

Business Committee BC(2)26-05 (Final minutes)

MINUTES OF MEETING

Date: 11th October 2005

Time: 9.30 a.m.

Venue: Conference Room C

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

Andrew George, Clerk to the Business
Committee

Marion Stapleton, Assembly Business
Unit

Karin Phillips, Members' Research and
Committee Services Peter Jones,

Counsel to the Assembly Parliamentary
Service

Alun Jenkins, DLS (Agenda Item 4)

Marc Wyn Jones, Business Committee
Secretariat

Apologies & announcements

1.1 The Chair welcomed Rita Phillips, Assistant PS to the Deputy Presiding Officer, who was deputising for Catherine Morris.

2. Minutes of the previous meetings

(i) BC(2)24-05 (Final minutes) - Tuesday 27th September 2005

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

Action: Chamber Secretariat

(ii) BC(2)25-05 (draft minutes) - Tuesday 4th October 2005

2.2 The minutes were presented to the Committee in draft. As there were no comments, they would be translated and submitted to the Committee in final draft.

Action: Chamber Secretariat

3. Matters Arising

BC(2)24-05 (Final Minutes)

3.1 **Paragraph 5.3** - The Business Minister referred to the paper on a review of arrangements for subject committees. She said that discussions between her and Business Managers were ongoing and it was unlikely that a draft Periodic Timetable Statement would be ready to be submitted to the Committee for consideration on 18 October. She said that a draft timetable would be submitted to the Committee for consideration following the Autumn half-term recess.

BC(2)25-05 (draft minutes)

3.2 **Paragraph 4.7** The Deputy Presiding Officer referred to his suggestion that the title of the Teacher Training Incentive Scheme could be amended to indicate that this was Welsh legislation and the year in which it would be made. Marion Stapleton confirmed that this suggestion had been implemented and that Cover Sheets for legislation under Standing Order 29 would indicate, in future, whether or not a Welsh version of the legislation was available.

3.3 **Paragraph 7.1** The Business Minister referred to the Committee to consider the terms of reference for an inquiry to be held into the E-Coli outbreaks in Wales, which had been established in accordance with Standing Order 8.1 on 5 October. The Business Minister said that the Government supported the work of the Committee. Jocelyn Davies said that she felt it would be preferable for the Assembly to delegate to the Committee its functions under the Inquiries Act 2005. Paul Silk said that the Committee would cease to exist on 7 December. The Business Minister said that discussions on how an inquiry could work practically were ongoing and that it would be helpful if these issues could be discussed in the Committee's first meeting. She said that the Permanent Secretary had offered to attend a meeting of the Committee, to provide advice on relevant issues, including how Government officials could provide expertise.

4. Subordinate Legislation

Orders for consideration

Adoption and Children Act 2002 (Commencement No. 10) (Wales) Order 2005 - **BC(2)26-05(p1)**

The Bovine Products (Restriction on Placing on the Market) (Wales) Regulations 2005 - **BC(2)26-05(p2)**

The Honey (Amendment) (Wales) Regulations 2005 - **BC(2)26-05(p3)**

The Education (Free School Lunches) (State Pension Credit) (Wales) Order 2005 - **BC(2)26-05(p4)**

The Business Committee recommended the Standard procedure for BC(2)26-05(p1) and BC(2)26-05(p2). The Committee recommended the Accelerated procedure for BC(2)26-05(p3) and BC(2)26-05(p4). The Deputy Presiding Officer subsequently determined that none of these Orders need be referred to Subject Committee.

BC(2)26-05 (p2)

4.3 Members of the Committee noted that the Health and Social Services Committee had not identified these Regulations for detailed scrutiny. The Deputy Presiding Officer said that the Regulations were also relevant to the Environment, Planning and Countryside Committee. Business Managers said that this was an important issue and that they would like a debate to be held on this draft Order in Plenary.

(b) Standing Order 29 Subordinate Legislation

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

(d) Papers for Information

5. Committees

BC(2)26-05(p5)

5.1 The Committee noted the letter from the Chair of the Health and Social Service Committee about Committee consideration of forthcoming legislation.

6. Forthcoming Business

BC(2)26-05(p6)

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

Further consideration would be given to making a statement on waiting times figures following the publication of the latest figures at the end of October.

A statement on the merger of the WDA into the Welsh Assembly Government would be made on 19 October.

The Minister for Education and Lifelong Learning intended on making an oral statement on the outcome of the "Free Breakfast" pilot following the next report which is due at the end of November.

A debate on Communities First would be scheduled, but it would not be possible to schedule the debate until November.

A written statement by the Minister for Environment, Planning and Countryside on Greenhouse Gas Emissions had been issued on 7 October.

6.2 The Minister also confirmed that a debate on Looked After Children would be scheduled for 16 November and would be allocated 90 minutes.

This Week's Business

BC(2)26-05(p7)

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

6.4 The Business Minister said that no motion had been tabled to approve the Disability Discrimination Act (Public Authorities) (Statutory Duties) Regulations 2005, which were scheduled for Tuesday, and that a debate on the Regulations would take place on 19 October.

Business Manager's Requests

6.5 Jocelyn Davies asked if statements could be made on

Wales' response to the recent earthquake,

Police checks on support staff in schools,

The latest reports about E-Coli and

Reports that all-night ambulance cover by Ambulance crews in Powys would be withdrawn.

David Melding supported these requests.

6.6 David Melding asked if statements could be made on reports on an E-Coli case in a residential home, and on nutrition in schools. He also asked if debates could be scheduled on Ambulance Services and on comments made by the Electoral Commission on the proposals in the Better Governance for Wales White Paper.

6.7 Kirsty Williams asked if statements could be made on the E-Coli outbreak and on alleged related complaints against an NHS Trust. She also asked if a statement could be made on school nutritional standards.

6.8 Business Managers said they strongly supported the request for a statement on the alleged complaints against an NHS Trust relating to the treatment of Mason Jones, who had died from E-Coli poisoning.

Draft Business Statement - BC(2)25-05(p8)

6.9 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 18 October, 1 November and 8 November.

6.10 The Business Minister said that a statement would be made by the First Minister on 19 October on the mergers of various organisations with the Government. She said that a debate on the Annual Report of the Care Standards Inspectorate for Wales would be scheduled on 8 November.

7. Advice to Assembly on procedures

BC(2)26-05(p9)

7.1 Andrew George introduced the paper on implications for Business Committee arising from the Better Governance for Wales White Paper. He said that the report of the White Paper Committee made only one recommendation that impacted directly on the immediate work of the Committee, which was for the Business Committee and subject committees to "...give special attention to any subordinate legislation made under framework powers". He suggested that a way to fulfil this recommendation was for the Business Committee to be given briefings at regular intervals about the progress of Westminster legislation with a Welsh dimension where there was the potential for secondary legislation under framework powers. The intention would be for the Committee to hold a watching brief over the whole scrutiny process, in the same way as they did for the Legislation Protocol. The Committee

agreed that Chairs of Subject Committee would need to be alerted and suggested that the Chair could attend a meeting of the Panel of Chairs to discuss this issue further. The Committee noted that the paper also referred to potential Standing Order amendments arising from the Report. Members of the Committee said that it would be preferable to wait for the publication of the draft Bill before giving further consideration to other issues. The Committee agreed that it would wish to comment on the draft Bill once it was published. The Chair said that ways of feeding into this process would need to be explored.

Action: Chair to attend Panel of Chairs meeting

8. Matters referred from plenary

9. Revisions to Standing Orders

10. Presiding Officer rulings

11. Any other business.

CHAMBER SECRETARIAT