. However, I am sure that this whole issue will be looked at carefully.

[281] **Janet Davies:** Credaf y bydd eich sylwadau'n cael sylw ac yn cael eu hystyried. Mae peryglon hefyd ynghlwm wrth ddewis yr opsiynau gwaethaf bob tro, oherwydd weithiau, os dewiswch chi'r opsiynau gwaethaf, yr ydych yn cyflawni mewn gwirionedd. Fodd bynnag, yr wyf yn siwr y caiff y mater hwn ei ystyried yn ei gyfanrwydd yn ofalus.

I think that this has been a very important session because, on the one hand, we do not want to be too pessimistic about what is happening, but it really is absolutely crucial that the public in Wales have confidence in what is happening over the Assembly accommodation. I think that it is very important that members of the Committee indulged in some hard questioning because, if we are not happy with what is going on, I am sure that the public are not going to be happy.

Credaf fod y sesiwn hon wedi bod yn un bwysig iawn oherwydd, ar y naill law, nid ydym am fod yn rhy besimistaidd ynghylch yr hyn sydd yn digwydd, ond mae wir yn gwbl hanfodol fod gan y cyhoedd yng Nghymru hyder yn yr hyn sydd yn digwydd o ran adeiladau'r Cynulliad. Credaf ei bod yn bwysig iawn bod aelodau'r Pwyllgor wedi codi ychydig o gwestiynau caled oherwydd, os nad ydym yn hapus gyda'r hyn sydd yn digwydd, yr wyf yn siwr na fydd y cyhoedd yn hapus.

Having said that, I think that I was one of the people who came here around about two months before the elections and saw the state that the building was in—or thought 'this is the state of the building' at the time, because we were not allowed through most of it. I think that I was quite surprised when I got here on the second Monday in May and found that it was actually occupiable. I think that we should be prepared to congratulate the civil servants on having done that, albeit that problems arose also.

Wedi dweud hynny, credaf mai fi oedd un o'r bobl a ddaeth yma oddeutu deufis cyn yr etholiadau a gweld y cyflwr yr oedd yr adeilad ynddo—neu un o'r rhai a feddyliodd 'dyma gyflwr yr adeilad' ar y pryd, oherwydd ni chawsom fynd drwy'r rhan fwyaf ohono. Credaf fy mod wedi synnu dipyn pan gyrhaeddais yma ar ail ddydd Llun mis Mai a gweld bod modd i bobl weithio ynddo. Credaf y dylem fod yn barod i longyfarch y gweision sifil am wneud hynny, er bod problemau wedi codi hefyd.

I thank all the witnesses for their very full and helpful answers. You will get a draft transcript sent to you so that you can check its factual accuracy before it is published. When the Committee publishes its report, the verbatim transcript will be included as annex.

Diolchaf i'r holl dystion am eu hatebion llawn a defnyddiol. Anfonir trawsysgrif drafft atoch fel modd ichi sicrhau ei fod yn ffeithiol gywir cyn ei gyhoeddi. Pan fydd y Pwyllgor yn cyhoeddi ei adroddiad, cynhwysir y trawsysgrif air am air fel atodiad.

Daeth y sesiwn cymryd tystiolaeth i ben am 4.56 p.m.

The evidence-taking session ended at 4.56 p.m.

Annex B

Mrs J Bragg

Acting Clerk to the Audit Committee

National Assembly for Wales

Cardiff Bay

Cardiff

CF99 1NA

21 December 2000

FURTHER INFORMATION RESULTING FROM ASSEMBLY AUDIT COMMITTEE EVIDENCE SESSION, 9 NOVEMBER 2000.

Thank you for your letter of 21 November.

I attach a note covering the points on which you asked for further information, namely:

Advice given by officials to ministers on the location of the National Assembly and cost related issues;

The cost of lost car-parking spaces;

Details of the maintenance costs paid to ICL.

I am also attaching a note on the role of civil servants in the decision-making process since this subject also came up at the Committee Hearing. I hope that this is helpful.

JON SHORTRIDGE

Annex C

THE AUDIT COMMITTEE

The National Assembly's Audit Committee ensures that proper and thorough scrutiny is given to the Assembly's expenditure. In broad terms, its role is to examine the reports on the accounts of the Assembly and other public bodies prepared by the Auditor General for Wales; and to consider reports by the Auditor General for Wales on examinations into

the economy, efficiency and effectiveness with which the Assembly has used its resources in discharging its functions**.** The responsibilities of the Audit Committee are set out in detail in Standing Order 12.

The membership of the Committee as appointed on 9 November 2000 is:

Janet Davies (Plaid Cymru) - Chair

Alan Cairns (Conservative)

Jocelyn Davies (Plaid Cymru)

Alison Halford (Labour)

Ann Jones (Labour)

Peter Law (Labour)

Lynne Neagle (Labour)

Dafydd Wigley (Plaid Cymru)