

Business Committee BC(2)4-05 (Final minutes)

MINUTES OF MEETING

Date: 1st February 2005 Time: 9 a.m. Venue: Conference Room E

Present: Jenny Randerson (Chair) Jane Hutt, Business Minister Jocelyn Davies, Plaid Cymru Business Manager David Melding, Welsh Conservatives Business Manager Kirsty Williams, Welsh Liberal Democrats Business Manager John Marek, Deputy Presiding Officer

Paul Silk, Clerk to the Assembly Peter Jones, Counsel to the Assembly Parliamentary Service Andrew George, Clerk to the Business Committee Marion Stapleton, Assembly Business Unit Karin Phillips, Members' Research and Committee Services Alun Jenkins, OCG (Agenda Item 4) Marc Wyn Jones, Business Committee Secretariat Rita Phillips, Assistant PS to the Deputy Presiding Officer

1. Apologies & announcements

2. Minutes of the previous meetings

(i) BC(2)2-05 (Final minutes) Tuesday 18th January 2005

2.1 The minutes were presented to the Committee in their final format. As there were no comments, the minutes would be translated in readiness for publication. Action: Chamber Secretariat

(ii) BC(2)3-05 (draft minutes) - Tuesday 25th January 2005

2.2 The minutes were presented to the Committee in draft. Some amendments were suggested which would be incorporated before the minutes were translated in readiness for publication. Action: Chamber Secretariat

3. Matters Arising

BC(2)3-05 (Tuesday, 25th January)

3.1 Paragraph 4.5 Marion Stapleton said that it had been necessary to wait for Defra to provide a draft of The Diseases of Animals (Approved Disinfectants) (Amendment) (Wales) because Defra was responsible for testing new products and maintaining the list of approved disinfectants on behalf of the other UK administrations.

3.2 Paragraph 9.1 The Deputy Presiding Officer said that it was desirable for draft Standing Order amendments to be submitted to the Committee bilingually because both languages have equal status and amendments should be made in parallel to ensure that Standing Orders were accurate and read well in both languages.

4. Subordinate Legislation

Orders for consideration

The Countryside and Rights of Way Act 2000 (Commencement No. 6) (Wales) Order 2005 - BC(2)4-05 (p1)

The Dairy Produce Quotas (Wales) Regulations 2005 - BC(2)4-05(p2)

The Education Development Plans (Wales) (Amendment) Regulations 2005 - BC(2)4-05(p3)

Community Health Councils (Amendment) Regulations 2005 - BC(2)4-05(p4)

The Business Committee recommended the Standard procedure for BC(2)4-05 (p1) and the Accelerated procedure for BC(2)4-05(p2), BC(2)4-05(p3) and BC(2)4-05(p4). The Deputy Presiding Officer subsequently determined that none of the Orders need be referred to Subject Committee.

BC(2)4-05 (p1)

4.1 The Chair referred to the Cover Sheet accompanying this draft Order, which said that the Order came under the "Generally matching Whitehall but with some Welsh provision" category. The Business Committee agreed that it was more appropriate for the Order to come under "Matching Whitehall" category.

(b) Standing Order 29 Subordinate Legislation

BC2(4)-05(p5)

4.2 The Committee noted the directions to Local Health Boards about Local Health Board Medical Services 2005, which had been submitted to the Committee for information.

(c) Orders made under the Executive Procedure; Papers to note.

BC(2)4-05(p6)

4.3 The Business Committee noted the letter about the use of the Executive procedure for CAP Single Payment Scheme Single Payment and Support Schemes (Wales) Regulations 2005. The Chair asked why it had been determined that it would not be reasonably practicable to comply with the notification requirement in Standing Order 24.2. Alun Jenkins said that a draft of the Regulations had

yet to be received from Defra. In response to a query, Alun Jenkins said that it had been determined that it was not reasonably practicable for a Welsh version of the Regulations to be prepared because of a lack of time. The Deputy Presiding Officer said that this was not a sufficient reason and that Defra should be aware of the requirement for providing bilingual legislation. He said that this Order would affect farmers in Wales who might prefer to read a Welsh version. Alun Jenkins said that a Welsh version of a draft Order was produced in almost every case and that the disapplication of this requirement was only used as a last resort. He said that the rate of compliance with the requirement was currently 97%.

