

Tuesday, 7th March 2006

AGENDA

The meeting will commence at 2.00pm

[Item 1 - Motion to elect a member to the Local Government Partnership Council](#)

[Item 2 - Questions to the First Minister](#)

[Item 3 - Business Statement](#)

This item is not subject to debate and will proceed to a vote immediately

[Item 4 - Motion to approve legislation under Standing Order 24.25](#)

[Item 5 - Motion to approve The Local Government \(Improvement Plans\)\(Wales\) Order 2006](#)

[Proposal to debate the following 2 items together but with separate votes](#)

[Item 6 - Motion to approve The Government of Further Education Corporations \(Revocation\) \(Wales\) Regulations 2006](#)

[Item 7 - Motion to approve the Further Education Corporations \(Replacement of Instrument and Articles of Government \) \(Wales\) Order 2006 under Standing Order 29.3\(iii\)](#)

[Item 8 - Motion to approve the Confidentiality and Disclosure of Information General Medical Services and Alternative Provider Medical Services Directions 2006 under Standing Order 29.3 \(iii\)](#)

[Item 9 - Motion to approve The Feeding Stuffs and the Feeding Stuffs \(Sampling and Analysis \(Amendment\) \(Wales\) Regulations 2006](#)

[Item 10 - Motion to approve The Transmissible Spongiform Encephalopathies Wales\) Regulations 2006 - *WITHDRAWN*](#)

[Item 11 - Motion to approve the Plant Breeders' Rights \(Naming and Fees\) Regulations 2006](#)

[Proposal to debate the following 3 items together but with separate votes](#)

[Item 12 - Motion to approve the Groundwater \(Water Framework Directive\) Direction 2006](#)

[Item 13 - Motion to approve The Water Resources \(Abstraction and Impounding\) Regulations 2006](#)

[Item 14 - The Environmental Impact Assessment \(Land Drainage Improvement Works\) \(Amendment\) Regulations 2006](#)

[Item 15 - Welsh Conservative Party nominated debate](#)

[Item 16 - Debate on the use of B&B's for the homeless](#)

[Item 17 - Motion to approve the Homelessness \(Suitability of Accommodation\) \(Wales\) Order 2006](#)

Item 1 - Motion to elect a member to the Local Government Partnership Council

NDM2874 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, in accordance with paragraphs 1(1) and 1(3) of Schedule 11 to the Government of Wales Act 1998, appoints David Melding AM (Conservative) as National Assembly member of the Local Government Partnership Council for Wales in place of Brynle Williams AM (Conservative).

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Item 2 - Questions to the First Minister

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Item 3 - Business Statement

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This item is not subject to debate and will proceed to a vote immediately

Item 4 - Motion to approve legislation under Standing Order 24.25

NDM2875 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 24.25:

- a) Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Members on 28 February 2006 on the draft The Official Feed and Food Controls (Wales) Regulations 2006 ;and
- b) Approves that The Official Feed and Food Controls (Wales) Regulations 2006 are made in accordance with;
 - i) the draft Order laid in the Table Office on 7 February 2006;
 - ii) the Regulatory Appraisal laid in the Table Office on 7 February 2006; and
 - iii) the Memorandum of Corrections laid in the Table Office and e-mailed to Members on 28 February 2006.

Supporting Documents

[The Official Feed and Food Controls \(Wales\) Regulations 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

[The Memorandum of Corrections](#)

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Item 5 - Motion to approve The Local Government (Improvement Plans) (Wales) Order 2006

NDM2876 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Local Government (Improvement Plans) (Wales) Order 2006 a copy of which was laid in Table Office on 31 January 2006.

NDM2877 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office

on 14 February 2006 in relation to the draft The Local Government (Improvement Plans) (Wales) Order 2006 ; and

2. Approves that the draft The Local Government (Improvement Plans) (Wales) Order 2006 is made in accordance with:

a) the draft laid in the Table Office on 31 January 2006; and

b) the Regulatory Appraisal laid in the Table Office on 31 January 2006.

Supporting Documents

[The Local Government \(Improvement Plans\) \(Wales\) Order 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Proposal to debate the following 2 items together but with separate votes

Item 6 - Motion to approve The Government of Further Education Corporations (Revocation) (Wales) Regulations 2006

NDM2878 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of Government of Further Education Corporations (Revocation) (Wales) Regulations 2006 a copy of which was laid in Table Office on 7 February 2006.

