

MINUTES OF MEETING

Date: 2nd December 2003

Time: 9 a.m.

Venue: Conference Room E

Present: Jenny Randerson (Chair)
Karen Sinclair, Business Minister
Jonathan Morgan, Conservative Business Manager
Kirsty Williams, Liberal Democrat Business Manager
Jocelyn Davies, Plaid Cymru 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
Alun Jenkins (agenda item 4)
Marc Wyn Jones, Business Committee Secretariat
Catherine Morris, PS to Deputy Presiding Officer

1. Apologies & announcements

2. Minutes of the previous meetings

(i) BC447-03 (Final) Tuesday 18th November 2003

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) BC475-03 (Draft) Tuesday 25th November 2003

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

3.1 Paragraph 4.7 (BC475-03 - Tuesday 25th November 2003) Jocelyn Davies said that her group might wish to debate The Wildlife and Countryside (Registration of Ringing of Certain Captive Birds) (Wales) Regulations 2003 (BC467-03) and that she would notify the Business Minister and Business Managers of her group's decision out of Committee, on the basis that it did not inconvenience any Assembly Member. She had subsequently notified the Chair, the Business Minister, Business Managers and the Presiding Office that her group was content for the Order to follow the Accelerated procedure.

3.2 Paragraph 3.2 Marion Stapleton said that the Housing Renewal Grants (Prescribed Forms and Particulars) (Amendment) (Wales) Regulations 2003 (BC422-03) were being amended and that the Explanatory Memorandum accompanying the draft Order was being revised to take account of the Business Committee's concerns. She said the draft Order would be resubmitted to the Committee in the New Year.

3.3 Paragraph 4.4 The Chair said that a letter had been sent to the Chair of the Health and Social Services Committee about the Adoption Agencies (Amendment) (Wales) Regulations 2003 (BC456-03). She said that a reply had been received, in which the Chair had thanked the Business Committee.

3.4 Paragraph 4.5 Marion Stapleton reported back on The National Health Service (Primary Care) Act 1997 (Commencement No.1) (Wales) Order 2003 (BC459-03). She said that the Government had received legal advice that the Assembly did not have the powers to make the Order. She said that the Government was seeking further advice on this issue. The Deputy Presiding Officer said that it would be preferable for the power to be transferred to the Assembly, and then the Assembly could make the Order rather than the Department of Health.

3.5 Paragraph 4.6 Marion Stapleton said that the Organic Farming Scheme (Wales) (Amendment) Regulations 2003 (BC464-03) would be resubmitted to the Committee on 9th December.

4. Subordinate Legislation

(a) Orders for consideration

The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 (BC477-03) *Standing Order 23, Section 3*

The Plant Protection Products Regulations 2003 (BC478-03) *Standing Order 23, Section 3*

The Deputy Presiding Officer asked if, wherever possible, Standing Order 23, Section 3 Orders could be published ten days prior to the Business Committee meeting in accordance with the normal practice.

BC477-03

4.1 The Deputy Presiding Officer said that the Order gave instructions that a map identifying river basin districts for the purpose of the Regulations would be held in the library of Defra. He said that this was a joint Order and asked why the Assembly had not been afforded equal status when it came to the location of the deposited map. Marion Stapleton said she would report back on this.

Action: Marion Stapleton

BC478-03

4.2 The Deputy Presiding Officer queried whether the Regulations only consolidated the original legislation. Alun Jenkins said that he had been advised that this was the case.

The Business Committee agreed the recommended procedures for BC457-03 and BC458-03.

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

4.3 In response to a query, Marion Stapleton said that the Government had no plans to make a large number of Orders under the Executive procedure after the start of the recess.

