

Business Committee BC(2)5-05 (Final minutes)

MINUTES OF MEETING

Date: 8th 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 Adrian Crompton, Members' Research and Committee Services Alun Jenkins, OCG (Agenda Item 4) Marc Wyn Jones, Business Committee Secretariat Catherine Morris, PS to the Deputy Presiding Officer

1. Apologies & announcements

1.1 Apologies for absence were received from Karin Phillips. The Chair welcomed Adrian Crompton, who was deputising for her.

2. Minutes of the previous meetings

(i) BC(2)3-05 (Final minutes) Tuesday 25th 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)4-05 (draft minutes) - Tuesday 25th January 2005

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

3. Matters Arising

BC(2)4-05 (Tuesday, 1st February)

3.1 Paragraph 7.1 The Chair referred to an excerpt from a revised paper on the Cabinet's responsibilities which had been circulated in the meeting. The Chair said that the Business Minister's responsibilities other than for business had been clarified. The Business Minister said that a revised

document had been sent to the Table Office and would be circulated to Assembly Members and support staff as soon as possible. The Chair said that there were other issues in the original document which needed to be clarified. In response to a query, the Business Minister said that the document could be reviewed in future.

4. Subordinate Legislation

Orders for consideration

The Local Government (Best Value Performance Indicators) (Wales) (Revocation) Order 2005 - BC(2)5-05 (p1)

The Local Government (Best Value Performance Indicators) (Wales) Order 2005 - BC(2)5-05(p2)

The Health and Social Care (Community Health and Standards) Act 2003 (Healthcare Inspections) (Wales) Regulations 2005- BC(2)5-05(p3)

The Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2005 - BC(2)5-05(p4)

The National Assistance (Sums for Personal Requirements)(Wales) Regulations 2005 - BC(2)5-05 (p5)

The National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2005 - BC(2)5-05(p6)

The National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2005 - BC(2)5-05(p7)

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff)(England and Wales) (Amendment) Regulations 2005 - BC(2)5-05(p8)

The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2005 - BC(2)5-05(p9)

The Business Committee recommended the Standard procedure for BC(2)5-05 (p1); BC(2)5-05(p2); BC(2)5-05(p5); BC(2)5-05(p6); BC(2)5-05(p7) and BC(2)5-05(p9). The Committee recommended the Accelerated procedure for BC(2)5-05(p3) and BC(2)5-05(p4). The Deputy Presiding Officer subsequently determined that none of the Orders need be referred to Subject Committee.

4.1 The Chair noted that Welsh versions of some of the draft Orders would not be available until later that day. Alun Jenkins said that there had been capacity problems in the legal translation unit, but that Welsh versions would be published later that day.

BC(2)5-05 (p3)

4.3 The Chair referred to paragraph 13 of the Explanatory Memorandum, which said that the Minister for Health and Social Services recommended the Accelerated procedure for this draft Order "because the Health and Social Care (Community Standards) Act 2003 has previously been discussed in Plenary on 10 February 2004". She said that a year had passed since that debate which in any case had been on the whole Act rather than the subject of the draft Regulations. The Deputy Presiding Officer referred to the Explanatory Memorandum which said that there were no financial implications arising from the Regulations. He said that there would be financial implications if the Assembly decided to prosecute a body under the Regulations.

BC(2)5-05(p4)

4.4 Peter Jones referred to paragraph 13 of the Regulatory Appraisal, which listed the benefits of implementing the legislation. He said that the information was not clear.

BC(2)5-05(p5) & BC(2)5-05(p6)

4.5 Kirsty Williams said her group wanted to debate these Regulations.

BC(2)5-05(p9)

4.6 Marion Stapleton said that an earlier version of these Regulations had previously been considered by the Committee on 23rd November after being published on the Intranet on 9th November. However, the Legislation Committee had suggested a number of drafting amendments, which had now been incorporated. She said that this new version would be published on the Intranet before being considered by the Legislation Committee on 1st March and in Plenary on 8th March.

(b) Standing Order 29 Subordinate Legislation

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

(d) Papers for Information

5. Committees

BC(2)3-05(p9) & BC(2)5-05(p10)

5.1 The Business Committee considered a paper on arrangements for Chairing Regional Committees and draft Guidance relating to those arrangements. Kirsty Williams and David Melding said that they had been content with the arrangements in the First Assembly and said that the rationale for the new proposals needed to be clear. The Committee agreed to return to the issue on 22nd February. The Chair suggested that Business Managers should meet to discuss the issue informally prior to the meeting.

BC(2)5-05(p16)

5.2 The Business Committee considered and agreed the request from the Audit Committee to hold an additional formal meeting on 10 February.

6. Forthcoming Business

BC(2)4-05(p11)

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

There was no intention to schedule a debate on A&E issues as the management of A&E Departments rests with the individual Trust managers. However, the Minister for Health and Social Services would continue to keep the Health and Social Services Committee apprised of developments.

There was no intention to schedule a statement on Brian Gibbon's Health policies. The Minister would be reporting to the Health and Social Services Committee on his policy priorities on 3 March.

There was no intention of scheduling a statement on a visit by the First Minister to the A&E department at the University Hospital of Wales. She said that Members had a weekly opportunity to question the First Minister on all Assembly Government responsibilities, including such visits.

This Week's Business

BC(2)4-05(p12)

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

6.3 The Chair referred to the Horse Passports (Wales) Regulations 2005, which was scheduled for Tuesday, and which had been allocated 30 minutes. The Business Committee noted that 4 amendments had been tabled to the motion to approve the principle of the Regulations and 6 amendments had been tabled to the Regulations themselves. The Chair said that 30 minutes would not be sufficient time for the debate. The Business Minister said that, if time was short, the meeting could be extended.

Business Managers' Requests

6.4 Kirsty Williams asked if a statement could be made on capping Local Government and Police Authorities. She also asked if a statement could be made on A&E services at the Royal Gwent Hospital following recent reports in the media about capacity. She asked if a debate could be scheduled on the wider issue of A&E services. Business Managers supported these requests.

6.5 David Melding asked if a debate could be scheduled on the recent OFCOM Report on broadcasting.

6.6 Jocelyn Davies asked if a debate could be scheduled on progress on recommendations in the Clywch report.

Draft Business Statement

6.7 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 22nd February, 1st March and 8th March.

7. Advice to Assembly on procedures

7.1 The Business Committee considered a letter to the Presiding Officer from Nick Bourne about the availability of a consultation document which he believed to be relevant to the debate on the ASPB merger, which took place on 19th January. The Chair said that although the motion had not referred to the consultation document, the First Minister had referred to it in his speech. She referred to the arrangements for circulating copies of Ministerial statements in advance of them being made and said that it would be desirable for similar arrangements to be put in place for documents which were relevant to debates. The Business Minister said that she would ensure that all relevant documents would be made available to Members in good time in future. The Business Committee welcomed this commitment.

8. Matters referred from plenary

9. Revisions to Standing Orders

BC(2)5-05(p17)

9.1 The Business Committee considered a draft report from the Committee on Standards of Conduct containing proposals to amend Standing Order 16 and to revise the Committee's complaints procedure. The Business Minister said she would like to consult her group on these issues. Kirsty Williams said the Committee on Standards of Conduct had unanimously agreed the proposals. The Deputy Presiding Officer said he felt that the previous arrangements had worked well and that, in his view, the paper did not explain the reason for the proposed changes. Paul Silk said that the proposals arose from recommendations in the Woodhouse Report. The Committee agreed to return to the paper on 22nd February.

10. Presiding Officer rulings

11. Any other business.

CHAMBER SECRETARIAT