

MINUTES OF MEETING

Date: 16th March 2004
Time: 9 a.m.
Venue: Conference Room E

Present: Jenny Randerson (Chair)
Karen Sinclair, Business Minister
Jonathan Morgan, Conservative Business Manager
Jocelyn Davies, Plaid Cymru Business Manager
Kirsty Williams, Liberal Democrat Business Manager
John Marek, Deputy Presiding Officer

Paul Silk, Clerk to the Assembly
Peter Jones, Presiding Office Legal Unit
Karin Phillips, Members' Research and Committee Services
Andrew George, Clerk to the Business Committee
Marion Stapleton, Assembly Business Unit
Marc Wyn Jones, Business Committee Secretariat
Rita Phillips, Assistant PS to the Presiding Officers
Peter McAllen, OCG (Agenda Item 4)

1. Apologies & announcements

1.1 Apologies for absence were received from Catherine Morris. The Chair welcomed Rita Phillips, who was deputising for her. Apologies for absence were also received from Alun Jenkins. The Chair welcomed Peter McAllen, who was deputising for him.

2. Minutes of the previous meetings

(i) BC139-04 (Final) Tuesday 2nd March 2004

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

Action: Chamber Secretariat

(ii) BC160-04 (Draft) Tuesday 9th March 2004

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 (BC160-04 - 9th March 2004)

3.1 **Paragraph 3.1** Marion Stapleton said that she would send an e-mail to members of the Committee clarifying the figures contained in the Cover Sheet accompanying The National Assistance (Assessment of Resources)

(Amendment) (Wales) Regulations 2004 (BC142-04).

3.2 **Paragraph 4.3** Marion Stapleton confirmed that no additional costs would arise from the making of The Local Authorities (Capital Finance and Accounting) (Wales) (Amendments) Regulations 2004 (BC144-04).

4. Subordinate Legislation

(a) Orders for consideration

The Non-Domestic Rating (Miscellaneous Provisions) (Amendment) (Wales) Regulations 2004 (BC148-04) *Recommended Procedure: Accelerated*

BC148-04

4.1 The Chair said that a version of this draft Order had been submitted by the Business Committee in its previous meeting and had been deferred pending further clarification on the end date of the consultation exercise and whether the draft Order had been changed since it was considered by the Local Government and Public Services Committee on 22nd October. The Committee was content that these issues had now been clarified.

The Business Committee agreed the recommended procedure for BC162-04. The Deputy Presiding Officer subsequently determined that the draft Order need not be referred to subject committee.

(b) Standing Order 27 Subordinate Legislation

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

BC163-04

4.2 The Business Committee noted the letter from Cabinet Secretariat on the use of the Executive procedure for The NHS (Travelling Expenses and Remission of Charges) Regulations 2004, which said that the Minister had determined that it was not reasonably practicable to comply with the procedural requirement in Standing Order 22.27(iii), which says that the Assembly will "consider a report from the Legislation Committee". The Deputy Presiding Officer suggested that although this was the case, the Legislation Committee could be provided with a copy of the draft Order in its next meeting on 22 March. The Business Committee supported this suggestion.

BC164-04

4.3 The Business Committee noted the letter from Cabinet Secretariat on the use of the Executive procedure for The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2004. Members of the Committee noted that the regulations "had been brought to the attention of the Local Government and Public Services Committee in October 2003 when it was envisaged that the accelerated procedure would be used." Members of the Committee sought further clarification on this issue.

Action: Marion Stapleton

(d) Papers for Information

5. Committees

6. Forthcoming Business

BC165-04

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

- there was no intention to schedule a statement on corporate financial support for education initiatives, as there were no arrangements in place for such support.
- the Minister for Health and Social Services did not intend making a statement on allegations about bullying within the Cardiac Unit at Morriston Hospital.
- the First Minister had answered an urgent question on Airbus and dredging in the port of Mostyn on 9th March.
- a debate on the Children Bill would be scheduled for early May.
- a debate on Genetically Modified Organisms would be scheduled after the Easter recess.

(ii) This Week's Business

6.2 The Committee considered paper BC166-04, which detailed the Assembly's agreed business for the week.

6.3 The Business Minister said that following the death of a construction worker on the site of the new Assembly building, the First Minister was considering making an announcement on Tuesday. She said that a motion to approve the Accounting Audit (Wales) Regulations 2004 in accordance with Standing Order 22.27(iv), which had been scheduled for Wednesday, had not been tabled and that the Minister for Finance and Local Government had decided that it would be more appropriate for the Regulations to proceed via the Assembly's standard procedure. Members of the Committee welcomed this and asked for further clarification on why this decision had been taken.

Action: Marion Stapleton

6.4 Jocelyn Davies asked if a statement could be made on the proposed relocation of jobs from Whitehall. She also asked if a statement could be made on Mental Health Services in West Wales. Jonathan Morgan supported these requests.

6.5 Jonathan Morgan asked if a statement could be made on issues arising from the First Minister's statement on the appointment of a Counsel General and asked if a debate could be scheduled on Gerard Elias' statement. Business Managers supported this request.

6.6 Jocelyn Davies asked if a statement could be made on the National Botanical Gardens of Wales. Business Managers supported this request.

(ii) 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 23rd March, 30th March and 27th April.

6.8 Jonathan Morgan said that Minority Party Debates were often scheduled as the final item of business in Plenary. He said that some Minority Party Debates were being cut short because of a lack of time remaining at the end of a meeting. He asked the Business Minister if she would consider scheduling Minority Party Debates earlier in the meeting to avoid this. The Business Minister said she would consider this proposal.

6.9 The Deputy Presiding Officer said that a motion to approve The Local Authorities (Conduct of Referendums) (Wales) Regulations 2004 in accordance with Standing Order 22.27(iv) had been scheduled for 23rd March. He said that he had not received a letter from Cabinet Secretariat notifying Members that the Regulations would be following the Executive procedure. Marion Stapleton said that she understood that a letter had been sent.

6.10 The Deputy Presiding Officer referred to the business on 23rd and 24th March and said that several debates of 30 minutes had been scheduled. He said that it was difficult for the Chair to ensure that a balanced debate took place when there was so little time allocated to the item.

6.11 Business Managers noted that a debate on the Richard Commission Report was scheduled for 28th April and had been allocated 90 minutes. Business Managers asked if the debate could be allocated at least 120 minutes.

7. Advice to Assembly on procedures

8. Matters referred from plenary

BC169-04

8.1 The Business Committee considered the extract from the Record of Proceedings about the withdrawal of the motion to approve the EC 3rd Cohesion Report. Kirsty Williams said that Standing Order 5.4 said that "*the Business Minister's statement shall constitute the agreed timetable for Assembly Business for the first week*". The Deputy Presiding Officer said that Members should be able to have confidence that the Assembly's business would not be changed at short notice. Kirsty Williams said that the Assembly was unable to challenge the withdrawal of a motion. The Deputy Presiding Officer suggested that a deadline could be introduced for the withdrawal of motions so that Members could be notified within sufficient time. The Chair asked Paul Silk to prepare a paper on this issue to be submitted to the Committee on 30th March.

9. Revisions to Standing Orders

BC170-04

9.1 The Business Committee considered the Report of the Business Committee on a proposed Standing Order MOT. The Report was provisionally agreed, subject to an amendment. It was agreed that a final draft would be submitted to the Committee in its next meeting.

10. Presiding Officer rulings

11. Any other business.

11.1 Andrew George said that a new voting system had been introduced in the Chamber and would be operational from that day.

CHAMBER SECRETARIAT