

Second Assembly Plenary Meeting (195)

Tuesday, 28th March 2006

AGENDA

The meeting will commence at 2.00pm

[Item 1 – Motion to suspend Standing Order 17.4 to 17.6](#)

[Item 2 – Motion to elect a Planning Decision Committee](#)

[Item 3 - Questions to the First Minister](#)

[Item 4 - Business Statement](#)

[Statement by the Minister for Culture, Welsh Language and Sport: The Arts Council for Wales](#)

[Item 5 – Statement by the Minister for Health and Social Services: Ambulance response times and the review carried out by the Welsh Ambulance Service](#)

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

[Item 6 - Motion to approve under Standing Order 24.25](#)

[Item 7 - Motion to approve The Community Health Council \(Establishment of Carmarthenshire Community Health Council, Transfer of Functions and Abolition of Llanelli/Dinefwr and Carmarthen/Dinefwr Community Health Councils\) Order 2006](#)

[Item 8 - Motion to approve The Public Services Ombudsman for Wales \(Standards Investigations\) Order 2006](#)

[Item 9 - Motion to approve The National Health Service \(Performers Lists \(Wales\) \(Amendment\) Regulations 2006](#)

[Item 10 - Motion to approve the National Health Service \(Charges for Drugs and Appliances\) \(Amendment\) Regulations 2006](#)

[Item 11 - Motion to approve The Town and Country Planning \(Fees for Applications and Deemed Applications\) \(Amendment\) \(Wales\) Regulations 2006](#)

[Item 12 – Motion to approve The Children \(Private Arrangements for Fostering\) \(Wales\) Regulations 2006](#)

Proposal to debate the following 3 items together but with separate votes

[Item 13 - Motion to approve The General Dental Services and Personal Dental Services Transitional and Consequential Provisions \(Wales\) \(No.2\) Order 2006 under Standing order 24.27\(iv\)](#)

[Item 14 - Motion to approve The Functions of Local Health Boards and the NHS Business Services Authority \(Awdurdod Gwasanaethau Busnes y GIG\) \(Primary Dental Services\) \(Wales\) Regulations 2006 under Standing Order 24.27\(iv\)](#)

[Item 15 - Motion to approve The National Health Service \(General Dental Services Contracts and Personal Dental Services Agreements\) Amendment \(Wales\) Regulations 2006 under Standing Order 24.27 \(iv\)](#)

[Item 16 - Welsh Conservative Party nominated debate](#)

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Item 1 – Motion to suspend Standing Order 17.4 to 17.6

NDM2967 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales in accordance with Standing order 37.5 and 37.6:

Suspends Standing Order 17.4 to 17.6 to allow for the four Assembly Members nominated to Planning Decision Committee (2) 2006-3 to be those mentioned in NDM2968.

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Item 2 – Motion to elect a Planning Decision Committee

NDM2968 Jane Hutt (Vale of Glamorgan)

To propose:

1. That the Assembly resolves to rescind its resolution of 28th February 2006 in relation to NDM2854 (election of Planning Decision Committee (2) 2006-2)
2. That a Committee, to be known as Planning Decision Committee (2) 2006-3, be established in accordance with Standing Order 17 of the Assembly to discharge those functions of the Assembly in respect of the matters identified in the Schedule to this motion which are indicated in respect of each matter in that schedule and that the Assembly's functions in those respects be delegated to that Committee.
3. That the members of that Committee be:

Carwyn Jones

Jocelyn Davies

Tamsin Dunwoody

Glyn Davies
4. That the Committee shall cease to exist when the Chair of the Committee signs the decision letter in accordance with Standing Order 17.16 or on the 28 April 2006, whichever is the earlier.
5. That if the Committee shall cease to exist without the Chair having signed a decision letter in respect of the matter identified in the Schedule to this motion then in that event the functions identified in paragraph 2 above are, in relation to such matter, delegated to the First Minister.

Schedule

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED): SECTION 78

APPEAL BY THE NATIONAL ASSEMBLY FOR WALES

PROPOSED RESIDENTIAL DEVELOPMENT FOLLOWING THE DEMOLITION OF EXISTING BUILDINGS AT MEADOWSLEA HOSPITAL, PENYFFORDD, FLINTSHIRE

PLANNING APPEAL AND LISTED BUILDING CONSENT APPEAL BY T- MOBILE (UK) LTD FOR THE REPLACEMENT OF EXISTING LOUVRES WITH GRP LOUVRES TO FACILITATE THE INTERNAL INSTALLATION OF A MOBILE PHONE BASE STATION

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Item 3 - Questions to the First Minister

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Item 4 - Business Statement

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Statement by the Minister for Culture, Welsh Language and Sport: The Arts Council for Wales

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Item 5 – Statement by the Minister for Health and Social Services: Ambulance response times and the review carried out by the Welsh Ambulance Service

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

Item 6 - Motion to approve under Standing Order 24.25

NDM2947 Jane Hutt (Vale of Glamorgan)

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

1. a) Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Members on 21 March 2006 on the draft The Housing (Right to Buy) (Priority of Charges) (Wales)

Order 2006; and

b) Approves that The Housing (Right to Buy) (Priority of Charges) (Wales) Order 2006 are made in accordance with

(i) the draft Order laid in the Table Office on 7 March 2006

(ii) the Regulatory Appraisal laid in the Table Office on 7 March 2006.

