

MINUTES OF MEETING

Date: 18th May 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
Peter Black, Welsh Liberal Democrat
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
Alun Jenkins, OCG (Agenda Item 4)
Marc Wyn Jones, Business Committee Secretariat
Catherine Morris, PS to the Deputy Presiding Officer

1. Apologies & announcements

2. Minutes of the previous meetings

(i) BC244-04 (Final) Tuesday 4th May 2004

2.1 The minutes were presented to the Committee in their final format. An amendment was suggested, which would be incorporated before the minutes were translated in readiness for publication.

Action: Chamber Secretariat

(ii) BC260-04 (Draft) Tuesday 11th May 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 (BC260-04 - 4th May 2004)

3.1 **Paragraph 3.1** Marion Stapleton reported back on The Meat Products (Wales) Regulations 2004 and said that the Spreadable Fish Products were regulated under the Quantifiable Ingredients Declaration which came into force in February 2000 under the provision of the Food Labelling Directive.

3.2 **Paragraph 4.1** Alun Jenkins reported back on The Conduct of Members (Model Code of Conduct) (Wales) (Amendment) (No.2) Order 2004 and said

that there had been a delay in its introduction because other legislation arising from the Local Government Act 2003 had taken priority. In response to a query, he said that the Order would not impact on surcharge of councillors in Wales. Marion Stapleton said that the debate on this draft Order was scheduled for 15th June.

3.3 Paragraph 4.2 Marion Stapleton reported back on delays in the introduction of The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2004 and said that it was considered that the proposals contained in the Order were of a routine procedural nature and that there had been no urgency to introduce the Order in line with England. In response to a query, she said that the Order made provisions for the registration of proposed planning obligations as Local Land Charges on the Local Land Charge Register.

3.4 The Deputy Presiding Officer asked if The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) (Amendment) (No 2) Regulations 2004 (BC254-04) had been translated into Welsh. Alun Jenkins said that, in accordance with Standing Order 25.16, the Minister had considered that it would be "inappropriate in the circumstances" to translate the Order. He said that this was due to the highly technical nature of the regulations.

4. Subordinate Legislation

(a) Orders for consideration

The Local Government (Whole Authority Analyses and Improvement Plans) (Wales) (Amendment) Order 2004 (BC262-04) *Recommended Procedure: Accelerated*

The Home-Grown Cereals Authority (Rate of Levy) Order 2004 (BC271-04)
Standing Order 25, Section 3

The Business Committee recommended the Standard procedure for BC262-04. The Deputy Presiding Officer subsequently determined that BC262-04 need not be referred to subject committee.

BC262-04

4.1 Peter Jones referred to the Regulatory Appraisal accompanying this draft Order, which said that the powers to make the order had been "transferred to the National Assembly for Wales." He said that this was incorrect and that the powers had been conferred on the Assembly by the Local Government Act 1999. Jocelyn Davies said her group wished to debate the draft Order.

BC271-04

4.2 The Chair referred to the Explanatory Memorandum accompanying this draft Order, which said "no consultation was deemed necessary, as the levy rates remain unchanged from last year". She said that this did not appear to be sufficient reason not to undergo a consultation because circumstances within the industry could have changed in this period. Business Managers said they were content for the draft Order to proceed to Plenary without debate.

(b) Standing Order 29 Subordinate Legislation

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

(d) Papers for Information

BC268-04

4.3 The Business Committee noted the Landfill (Scheme Year and Maximum Landfill Amount) (Regulations) 2004, which it was proposed would be made under Standing Order 26. Members of the Committee said that, wherever possible, legislation proposed under Standing Order 26 should follow the Assembly's normal procedures.

5. Committees

BC269-04

5.1 The Business Committee noted the letter from the Chair of the Environment, Planning and Countryside Committee on committee consideration of forthcoming legislation.

BC270-04

5.2 The Business Committee noted the letter from the Chair of the Health and Social Services Committee on committee consideration of forthcoming legislation.

6. Forthcoming Business

BC264-04

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

- The Minister for Health and Social Services would be making a statement on Children's Social Services in Blaenau Gwent in June following an initial response received from the authority.
- There was no intention to schedule a statement on redundancies amongst teaching staff in Coleg Gwent as it was not appropriate for the Education Minister to intervene in the internal workings of a college.
- A date for a debate on the No Named Day motion on extending the powers of the Children's Commissioner for Wales had not been finalised.
- The First Minister would make a statement on the 3rd Cohesion Forum Conference on Wednesday 19th May.
- There was no intention to schedule a statement on a reported cut in Nurse Training Places.

(ii) This Week's Business

6.2 The Committee considered paper BC265-04, which detailed the Assembly's agreed business for the week.

6.3 Jonathan Morgan asked if a statement could be made on the closure of Mid Wales Yarns Ltd in Llandrindod Wells. Business Managers supported this request.

6.4 Jocelyn Davies asked if a statement could be made on waiting lists for Mental Health patients and asked if a statement could be made on security measures in Welsh airports and ports to combat the illegal importation of meat. Business Managers supported these requests.

6.5 Jocelyn Davies asked if a debate could be scheduled on Welsh Rugby.

6.6 Peter Black asked if a debate could be scheduled on the funding of Further Education in 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 25th May, 8th June and 15th June.

6.8 The Chair noted that a motion to establish an ad hoc Committee on Smoking in Public Places had been scheduled for 26th May. Business Managers said they had not been consulted on this and would need to discuss the proposal with their groups. The Business Minister said she would circulate the terms of reference of the Committee as soon as possible. Business Managers said that the motion should be postponed until 9th June.

7. Advice to Assembly on procedures

BC184-04 and BC267-04

7.1 The Business Committee noted the paper from the Presiding Officers' Private Office on recommendations for the arrangement of Assembly Business. The Committee noted the letter from the Chair of Legislation Committee, which said that dedicating specific Plenary meetings to debates on subordinate legislation would cause scheduling problems for the Legislation Committee. The Business Minister said she had discussed these issues with the Presiding Officer. Business Managers said that they would like to feed into this process and that it would be desirable to convene a follow-up meeting with the Presiding Officers. The Chair said she would write to the Presiding Officer to arrange a meeting.

Action: Secretariat.

8. Matters referred from plenary

9. Revisions to Standing Orders

10. Presiding Officer rulings

11. Any other business.

CHAMBER SECRETARIAT