

MINUTES OF MEETING

Date: Tuesday 23rd May 2006

Time: 9.00 a.m.

Venue: Conference Room C

Present: Jenny Randerson (Chair)
Jane Hutt, Business Minister
Jocelyn Davies, Plaid Cymru Business Manager
Lisa Francis, Welsh Conservatives Business Manager
Peter Black, Welsh Liberal Democrats
John Marek, Deputy Presiding Officer

Paul Silk, Clerk to the Assembly
Andrew George, Clerk to the Business Committee
Marion Stapleton, Assembly Business Unit
Karin Phillips, Members' Research and Committee Service
Peter Jones, Counsel to the Assembly Parliamentary Service
Alun Jenkins, DLS (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 Kirsty Williams. The Chair welcomed Peter Black who would be representing her in accordance with Standing Order 13.3.

2. Minutes of the previous meetings

(i) BC(2)13-06 (Final minutes) - Tuesday 2nd May 2006

2.1 The minutes were presented to the Committee in their final format. As there were no comments, they would be translated in readiness for publication.

Action: Chamber Secretariat

(ii) BC(2)14-06 (draft minutes) - Tuesday 9th May 2006

2.2 The minutes were presented to the Committee in draft. As there were no comments, they would be translated before being submitted to the Committee in final draft.

Action: Chamber Secretariat

3. Matters Arising

BC(2)14-06 (draft minutes)

3.1 **Paragraph 4.6** Peter Jones referred to the Products of Animal Origin

(Third Country Imports) (Wales) (Amendment) (no.2) Regulations 2006, which had been made under the Executive procedure, and confirmed that the European Commission Decision had been taken on 15 and 16 February 2006. He said that the legislation needed to come into force on 31 May 2006. The Deputy Presiding Officer said that there would have been sufficient time for the legislation to follow the Assembly's normal procedures.

3.2 Paragraph 4.9 Alun Jenkins reported back on issues relating to The Pontypool and Blaenavon (Phase 1) Railway Order 2006. He said that the e-mail of notification had said that "the applicant had asked for some further minor amendments to be included". He confirmed that two amendments had been proposed – one was a minor formatting change and the other was a change of address.

4. Subordinate Legislation

(a) Orders for consideration

The Bovine Spongiform Encephalopathy (BSE) Compensation (Wales) Regulations 2006 - **BC(2)16-06 (p1)** *Recommended Procedure: Standard*

& Report of the Environment, Planning and Countryside Committee - **BC(2)16-06 (p12)**

The Housing Health and Safety Rating System (Wales) Regulations 2006 - **BC(2)16-06 (p2)** *Recommended Procedure: Standard*

The Housing (Interim Management Orders) (Prescribed Circumstances) (Wales) Order 2006 - **BC(2)16-06 (p3)** *Recommended Procedure: Standard*

The Plant Health (Wales) Order 2006 - **BC(2)16-06 (p4)** *Recommended Procedure: Accelerated*

The Residential Property Tribunal Procedure (Wales) Regulations 2006 - **BC(2)16-06 (p5)** *Recommended Procedure: Standard*

The Residential Property Tribunal (Fees) (Wales) Regulations 2006 - **BC(2)16-06 (p6)** *Recommended Procedure: Standard*

The Sheep and Goats Transmissible Spongiform Encephalopathies (TSE) Compensation (Wales) Regulations 2006 - **BC(2)16-06 (p7)** *Recommended Procedure: Standard*

& Report of the Environment, Planning and Countryside Committee - **BC(2)16-06 (p18)**

The Food Hygiene (Wales) (Amendment) Regulations 2006 - **BC(2)16-06 (p8)**

The Business Committee recommended the Standard procedure for BC(2)16-06(p1), BC(2)16-06(p2), BC(2)16-06(p3), BC(2)16-06(p5), BC(2)16-06(p6) and BC(2)16-06(p7). The Committee recommended the Accelerated procedure for BC(2)16-06(p4) and BC(2)16-06(p8).

(Following the meeting, the Deputy Presiding Officer determined that none of the draft Orders should be referred to a subject committee.)

BC(2)16-06(p4)

4.1 The Chair referred to paragraph 13 of the Explanatory Memorandum accompanying this draft Order, which said that there had been a delay in introducing the legislation in Wales because *“limited resources within the branch (Plant Health and Biotechnology Branch) meant that it was necessary to shift priorities from legislation to handle more pressing issues such as GM policy and plant pest and disease outbreaks.”* The Chair said that there were other items of legislation on the agenda, for which this Branch was responsible, which had also suffered a delay.

BC(2)16-06 (p6)

4.2 Peter Black referred to this draft Order, which related to Houses in Multiple Occupation and said that there were numerous items of legislation on the same subject to follow. He asked if it was intended to group the legislation for the purposes of a debate in Plenary. Marion Stapleton confirmed that this was the intention.