Supporting Documents

[The Housing \(Right to Buy\) \(Priority of Charges\) \(Wales\) Order 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

2. a) Considers the report of the Legislation Committee laid in the Table Office on 14 March 2006 on the draft The Local Authorities (Capital Finance and Accounting) (Wales) (Amendment) Regulations 2006; and

b) Approves that The Local Authorities (Capital Finance and Accounting) (Wales) (Amendment) Regulations 2006 are made in accordance with

(i) the draft Order laid in the Table Office on 7 March 2006

(ii) the Regulatory Appraisal laid in the Table Office on 7 March 2006.

Supporting Documents

[The Local Authorities \(Capital Finance and Accounting\) \(Wales\) \(Amendment\) Regulations 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Item 7 - Motion to approve The Community Health Council (Establishment of Carmarthenshire Community Health Council, Transfer of Functions and Abolition of Llanelli/Dinefwr and Carmarthen/Dinefwr Community Health Councils) Order 2006

NDM2948 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Community Health Council (Establishment of Carmarthenshire

Community Health Council, Transfer of Functions and Abolition of Llanelli/Dinefwr and Carmarthen/Dinefwr Community Health Councils) Order 2006 a copy of which was laid in Table Office on 7 March 2006.

NDM2949 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 21 March 2006 in relation to the draft The Community Health Council (Establishment of Carmarthenshire Community Health Council, Transfer of Functions and Abolition of Llanelli/Dinefwr and Carmarthen/Dinefwr Community Health Councils) Order 2006; and
2. Approves that the draft The Community Health Council (Establishment of Carmarthenshire Community Health Council, Transfer of Functions and Abolition of Llanelli/Dinefwr and Carmarthen/Dinefwr Community Health Councils) Order 2006 is made in accordance with:
 - a) the draft laid in the Table Office on 7 March 2006; and
 - b) the Regulatory Appraisal laid in the Table Office on 7 March 2006

Supporting Documents

[The Community Health Council \(Establishment of Carmarthenshire Community Health Council, Transfer of Functions and Abolition of Llanelli/Dinefwr and Carmarthen/Dinefwr Community Health Councils\) Order 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Item 8 - Motion to approve The Public Services Ombudsman for Wales (Standards Investigations) Order 2006

NDM2950 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Public Services Ombudsman for Wales (Standards Investigations) Order 2006 a copy of which was laid in Table Office on 28 February 2006.

NDM2951 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 March 2006 in relation to the draft The Public Services Ombudsman for Wales (Standards Investigations) Order 2006; and

2. Approves that the draft The Public Services Ombudsman for Wales (Standards Investigations) Order 2006 is made in accordance with:

a) the draft laid in the Table Office on 28 February 2006; and

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

Supporting Documents

[The Public Services Ombudsman for Wales \(Standards Investigations\) Order 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Item 9 - Motion to approve The National Health Service (Performers Lists (Wales) (Amendment) Regulations 2006

NDM2952 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The National Health Service (Performers Lists) (Wales) (Amendment) Regulations 2006 a copy of which was laid in Table Office on 14 March 2006.

NDM2953 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 21 March 2006 in relation to the draft The National Health Service (Performers Lists) (Wales) (Amendment) Regulations 2006; and

2. Approves that the draft The National Health Service (Performers Lists) (Wales) (Amendment) Regulations 2006 is made in accordance with:

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

b) the Regulatory Appraisal laid in the Table Office on 14 March 2006.

Supporting Documents

[The National Health Service \(Performers Lists\) \(Wales\) \(Amendment\) Regulations 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Item 10 - Motion to approve the National Health Service (Charges for Drugs and Appliances) (Amendment) Regulations 2006

NDM2954 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2006 a copy of which was laid in Table Office on 7 March 2006.

NDM2955 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 21 March 2006 in relation to the draft The National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2006; and

2. Approves that the draft The National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2006 is made in accordance with:

a) the draft laid in the Table Office on 7 March 2006; and

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

Supporting Documents

[The National Health Service \(Charges for Drugs and Appliances\) \(Wales\) \(Amendment\) Regulations 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Item 11 - Motion to approve The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (Wales) Regulations 2006

NDM2956 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (Wales) Regulations 2006 a copy of which was laid in Table Office on 14 March 2006.

NDM2957 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 21 March 2006 in relation to the draft The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (Wales) Regulations 2006; and
2. Approves that the draft The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (Wales) Regulations 2006 is made in accordance with:
 - a) the draft laid in the Table Office on 14 March 2006; and
 - b) the Regulatory Appraisal laid in the Table Office on 14 March 2006.

