

# Minutes – Business Committee

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Meeting Venue:

**Committee Room 3 – Senedd**

Meeting date: 25 May 2016

Meeting time: 11.00 – 13.03

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## Attendance

Category	Names
Committee Members:	Elin Jones AM (Chair) Jane Hutt AM Simon Thomas AM Paul Davies AM Mark Reckless AM
Committee Staff:	Aled Elwyn Jones (Clerk)
Others in attendance	Ann Jones AM, Deputy Presiding Officer Siân Wilkins, Head of Chamber and Committee Service Christopher Warner, Head of Policy and Legislation Committee Service Adrian Crompton, Director of Assembly Business Helen Carey, Welsh Government

## Transcript

View the meeting [transcript](#) (PDF, 45KB). View as [HTML](#) (40KB).



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

## **1 Introductions, apologies and substitutions**

The Chair welcomed everyone to the first Business Committee meeting of the Fifth Assembly. There were no apologies.

## **2 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of this meeting and any future meetings where matters relating to the internal business of the committee, or of the Assembly will be discussed**

The motion was agreed.

## **3 Assembly Business**

### **3a Business Committee**

The Committee agreed to meet at 8.30am on Tuesday mornings during sitting weeks for the remainder of the term, but to look at meeting at an alternative time in the new term so as to have regard for the family responsibilities of Members. Business Managers agreed to return to the matter at a future meeting as part of the discussion on the committee timetable as a whole.

Business Managers agreed to meet in private for any future meetings where matters relating to the internal business of the committee, or of the Assembly will be discussed, and noted that the resolution agreed at the start of the meeting provided for it to do so. However, there was consensus across the Committee that the committee should aim to meet in public more frequently in future.

Business Managers agreed that the minutes of private meetings would be published in English and Welsh within 1 week of their being agreed by the Committee.

### **3b Organisation of Business**

#### ***Review of the Assembly Timetable***

Business Managers agreed to conduct a review of the Assembly timetable, including the scheduling of Plenary meetings, with a view to increasing the overall capacity for

formal Assembly business. The Committee requested that the Secretariat bring forward a paper with various options for Business Managers to consider at a future meeting.

### *Plenary*

The Committee agreed to publish a provisional timetable for the remainder of this term, with Plenary meetings at 13.30 on Tuesday and Wednesday afternoons, in line with Standing Orders:

- Using Tuesday afternoons for Government Business; and
- Using Wednesday afternoons for Government and Assembly Business.

### *Committees*

All Members were in favour in principle of using Monday afternoons as a formal slot of the Assembly Timetable, as recommended by the predecessor committee, but that any decision would need to be informed by the wider review of committee structures.

Business Managers agreed to discuss the matter with their groups and return to the issue at a future meeting.

### *Other Times*

Business Managers agreed to continue with the previous arrangement of party groups meeting at 11am on Tuesdays.

Business Managers also agreed recess dates up until Autumn half term and agreed to return to the matter at a future meeting to decide on provisional recess dates for Christmas 2016 and Spring 2017, following discussions with Party Groups.

### *EU Referendum*

Simon Thomas raised the issue of timetabling business in the run up to the EU referendum and the effect this may have on Members' contributions during this period.

The Director of Assembly Business advised that the Political Parties Election and Referendums Act 2000 (PPERA) places restrictions on the Assembly Commission in relation to publishing material related to the referendum in the 28 days leading up to 23 June.

Publication of the record of the formal business of the Assembly would be captured by these restrictions. Breach of the Act would not be a criminal offence, so the risk would be a reputational one. However, the Assembly Commission is required by law to publish records of our proceedings.

Business Managers agreed in principle to schedule business as usual during the referendum period. However, Mark Reckless asked for further legal advice on the matter, and asked officials to look into the possibility of the Assembly asking for a pre-emptive court declaration to enable Members to debate issues relating to the EU referendum. The Committee agreed for the Secretariat to provide a note to the next meeting to clarify the Commission's legal and statutory obligations before making a decision.