NDM2879 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office

on 14 February 2006 in relation to the draft Government of Further Education Corporations (Revocation) (Wales) Regulations 2006; and

2. Approves that the draft Government of Further Education Corporations (Revocation) (Wales) Regulations 2006 is made in accordance with:

a. the draft laid in the Table Office on 7 February 2006;

b. the Regulatory Appraisal laid in the Table Office on 7 February 2006.

Supporting Documents

[Government of Further Education Corporations \(Revocation\) \(Wales\) Regulations 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Item 7 - Motion to approve the Further Education Corporations (Replacement of Instrument and Articles of Government) (Wales) Order 2006 under Standing Order 29.3(iii)

NDM2880 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Further Education Corporations (Replacement of Instrument and Articles of Government) (Wales) Order 2006 a copy of which was laid in Table Office on 7 February 2006.

NDM2881 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly

Acting under Standing Order 29.3 (iii) approves the The Further Education Corporations

(Replacement of Instrument and Articles of Government) (Wales) Order 2006 which was laid in the Table Office on 7 February 2006.

Supporting Documents

[The Further Education Corporations \(Replacement of Instrument and Articles of Government\) \(Wales\) Order 2006](#)

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Item 8 - Motion to approve the Confidentiality and Disclosure of Information General Medical Services and Alternative Provider Medical Services Directions 2006 under Standing Order 29.3 (iii)

NDM2882 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Confidentiality and Disclosure of Information: General Medical Services and Alternative Provider Medical Services Directions 2006 a copy of which was laid in Table Office on 7 February 2006.

NDM2883 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly acting under Standing Order 29.3 (iii):

1. Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Members on 28 February 2006; and
2. Approves the The Confidentiality and Disclosure of Information: General Medical Services and Alternative Provider Medical Services Directions 2006 which was laid in the Table Office on 7 February 2006.

Supporting Documents

[The Confidentiality and Disclosure of Information: General Medical Services and Alternative Provider Medical Services Directions 2006](#)

[The report of the Legislation Committee](#)

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Item 9 - Motion to approve The Feeding Stuffs and the Feeding Stuffs (Sampling and Analysis (Amendment) (Wales) Regulations 2006

NDM2884 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Feeding Stuffs and the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2006 a copy of which was laid in Table Office on 14 February 2006.

NDM2885 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Members on 28 February 2006 in relation to the draft The Feeding Stuffs and the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2006; and

2. Approves that the draft The Feeding Stuffs and the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2006 is made in accordance with:

a) the draft laid in the Table Office on 14 February 2006; and

b) the Regulatory Appraisal laid in the Table Office on 16 February 2006.

Supporting Documents

[The Feeding Stuffs and the Feeding Stuffs \(Sampling and Analysis\) \(Amendment\) \(Wales\) Regulations 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Item 10 - Motion to approve The Transmissible Spongiform Encephalopathies Wales) Regulations 2006 - *WITHDRAWN*

NDM2886 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Transmissible Spongiform Encephalopathies (Wales) Regulations 2006 a copy of which was laid in Table Office on 14 February 2006.

The following amendments have been tabled:

In accordance with the revised guidance on the Grouping, Selection and Refusal of Amendments, the Presiding Officer has determined the order in which they will be taken for the purposes of debate. Votes will be taken separately:

(1)

(2)

Amendment 1 - Jocelyn Davies (South Wales East)

Add as new point at end of motion:

Believes that the valuation table used for compensation fails to adequately reflect the variation in condition and therefore the value of bovine animals of the genus bos.

Amendment 2 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

Calls on the Welsh Assembly Government to incorporate condition-scoring into tabular valuation compensation.

NDM2887 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office

On 28 February 2006 in relation to the draft The Transmissible Spongiform Encephalopathies (Wales) Regulations 2006; and

2. Approves that the draft The Transmissible Spongiform Encephalopathies (Wales) Regulations 2006 is made in accordance with:

a) the draft laid in the Table Office on 14 February 2006;

b) the Regulatory Appraisal laid in the Table Office on 16 February 2006; and

c) the Memorandum of Corrections laid in the Table Office and e-mailed to Members on 28 February 2006.