(d) Papers for Information

5. Committees

BC(2)3-05(p9)

5.1 The Business Committee considered a paper outlining options for the rotation of Regional Committee Chairs for the remainder of the Second Assembly. Kirsty Williams and David Melding said they preferred the option of annual rotation. Jocelyn Davies and the Business Minister said that they preferred the option of allowing each Regional Committee to determine its own policy for selecting and rotating its chair. The Chair asked Karin Phillips to draft guidance which would allow each Committee to determine its own procedures, but with a fallback procedure if consensus could not be reached. It was agreed that Business Managers would discuss the issues informally and that the Committee would return to the issue in its next meeting.

BC(2)4-05(p13)

5.2 The Business Committee noted the letter from the Education and Lifelong Learning Committee about its consideration of forthcoming legislation.

6. Forthcoming Business

BC(2)4-05(p8)

6.1 The Business Minister responded to various requests from Business Managers and said that:

There was no intention to schedule a debate on footage in a television programme of ambulances waiting outside the A & E Department of the University Hospital Wales.

There was no intention to schedule a statement on the cost of free school breakfasts. The costs associated with the scheme were available in the public domain. She said that the Minister would regularly update the Education and Lifelong Learning Committee on this issue.

There was no intention to schedule a debate on rising A&E Admissions as this was a matter for individual Trust managers to resolve. The Minister for Health and Social Services would keep the Health and Social Services Committee updated.

There was no intention to re-schedule a debate on the merger of Assembly Sponsored Public Bodies. However, a debate on the outcome of the Consultation process would be scheduled in due course.

There was no intention of scheduling a statement on cuts in the Supporting People budget.

There was no intention of scheduling a statement on ASPB appointment and the application of equality of opportunity during the appointment process.

This Week's Business

BC(2)4-05(p9)

6.2 The Committee considered this paper, which detailed the Assembly's agreed business for the week.

6.3 The Deputy Presiding Officer referred to the motion to delegate functions under the National Assembly (Transfer of Functions) Order 2004 to the First Minister, which was scheduled for Wednesday 2nd February. He said that the briefing note about the functions to be delegated had not been provided to Members a week prior to the debate, as was the usual practice. The Business Minister said that, if this was the case, she would postpone the debate to allow time for Members to consider the briefing note. The Business Committee agreed that APS officials should be consulted in good time on the content of the briefing notes. Marion Stapleton said that there was often a tight timescale, but that the Business Unit was seeking to resolve this issue.

6.4 The Business Minister said that the statement by the Minister for Health and Social Services on The Welsh Assembly Government's response to the Report of the Child Poverty Task Force, which had been scheduled for 2nd February, was being postponed. She said that a debate on the issues would take place on 9th February.

Business Managers' Requests

6.5 Jocelyn Davies asked if a statement could be made on the Welsh Assembly Government's Health policy following comments made by the Secretary of State and asked if a debate could be scheduled on rising A & E admissions. Business Managers supported these requests.

6.6 David Melding asked if a debate could be scheduled on the wider issue of A & E services.

6.7 Kirsty Williams asked if the First Minister could make a statement on his recent visit to the A & E department of the University Hospital Wales.

Draft Business Statement

6.8 The Committee noted the Business Minister's proposed statement about the organisation of the

Assembly's business for the weeks commencing 8th February, 22nd February and 1st March.

6.9 The Chair asked when debates would be scheduled on proposals to amend Standing Orders and on the recommendations of the Senior Salaries Review Board. The Business Minister said that debates would be scheduled for 23rd February and 1st March respectively.

7. Advice to Assembly on procedures

7.1 The Business Committee considered a paper on the Cabinet's responsibilities. It was agreed that Members should be able to ask questions to the Business Minister about all of her responsibilities other than for business. The Deputy Presiding Officer identified other apparent anomalies. The Business Minister said she would amend and recirculate the paper as a matter of urgency.

8. Matters referred from plenary

9. Revisions to Standing Orders

BC(2)4-05(p11)

9.1 The Business Committee considered and agreed the paper on proposed changes to Standing Orders relating to Remitting Bills to Committees. It was agreed that the amendments would be added to the Standing Order amendments to be considered by the Assembly shortly.

10. Presiding Officer rulings

10.1 The Business Committee noted an extract from the Record of Proceedings containing a ruling from the Presiding Officer about naming officials in the Chamber. The Committee agreed that all Members needed to be aware of the Presiding Officer's views.

11. Any other business.

11.1 The Business Committee noted the paper on nominations for Royal Garden Parties.

CHAMBER SECRETARIAT