



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

CABINET WRITTEN STATEMENT

TITLE: The Welsh Assembly Government's proposed plenary business up to the Assembly elections in May 2007

DATE: 13 September 2006

BY: Jane Hutt, the Business Minister

This statement outlines the Welsh Assembly Government's proposed plenary business up to the Assembly elections in May 2007. The programme that follows represents the Assembly Government's intentions as of today's date. Changes made as a result, for example, of discussion on the weekly business statement, are likely to produce consequential amendments to the schedule outlined here.

For ease of reference the proposed business is broken down here into six categories: major annual set debates; Welsh Assembly Government debates; Welsh Assembly Government Statements; opposition/backbench time and committee business; proposals for the further delegation of functions to the Assembly and the Government's proposed forthcoming legislative programme.

Set piece debates

The timing of the motions to approve the **APS budget**, the **draft budget** together with the motion to approve **the Local Government Settlement** and **the final budget** will be in accordance with the timescales prescribed in our Standing Orders. The debate on the **Queen's Speech** is likely to take place after the autumn half term recess and the debate on the **proposed new Standing Orders** is expected to take place before the Christmas recess.

Government Debates

It is proposed that a debate on the Heads of the Valley Strategy will take place during September. The scheduled debates during October are on: Road Safety; the Safeguarding of Vulnerable Children; the smoking ban and Sport.

It is proposed that the Assembly will debate during the last session of 2006 (i.e after the autumn half term): The Community First Programme; the Fire Service; the Welsh Assembly Government's Disability and Equality Scheme; the 2005/06 Annual Reports of the Care Standards Inspectorate for Wales and the Health Service Commissioner for Wales; the review of the Welsh Ambulance Service and the review of the Arts Council.

And finally the Government debates that have so far been scheduled for the last session of this Assembly includes debates on: the 5th Annual Report of the Children's Commissioner for Wales; Palliative Care; Autism Services and debates on the 2005/06 Annual reports of the Social Services Inspectorate for Wales and Her Majesty's Chief Inspector of Schools; a debate on matters relating to the European Union and a debate on the Assembly's arrangements for co-operation with business.

Welsh Assembly Government Cabinet Statements

During September it is proposed that the Health Minister will make a statement on NHS Finances and the Education Minister will provide the government response to the report of the School Funding Committee.

During the last session of 2006 it is proposed that the Government will respond to the report of the Rail Infrastructure Committee, to the Culture, Welsh Language and Sport Committee's report on Newspapers/Trinity Mirror and to the Enterprise, Innovation and Networks Committee's report on Science Policy Review. The Health Minister is also expected to make a statement on the outcome of the Public consultation: "Sustaining and Improving Neurosurgery Services in South Wales – Proposals to develop a South Wales Neurosciences Centre".

And finally the Cabinet statements so far scheduled for the last session of this Assembly include: the Government response to the Culture, Welsh Language and Sport Committee's Report on Football; to the Local Government and Public Services Committee's scrutiny project: "Electoral Arrangements in Wales and to the 5th Annual Report of the Children's Commissioner for Wales.

Opposition/backbench time and committee business

Nine opposition debates are scheduled to take place before the Christmas recess and eight during the last session of this Assembly.

In October the Assembly will debate the Standing Order 31 proposal to amend the Town and Country Planning Order 2005 to incorporate new provisions for playing fields. Time will also be found to debate the proposals emanating from the last three ballots of this Assembly to be held in September, November and in January 2007. Thirty minutes will also continue to be set aside each week for the short debate.

The scheduled Committee debates to take place over the last seven months of this Assembly will be on:

September:

- The Annual Report of the Voluntary Sector and the Annual Report of the Audit Committee.
- The Science Policy Review undertaken by the Enterprise, Innovation and Networks Committee.

October:

- The Public Services Ombudsman for Wales 2005/06 Annual Report.
- The Environment, Planning and Countryside Committee's report on the Marine Bill.

November:

- The House Committee's 2005/06 Annual Report.
- The Assembly's 7th Equality Annual Report.

December:

- The Culture, Welsh Language and Sport Committee's review of Football.

January:

- The Social Justice and Regeneration Committee's Report on Substance Misuse.
- The Equality of Opportunity Committee's policy review of Service provision for Disabled young people.
- The Local Government and Public Services Committee's scrutiny project: "Electoral Arrangements in Wales".

February:

- The Social Justice and Regeneration Committee's Review of Youth Homelessness.

March:

- The Health and Social Services Committee's review of Cancer Services.
- The Education, Lifelong Learning and Skills Committee's final report on Special Education Needs – Transitional Arrangements.
- The 2006 Annual Report of the Standards of Conduct Committee.

Further new functions to be delegated to the Assembly

The Welsh Assembly Government in negotiation with Whitehall Departments has secured the following delegation of functions to the Assembly, which will be subject to delegation motions before the end of this Assembly:

Functions under the Mental Capacity Act 2005

The Mental Capacity Act 2005 enshrines in statute, current best practice and common law principles concerning people who lack mental capacity and those who take decisions on their behalf. It replaces current statutory schemes for enduring powers of attorney and Court of Protection receivers with reformed and updated schemes. It also creates two new public bodies to support the statutory framework: a new Court of Protection and a new Public Guardian. The Act will also include three further key provisions to protect vulnerable people: Independent Mental Capacity Advocates; advance decisions to refuse treatment and introduces a new criminal offence for the ill treatment or neglect of a person who lacks capacity.