Supporting Documents

[The Town and Country Planning \(Fees for Applications and Deemed Applications\) \(Amendment\) \(Wales\) Regulations 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Item 12 – Motion to approve The Children (Private Arrangements for Fostering) (Wales) Regulations 2006

NDM2958 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Children (Private Arrangements for Fostering)(Wales) Regulations 2006 a copy of which was laid in Table Office on 7 March 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 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

Requires the Welsh Assembly Government to fully cost the financial implications of these regulations for local authorities and to make provision accordingly.

Amendment 2 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

Recognises that a registration system would better protect the interests of privately fostered children than a situation in which private foster carers are required only to notify local authorities about arrangements’.

NDM2959 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 21 March 2006 in relation to the draft The Children (Private Arrangements for Fostering) (Wales) Regulations 2006; and

2. Approves that the draft The Children (Private Arrangements for Fostering)(Wales) Regulations 2006 is made in accordance with:

a) the draft laid in the Table Office on 7 March 2006; and

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

Supporting Documents

[The Children \(Private Arrangements for Fostering\)\(Wales\) Regulations 2006](#)

[The report of the Legislation Committee](#)

[The Regulatory Appraisal](#)

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Proposal to debate the following 3 items together but with separate votes

Item 13 - Motion to approve The General Dental Services and Personal Dental Services Transitional and Consequential Provisions (Wales) (No.2) Order 2006 under Standing order 24.27(iv)

NDM2961 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The General Dental Services and Personal Dental Services Transitional and Consequential Provisions (Wales) (No.2) Order 2006 a copy of which was laid in Table Office and e-mailed to Members on 21 March 2006.

NDM2962 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Approves that The General Dental Services and Personal Dental Services Transitional and Consequential Provisions (Wales) (No.2) Order 2006 is made in accordance with the draft laid in the Table Office and e-mailed to Members on 21 March 2006.

To note: No Legislation Committee Report is laid in respect of these Regulations, procedural requirements having been disapplied by the Assembly Cabinet under Standing Order 24.27 (i), (ii) and (iii).

Supporting Documents

[The General Dental Services and Personal Dental Services Transitional and Consequential Provisions \(Wales\) \(No.2\) Order 2006](#)

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Item 14 - Motion to approve The Functions of Local Health Boards and the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Primary Dental Services) (Wales) Regulations 2006 under Standing

Order 24.27(iv)

NDM2963 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Functions of Local Health Boards and the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Primary Dental Services) (Wales) Regulations 2006 a copy of which was laid in Table Office and e-mailed to Members on 21 March 2006.

NDM2964 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Approves that The Functions of Local Health Boards and the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Primary Dental Services) (Wales) Regulations 2006 is made in accordance with the draft laid in the Table Office and e-mailed to Members on 21 March 2006.

To note: No Legislation Committee Report is laid in respect of these Regulations, procedural requirements having been disapplied by the Assembly Cabinet under Standing Order 24.27 (i), (ii) and (iii).

Supporting Documents

[The Functions of Local Health Boards and the NHS Business Services Authority \(Awdurdod Gwasanaethau Busnes y GIG\) \(Primary Dental Services\) \(Wales\) Regulations 2006](#)

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Item 15 - Motion to approve The National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) Amendment (Wales) Regulations 2006 under Standing Order 24.27 (iv)

NDM2965 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) Amendment (Wales) Regulations 2006 a copy of which was laid in Table Office and e-mailed to Members on 21 March 2006.

NDM2966 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Approves that The National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) Amendment (Wales) Regulations 2006 is made in accordance with the draft laid in the Table Office and e-mailed to Members on 21 March 2006.

To note: No Legislation Committee Report is laid in respect of these Regulations, procedural requirements having been disapplied by the Assembly Cabinet under Standing Order 24.27 (i), (ii) and (iii).

Supporting Documents

[The National Health Service \(General Dental Services Contracts and Personal Dental Services Agreements\) Amendment \(Wales\) Regulations 2006](#)

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Item 16 - Welsh Conservative Party nominated debate

NDM2960 Lisa Francis (Mid and West Wales)

To propose that the National Assembly for Wales condemns the Welsh Assembly Government's handling of the finances of NHS Wales and their failure to reduce the debts of NHS bodies.

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)

(3)

Amendment 1 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion:

Regrets that the Assembly Government failed to properly take into account the full costs of Agenda for Change.

Amendment 2 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

Deeply regrets the rapid increase in the accumulated debt to a forecasted £71 million and the Welsh Assembly Government's failure to effectively invest the increases in NHS funding.

Amendment 3 - Jocelyn Davies (South Wales East)

Add new point at end of motion:

Calls on the Welsh Assembly Government to fully fund Agenda for Change, and to reimburse all health bodies that experienced any shortfall in funding during the 2005/06 financial year.

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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, 29th March 2006**

E P Silk

Clerk to the Assembly