(b) Standing Order 29 Subordinate Legislation

Housing, Health and Safety Rating System: Operating Guidance (Housing Act 2004: Part 1) - **BC(2)16-06 (p11)**

Housing Conditions Enforcement Guidance (Housing Act 2004: Part 1 – Housing, Health and Safety Rating System) - **BC(2)16-06 (p10)**

The Code of Practice to Prevent and Control the Spread of Ragwort 2006 - **BC(2)16-06 (p9)**

4.3 The Committee noted the items of legislation.

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

(d) Papers for Information

BC(2)16-06(p13)

4.4 The Business Committee noted the e-mail of notification about the Minister for Environment, Planning and Countryside’s intention to approve the Code of Recommendation for the Welfare of Livestock: Cattle. The Chair said that *“similar codes had been published by the Department of Environment, Food and Rural Affairs in April 2003 and the Scottish Executive in July 2005.”* The Chair asked why there had been a delay in publishing the code in Wales. Marion Stapleton said the division which was responsible had experienced issues relating to staffing levels and that steps had been taken to rectify the problem. In response to a query, she said that any backlog of legislation was

being cleared and she would report back on this issue in the Committee's next meeting.

Action: Marion Stapleton

5. Committees

6. Forthcoming Business

BC(2)16-06(p14)

6.1 The Committee noted the Business Minister's responses to requests for items of business:

- There was no intention of scheduling a statement on exam cancellations as a result of industrial action as it was for the HE institutions to agree the terms and conditions of their employees.
- There was no intention of making a statement on an Estyn report regarding CRB checks as the Education, Lifelong Learning and Skills Committee would be considering the issue as part of the Ministerial report at its next meeting and the Estyn Annual report was debated on 17 May.
- The Minister for Environment, Planning and Countryside had answered an urgent question on the job losses at an abattoir on Ynys Mon on 16 May.
- A statement or debate on the reconfiguration of health services would be scheduled when the consultation on "Designed to Deliver" had been completed.
- There was no intention of scheduling a statement on the Severn barrage proposals as the Minister for Enterprise, Innovation and Networks had already issued a written statement on the Severn Barrage proposals, which formed part of the Welsh Assembly Government's response to the UK Government's Energy Review.
- A written statement on the cost of the police mergers had been issued last week to update members on the latest position.
- There was no intention of scheduling a debate on the No Named Day motion tabled on the Music Development Fund as Music funding was a matter for local authorities.
- A written statement had been issued on proposed job losses at the DVLA.
- A written statement had been issued on the number of people under the age of 25 who are killed in road accidents every year.
- There was no intention of scheduling a statement on the Government's policy regarding a referendum following the introduction of the

Government of Wales Bill.

This Week's Business

BC(2)16-06(p15)

6.2 The Business Minister said that she intended to move a procedural motion so that Mick Bates' short debate, which had been scheduled for 24 May, could be postponed and replaced by Eleanor Burnham's short debate, which had originally been scheduled for 29 March.

Business Managers' Requests

6.3 Jocelyn Davies asked if the following items of business could be scheduled:

- A statement on the job losses at Printpac in Cwmbran
- A statement on the outcome of discussions on the funding of the police mergers.
- A statement on carbon emissions in Wales
- A statement on the new dental surgeries in North Wales.
- A statement on the Euro Stat figures.

6.4 Lisa Francis supported the above requests and asked if the following items of business could be scheduled:

- A statement on the availability of the new breast cancer drug.
- A statement on the safety of the LNG plant in Pembroke.
- A statement on the Llanelli woman who failed to receive a lung transplant.
- A statement on people who have been mistakenly classified as having a criminal record.
- A statement on the position of students in Wales as a result of the HE industrial action.
- A statement by the First Minister on recent comments made by the Presiding Officer about the organisation of Assembly business.

6.5 Peter Black supported the above requests and asked if the following items of business could be scheduled:

- A statement on Nutritional Standards in schools.
- A debate on the No Named Day motion tabled on the Music Development Fund.

Draft Business Statement - BC(2)16-06(p16)

6.6 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 6 June, 13 June and 20 June.

7. Advice to Assembly on procedures

BC(2)16-06(p17)

7.1 The Committee considered a paper on legislation brought forward under Standing Order 31. Members of the Committee noted that a debate on Christine Chapman's proposal for legislation had not been scheduled within the required timescale. Business Managers asked if a debate could be scheduled as soon as possible. The Committee asked if a regular report could be provided on the progress of legislation under Standing Order 31. Andrew George said that this was the intention.

BC(2)14-06(p12)

7.2 The Committee considered a paper on Plenary timings and the possibility of extending Plenary meetings beyond 5.30pm without a motion in certain circumstances. Peter Black and Lisa Francis said that their groups supported the proposals. The Business Minister said that her group did not. Jocelyn Davies said that her group felt that additional, unscheduled business should be taken at the end of the meeting, after the scheduled business. It was agreed that the Business Managers' views would be relayed to the Presiding Officer.

8. Matters referred from plenary

9. Revisions to Standing Orders

BC(2)15-06(p15)

9.1 The Committee considered and agreed proposals for a temporary Standing Order in relation to the Standing Orders Committee. The Business Minister said she intended to schedule a motion to give effect to the proposals on Tuesday 13 or Wednesday 14 June.

10. Presiding Officer rulings

11. Any other business.

CHAMBER SECRETARIAT