Supporting Documents

[The Transmissible Spongiform Encephalopathies \(Wales\) Regulations 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Item 11 - Motion to approve the Plant Breeders' Rights (Naming and Fees) Regulations 2006

NDM2894 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 25.13:

Approves the draft Plant Breeders' Rights (Naming and Fees) Regulations 2006 a copy of which was laid in Table Office and e-mailed to Members on 28 February 2006, and notes the Explanatory Memorandum for this Order laid in Table Office and e-mailed to Members on 28 February 2006.

Supporting Documents

[Plant Breeders' Rights \(Naming and Fees\) Regulations 2006](#)

[The Explanatory Memorandum](#)

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[Proposal to debate the following 3 items together but with separate votes](#)

Item 12 - Motion to approve the Groundwater (Water Framework Directive) Direction 2006

NDM2892 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 25.13:

Approves the draft Groundwater (Water Framework Directive) Direction 2006 a copy of which was laid in Table Office and e-mailed to Members on 28 February 2006, and notes the Explanatory Memorandum for this Order laid in Table Office and e-mailed to Members on 28 February 2006.

Supporting Documents

[Groundwater \(Water Framework Directive\) Direction 2006](#)

[The Explanatory Memorandum](#)

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Item 13 - Motion to approve The Water Resources (Abstraction and Impounding) Regulations 2006

NDM2896 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 25.13:

Approves the draft The Water Resources (Abstraction and Impounding) Regulations 2006 a copy of which was laid in Table Office and e-mailed to Members on 28 February 2006, and notes the Explanatory Memorandum for this Order laid in Table Office and e-mailed to Members on 28 February 2006.

Supporting Documents

[The Water Resources \(Abstraction and Impounding\) Regulations 2006](#)

[The Explanatory Memorandum](#)

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Item 14 - The Environmental Impact Assessment (Land Drainage Improvement Works) (Amendment) Regulations 2006

NDM2898 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 25.13:

Approves the draft The Environmental Impact Assessment (Land Drainage Improvement Works) (Amendment) Regulations 2006 a copy of which was laid in Table Office and e-mailed to Members on 28 February 2006, and notes the Explanatory Memorandum for this Order laid in Table Office and e-mailed to Members on 28 February 2006.

Supporting Documents

[The Environmental Impact Assessment \(Land Drainage Improvement Works\) \(Amendment\) Regulations 2006](#)

[The Explanatory Memorandum](#)

Item 15 - Welsh Conservative Party nominated debate

NDM2899 Lisa Francis (Mid and West Wales); Alun Cairns (South Wales West); David Melding (South Wales Central)

To propose that the National Assembly for Wales:

1. Expresses concern over the failure of the Welsh Assembly Government to grow the Welsh economy sufficiently to achieve its target of 90% of UK GVA per capita by 2010 and regrets the poor growth performance in West Wales and the Valleys in spite of additional funding provided under the EU's Objective 1 structural funding programme;
2. Notes the contents of the The Objective 1 Mid Term Evaluation Update Final Report, which highlights that the targets "were recognised to be aspirational rather than achievable" and that "the high level target for GDP will not be achieved".
3. Expresses concern that the approach taken to planning and managing the strategic and financial support given to the WDA and WTB has impacted on their ability to effectively develop projects to contribute to the necessary targets; calls for those lessons to be learned, and in doing so, seeks clarification on the changes to the Match Funding allocations to the WDA and WTB; and
4. Resolves in accordance with Standing Order 8.1, to establish a committee to investigate the extent of any changes in resources made available to the WDA and WTB and the impact any such changes may have had on effective delivery of structurally funded projects:
 - a) The title of the committee shall be the "Committee on the Financing of the WDA and WTB".
 - b) Membership of the committee shall comprise five Assembly Members, two from the Labour Party, and one each from Plaid Cymru the Party of Wales, the Conservative Party and the Welsh Liberal Democrat Party. The committee shall elect its own chair;
 - c) The Terms of Reference of the Committee shall be to:
 - i. review the resources available to the WDA and WTB for the financial years 03/04 & 04/05 and the sources of funds available to those ASPB's for that period;
 - ii. review any changes to the resources available to the WDA and WTB for the financial years 03/04 & 04/05 and any impact these changes had on the development of projects and value for money;
 - iii. review the effectiveness of budgetary control within the Welsh Assembly Government's Economic Development and Transport Department over Structural Funds and Pathways to Prosperity Funds;

- iv. review the use of EU funds by the WDA and WTB during the financial years 03/04 & 04/05 in the development of projects;
 - v. review the processes involved in the variation of funds throughout the financial years 03/04 & 04/05;
 - vi. review the role of the Minister for Economic Development and Transport and his officials in the day to day financing of the WDA;
 - vii. consider the impact of Welsh Assembly Government policy on the WDA's financial ability to deliver on key Assembly Government priorities; and
 - viii. make recommendations to the National Assembly on the best ways to conduct the finance functions of the Economic Development and Transport Portfolio after the merger of the WDA and WTB with the Welsh Assembly Government.
- d) The committee shall report to the National Assembly no later than the 30th June 2006; and
- e) The committee shall cease to exist on July 1st 2006.