### *Use of Assembly Time*

Business Managers agreed to look at ways of introducing more variety to the use of Assembly time in Plenary, and asked the Secretariat to bring a paper to a future meeting.

Business Managers agreed to continue with the practice adopted in the Fourth Assembly for scheduling Individual Member Debates on a regular basis and agreed to schedule one every other week until the summer recess. The Committee also decided to lower the threshold for support of a motion from three Members from three different political groups to three Members from two groups.

The Committee also agreed to schedule up to three hours of opposition debates a week, depending on other demands on Assembly time. Business Managers considered the most appropriate division of Assembly time amongst opposition parties and agreed to return to the issue at the meeting on 8 June.

The Committee agreed to hold a Short Debate on a Wednesday each week and for it to be allocated 30 minutes, however Simon Thomas expressed the view that Short Debates should be reviewed as part of the review of Assembly time.

### 3c Committees

Business Managers considered papers setting out the decisions the Committee would need to take in establishing a committee system and procedures for electing committee chairs.

Simon Thomas questioned whether Kirsty Williams AM would be permitted to have a seat on a committee while also being a member of the government. The Head of Policy and Legislation Committee Service advised that although, by convention, Members of the Government have not sat on an Assembly committee, Standing Orders do not prevent them doing so. The Liberal Democrat Member's entitlement to a committee seat therefore remained, though it would be a matter for her as to whether she wanted to take it up or not.

There was a general consensus that committee size should be reduced compared to the Fourth Assembly. Business Managers agreed to discuss options with their groups.

The committee also considered the previous Business Committee's recommendation that the core structure of joint policy and legislation committees should be maintained in the Fifth Assembly. Jane Hutt and Mark Reckless were in favour of maintaining this structure, stating that it allowed Members who had developed an expertise in policy areas to also scrutinise legislation on those subjects. Simon Thomas and Paul Davies however suggested that having at least some separate legislation committees would reduce the workload pressures of some committees, which was an issue during the last Assembly.

Paul Davies raised committee remits and that they should mirror the portfolios of Cabinet Secretaries, which was not the case in the Fourth Assembly. Simon Thomas also suggested a separate committee to scrutinise EU legislation and referenced the Communities, Equality and Local Government Committee's remit in the Fourth Assembly as being particularly broad resulting in a disproportionate workload.

Business Managers noted a recommendation in the paper on committees that should more time be needed to come to a definitive view on these matters, certain arrangements should be put in place for certain committees to consider urgent matters such as subordinate legislation, finance, the Wales Bill and the outcome of the EU referendum.

The Committee requested a further detailed paper outlining options for possible committee structures including suggested models for committee remits and procedures for electing committee chairs, based on the discussions of the Committee, to be considered at the next meeting after 8 June. In the meantime, the Presiding Officer asked Business Managers to discuss options with their groups.

## **4 Other Business**

### ***Assembly Commission***

Business Managers agreed to table a motion to appoint the Assembly Commissioners, in accordance with Standing Order 7.1, for the Plenary meeting of 8 June. The Committee noted that in order to do so, Standing Orders would need to be suspended to allow the motion to take place on 8 June as this would exceed requirement to appoint Commissioners no more than 10 days following the appointment of the Business Committee

The Committee asked that it be minuted that Members considered it unfortunate that Standing Orders had to be breached in this way, and agreed to review the 10 day requirement in Standing Orders as it was not clear what purpose it served.

### ***Principles and Practice for Tabling and Laying Assembly Business***

Business Managers noted a paper on the Principles and Practice for Tabling and Laying Assembly Business.

## **5 Next meeting**

Business Managers agreed to meet at 9am on 8 June to agree the three week timetable of Assembly Business and to meet again following Plenary on 8 June or on Thursday morning 9 June to consider the matters that had been referred for discussion with groups.

## **Any Other Business**

The Presiding Officer urged Business Managers to ask their Members not to take photos in the Chamber during proceedings and reminded them that no food and drink

are allowed in the Chamber, except for the glasses of water provided for Members in the Cwrt.