

MINUTES OF MEETING

Date: 22nd June 2004
Time: 9 a.m.
Venue: Conference Room E

Present: Jenny Randerson (Chair)
Karen Sinclair, Business Minister
Jonathan Morgan, Conservative Business Manager
Rhodri Glyn Thomas, Plaid Cymru
Peter Black, Welsh Liberal Democrat
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
Karin Phillips, 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 Jocelyn Davies. The Chair welcomed Rhodri Glyn Thomas who was representing her in accordance with Standing Order 13.3.

2. Minutes of the previous meetings

(i) BC307-04 (Final) Tuesday 8th June 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) BC332-04 (Draft) Tuesday 15th June 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 (BC332-04 - 15th June 2004)

3.1 **Paragraph 3.1** The Deputy Presiding Officer asked for clarification whether e-mails of notification of proposals to make Standing Order 29 legislation which had been sent to Assembly Members would also be sent to the Business Committee secretariat at the same time. The Business Minister

confirmed that this was already the case and that the e-mails would continue to be sent to the secretariat.

3.2 **Paragraph 4.5** The Chair referred to the Report of the Education and Lifelong Learning Committee, which said that amendments had been proposed to various items of legislation. She said that the Business Committee had recommended the Standard procedure for The School Teachers (Consequential Amendments) (Wales) Regulations 2004 on this basis. She said that amendments had not, in fact, been proposed to these Regulations but that this had not been made clear in the Subject Committee's report.

4. Subordinate Legislation

(a) Orders for consideration

The Bus Service Operators Grant (Amendment) (Wales) Regulations 2004 (BC334-04) *Recommended Procedure: Standard*

& Report by the Economic Development and Transport Committee (BC344-04)

The Planning and Compulsory Purchase Act 2004 (Commencement No. 2) (Wales) Order 2004 (BC335-04) *Recommended Procedure: Accelerated*

The Planning and Compulsory Purchase Act 2004 (Commencement No. 1 and Transitional Provision) (Wales) Order 2004 (BC336-04)
Recommended Procedure: Accelerated

& Letter from the Chair of the Local Government and Public Services Committee (BC343-04)

The Business Committee recommended the Accelerated procedure for BC336-04. The Committee recommended the Standard procedure for BC334-04 and BC335-04. The Deputy Presiding Officer subsequently determined that none of these draft Orders need be referred to subject committee.

BC334-04 & BC344-04

4.1 The Chair referred to paragraph 5 of the Explanatory Memorandum accompanying this draft Order, which said that the Regulations "*had to be based on the final England text to ensure uniformity*". Alun Jenkins said that uniformity between both sets of Regulations was not necessary, but that a political decision had been taken that uniformity would be desirable. In response to a query, Alun Jenkins confirmed that the Bus Service Operators Grant was administered by the Department of Transport and that the Assembly Government was subsequently invoiced for its share of the costs.

BC335-04

4.2 The Deputy Presiding Officer referred to paragraph 7 of the Explanatory Memorandum accompanying this draft Order, which said that the Government

"could not proceed with preparatory work (such as drafting, consulting etc.) for the proposed Local Development Plans Regulations in advance of the commencement order being in place." The Deputy Presiding Officer said that this was not correct and that Section 13 of the Interpretation Act 1978 allowed for the consultation process to start before the Commencement Order was made. Rhodri Glyn Thomas said his group wished to debate the draft Order.

BC336-04

4.3 The Chair said that the process of consulting with the Local Government and Public Services Committee on this draft Order had been unusual. She said that the Chair of the Committee had been notified of the draft Order but that it had not been included on the list of forthcoming legislation which had been provided to the Committee. Peter Black said that the Chair of the Committee had circulated a copy of the draft Order to the subject committee for consideration, but said that the committee should have been notified of the draft Order in the normal way, i.e. on the list of forthcoming legislation.

4.4 The Chair noted that there were only three more Business Committee meetings before the summer recess and asked if there was an intention to make many Orders under the Executive procedure during the forthcoming weeks. It was agreed that a list of the Orders which the Cabinet proposed to make under the Executive procedure would be submitted to the Business Committee before the summer recess.

(b) Standing Order 29 Subordinate Legislation

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

(d) Papers for Information

5. Committees

5.1 The Business Committee agreed the request from the Economic Development and Transport Committee to hold an additional formal meeting.

6. Forthcoming Business

BC339-04

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

- There was no intention to schedule a statement on the report by Health Commission Wales on spare capacity within English hospitals for cardiac surgery.
- There was no intention to schedule a statement on recent reports in the media about waiting times for gynaecological appointments as it was not appropriate for the Government to comment on individual cases. However, there was an intention to schedule a statement on the wider issue of women's

services within the NHS in Wales.

- There was no intention to schedule a debate on further education as Members had the opportunity to question the Minister in the Education and Lifelong Learning Committee meeting on 16th June and during questions to the Minister in Plenary on 16th June.

(ii) This Week's Business

6.2 The Committee considered paper BC341-04, which detailed the Assembly's agreed business for the week.

6.3 Rhodri Glyn Thomas asked if a statement could be made on reports in the media that the Welsh Assembly Government had put pressure on BBC Wales to "sex-up" Objective 1 figures.

6.4 Jonathan Morgan asked if statements could be made on job losses at HSBC and the impact this could have on the future of its Welsh Language Unit, and on the cost of free prescriptions. Business Managers supported these requests.

(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 29th June, 6th July and 13th July.

6.6 Jonathan Morgan asked if a date had been scheduled to debate a No Named Day Motion relating to the Children's Commissioner for Wales' powers, which had been tabled by members of the opposition parties. Business Managers said that this was an important issue which needed to be debated as soon as possible.

6.7 Rhodri Glyn Thomas asked when the Education (Health Standards) Wales Regulations 2004 would be brought forward for consideration. Marion Stapleton said she would report back to Business Managers on this issue. I understand that these Regulations are scheduled for consideration by the Business Committee on 21 September.

BC342-04

6.8 The Business Committee noted the request to schedule a slot in Plenary to approve the Assembly Parliamentary Service's annual budget. The Deputy Presiding Officer said that it would be preferable if the debate could be scheduled before summer recess. The Business Minister said she would schedule a slot in Plenary as soon as possible.

7. Advice to Assembly on procedures

8. Matters referred from plenary

9. Revisions to Standing Orders

10. Presiding Officer rulings

11. Any other business.

CHAMBER SECRETARIAT