The Objective 1 Mid Term Evaluation Update Final Report is available at the following link:

<http://www.wefo.wales.gov.uk/default.asp?action=page&ID=1583>

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Item 16 - Debate on the use of B&B`s for the homeless

NDM2888 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Supports the continued priority given to tackling homelessness by the Welsh Assembly Government;
2. Welcomes the introduction of legislation to restrict the use of bed and breakfast accommodation and to improve the quality of temporary housing for homeless people;
3. Endorses the requirement for local authorities to ensure that they take account of the health, social care and personal needs of the homeless person when discharging their

duties to secure suitable accommodation.

The following amendments have been tabled:

In accordance with the revised guidance on the Grouping, Selection and Refusal of Amendments, the Presiding Officer has determined the order in which they will be taken for the purposes of debate. Votes will be taken separately:

(1+2+9+10)

(3+5)

(4+6+7+8)

Amendment 1 - Jocelyn Davies (South Wales East):

Insert at end of point 1:

‘but recognises that a substantial increase in social housing is a vital part of reducing homelessness’

Amendment 2 - Jocelyn Davies (South Wales East):

Insert at end of point 1:

‘but remains concerned that the private rental sector, which has a high proportion of substandard accommodation, is the main provider’

Amendment 3 - Kirsty Williams (Brecon and Radnorshire)

Insert at the end of point 3:

‘and calls for the Assembly Government to ensure that they are fully funded in implementing this duty’

Amendment 4 - Lisa Francis (Mid and West Wales)

Insert at end of point 3:

on the basis that the Welsh Assembly Government meets its pledge not to impose unfunded burdens on local authorities."

Amendment 5 - Kirsty Williams (Brecon and Radnorshire)

Add as new point at end of motion:

Calls on the Welsh Assembly Government to carry out robust monitoring of remaining temporary accommodation to ensure that it meets the needs of the service users.

Amendment 6 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

Requires the Welsh Assembly Government to provide an evidence base of housing need and supply for homeless accommodation so that a proper action plan may be put in place.

Amendment 7 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

Notes the need for specialist provision for vulnerable categories of homeless people.

Amendment 8 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

Requires the Welsh Assembly Government to give housing priority as a core public service so that the housing crisis in Wales may be addressed.

Amendment 9 - Jocelyn Davies (South Wales East):

Add new point at end of motion:

Calls for the necessary resources to be allocated to local authorities that would enable them to reduce their dependence on bed and breakfast accommodation.

Amendment 10 - Jocelyn Davies (South Wales East):

Add new point at end of motion:

Calls on the Welsh Assembly Government to seek the powers to define "intentionally homeless" in Wales.

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Item 17 - Motion to approve the Homelessness (Suitability of Accommodation) (Wales) Order 2006

NDM2889 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of Homelessness (Suitability of Accommodation) (Wales) Order 2006 a copy of which was laid in Table Office on 24 January 2006.

NDM2890 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office

on 7 February 2006 in relation to the draft Homelessness (Suitability of Accommodation) (Wales) Order 2006; and

2. Approves that the draft Homelessness (Suitability of Accommodation) (Wales) Order 2006 is made in accordance with:

a) the draft laid in the Table Office on 24 January 2006;

b) the Memorandum of Corrections laid in the Table Office on 14 February 2006; and

c) the Regulatory Appraisal laid in the Table Office on 24 January 2006.

Supporting Documents

[Homelessness \(Suitability of Accommodation\) \(Wales\) Order 2006](#)

[The report of the Legislation Committee](#)

[The Memorandum of Corrections](#)

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It is expected that the meeting will conclude by 5.30pm

The Assembly will sit again in Plenary at

2.00pm on Wednesday, 8th March 2006

E P Silk

Clerk to the Assembly