(c) Papers to note;

5. Committees

6. Forthcoming Business

(i) Requests from Business Managers

6.1 The Business Minister reported back on requests from the previous meeting for various statements and debates -

- (i) The Business Minister said that the Minister for Health and Social Services would not be making a statement following the defeat of the motion to endorse the Government's Response and Implementation Plan arising from the Wanless Report. She said that the Government's position on its policy had not changed and that it was intended to allow the Assembly to come to a decision on the issue by way of an amendment to the Conservative Minority Party debate on 2.12.03. While Business Managers accepted that this was procedurally in order, they were unhappy with the use of this mechanism and said that a new Government motion should be brought forward.
- (ii) The Business Minister said that the Minister for Health and Social Services would not be making a statement on the reported staffing crisis in the Accident and Emergency department of the University of Wales Hospital, Cardiff, as it was an operational matter for the Trust.
- (iii) The Business Minister said that the Minister for Health and Social Services would not be making a statement on the reported body parts case in the University of Wales Hospital, Cardiff, because it was sub-judice.
- (iv) The Business Minister said that a debate on the Film Fund would not be scheduled, as the Minister for Culture, Welsh Language and Sport had decided not to pursue the project and it was therefore not featured in the budget for the year. She said that Members would have the opportunity to discuss the issue in the debate on the Final budget.

- (v) The Business Minister said that a debate on Bed Blocking in Hospitals would not be scheduled. She said that the Minister for Health and Social Services reported to the Health and Social Services Committee regularly on this issue.
- (vi) The Business Minister said that a debate on the National Botanic Gardens of Wales would not be scheduled. She said that the Minister for Culture, Welsh Language and Sport was meeting the Trustees later that day and would be minded to make a statement as soon as possible.

(ii) This Week's Business

6.2 The Committee considered paper BC480-03, which detailed the Assembly's agreed business for the week.

6.3 Jonathan Morgan reiterated his request for a statement by the Minister for Culture, Welsh Language and Sport on the National Botanic Gardens of Wales. Business Managers said they supported this request. The Business Minister said she would relay this request to the Minister.

6.4 Jocelyn Davies asked if the Minister for Economic Development could make a statement on Match Funding for Objective 1. Business Managers said they supported this request. The Business Minister said she would relay this request to the Minister.

(ii) Draft Business Statement

6.5 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 9th December, 13th January and 20th January.

6.6 The Chair referred to the proposed business for 9th December and said that numerous debates with an indicative timing of five minutes had been scheduled. She said that five minutes was not sufficient time to hold a debate. The Deputy Presiding Officer said that it was likely that these items of business would overrun. The Business Minister said she would consult with the Minister for Health and Social Services about postponing a statement on the Children's Green Paper, which had been scheduled for 9th December.

7. Advice to Assembly on procedures

BC482-03

7.1 The Business Committee agreed the paper on tabling days following the Christmas Recess.

BC483-03

7.2 The Business Committee agreed the Report on the scheduling of Committee meetings.

BC479-03

7.3 The Business Committee noted the Revised Guidance on Regulatory Appraisals and Explanatory Memorandums. A slot in Plenary would be found to debate the Guidance. Members of the Committee thanked officials for the work that had been done.

8. Matters referred from plenary

9. Revisions to Standing Orders

10. Presiding Officer rulings

BC484-03

10.1 The Business Committee noted the excerpt from Plenary which included a statement by the Presiding Officer on Members' requests for the bell to be rung, in accordance with Standing Order 6.21.

11. Any other business.

11.1 Jocelyn Davies said that the Health and Social Services Committee had considered a draft Order in their previous meeting, but had not been provided with the Regulatory Appraisal which accompanied the draft Order when it was considered by Business Committee. The Business Minister said that this should not have occurred. The Chair said that this would be included as a matter arising at the next Business Committee.

11.2 Jocelyn Davies asked if the procedures for making a request to the Presiding Officer for an Urgent Question, under Standing Order 6.31 could be clarified. The Chair said a paper would be prepared and submitted to the Committee at its next meeting.

Action: Secretariat

11.3 Jocelyn Davies asked if the timescale for receiving answers to Written Questions could be clarified. The Chair asked Marion Stapleton to prepare a paper on this issue and submitted to the Committee at its next meeting.

Action: Marion Stapleton

CHAMBER SECRETARIAT