The Transfer of Functions Order 2006

The Transfer of Functions Order makes provision for the transfer of functions relating to:

The Regulatory Reform (Fire Safety) Order 2005, the main emphasis of the reform will be towards fire prevention and a regime for fire risk assessment.

The Census Act 1920, which will direct that a Minister of the Crown consult the Welsh Assembly before recommending to Her Majesty in Council that a Census Order be made under section 1 of the Census Act 1920, where that Census order includes reference to Wales and transfers to the Assembly the function of making Census Regulations under section 3 of the Census Act 1920 in so far as that function is exercisable in relation to Wales. The proposed transfer of functions would give the Assembly greater influence in the decisions the ONS take and the final say on the content of the Census in Wales as well as the way it is conducted.

Sections 47(2)(g), 53(2)©, 55(4) and 66A(6) of the Water Industry Act 1991 will enable the Assembly to make regulations under sections 74, 47, 53, 55 and 66A, prescribing requirements in relation to water

fittings, preventing the contamination or waste of the water supply by water or sewerage undertakers whose areas are wholly in Wales.

Functions under the Clean Neighbourhood and Environment Act 2005

The Clean Neighbourhood and Environment Act 1990 will provide the Environment Agency and English and Welsh local authorities and community councils with more effective powers to tackle poor environmental quality and antisocial behaviour.

Functions under the Traffic Management Act 2004

The Traffic Management Act 2004 provides for traffic management to alleviate congestion, improve traffic flows and improve conditions for all road users on local authority roads and trunk roads in England and Wales through the management of the national and local road networks. Delegating the functions will give the Assembly the power to issue guidance and the discretion to make regulations that is relevant to Wales.

Functions under the Commons Act 2006

The Commons Act 2006 is the first significant piece of legislation on common land in forty years. The delegations will be numerous, the most significant being that it will enable the Assembly to facilitate the creation of statutory commons councils, where sought by commoners, for better and more sustainable management of individual commons in Wales.

Functions under The Natural Environment & Rural Communities Act 2006

The Natural Environment & Rural Communities Act 2006 provides a large scope of powers, which for the most part relate to England alone, its principal focus is on the creation of Natural England and the Commission for Rural Communities in England, but it also creates a range of new functions for the Assembly, including obligations to publish and maintain a list of organisms and habitats of principal importance for conserving biodiversity and powers to issue codes of practice relating to natural conservations matters and appoint persons to investigate a range of nature conservations offences.

Functions under the Tax Credits Act 2002

The Tax Credits Act 2002 provides for regulated schemes to enable approved child carers to care for children in their family homes. Functions being delegated to the Assembly will give it powers to make a scheme for the approval of those providing childcare in the family home (other than relatives). Parents who employ such an approved carer will be eligible to apply for working family tax credits/and or tax and National Insurance Contributions benefits associated with employer-related childcare vouchers.

The proposed forthcoming legislative programme

The following provides a brief over-view of the measures, which the Government is planning to introduce via subordinate legislation before the end of this Assembly, which includes:

For Education, Lifelong Learning and Skills

- The Annual recurring legislation to uplift the Assembly Learning Grant, the Education Maintenance Allowance and the Teacher Training incentive Schemes.
- The introduction of measures to strengthen safeguards for children by extending the regulatory inspection regime to include the inspection of youth and community workers and measures to ensure that careers and other related services are subject to a similar system of inspection as other education and training services in Wales.
- Legislation that will strengthen arrangements for the placement, health and education of looked after children and the legislation, which will give effect to the recommendations of the Clywch report for children in an educational setting.
- Legislation to introduce more stringent nutritional standards for food and drink provided in maintained schools in Wales

For Environment, Planning and Countryside

- Legislation to introduce strategic noise maps for large urban areas and major transport systems with the intention of reducing the harmful effects due to exposure of environmental noise.
- Legislation to bring into force provisions, which will halt the creation of new rights of way for motorised vehicle users.
- Legislation, which will introduce a public participation process in the assessment of environmental effects of Trunk Road and Motorway schemes.
- Legislation, which will provide a statutory basis for the control of the extraction of minerals by marine dredging in Welsh waters and a requirement for an assessment of the effects of certain public and private projects on the environment and the conservation of natural habitats and of wild fauna and flora with respect to the extraction of minerals by marine dredging.
- Legislation to streamline and simplify compliance systems for waste management licensing and Pollution Prevention Controls. To reduce bureaucracy and allow industry, regulators and the public to focus more on environmental outcomes and less on how they are achieved.
- A package of legislation to strengthen the identification of radioactive contaminated land, and to strengthen the inspection and enforcement duties of local authorities under the regime.
- Legislation to bring into force new maximum levels of pesticide residues, which crops, food and feeding stuffs may contain and

strengthen the code of practice on the evaluation of active substances used in plant protection products and to list those considered acceptable.

- Legislation to provide incentive grants for the fishing industry to encourage the installation of satellite-tracking devices on fishing vessels.
- A package of legislation to bring about changes to improve the delivery of the planning system.
- The introduction of new set-aside management rules and conditions to allow greater flexibility to farmers in Wales to manage their set-aside land.
- Legislation to introduce a common appeals system for Rural Development Payment schemes.
- Legislation which will protect members of the public who use private water supplies or consume goods and drinks made from private water supplies.

For Health and Social Services

- The final piece of Legislation to abolish prescription charges in Wales.
- The legislation to ban smoking in public places.
- Legislation to establish a Commissioner for Older People in Wales, the first across the UK.
- Legislation to extend the categories of people eligible for direct payments to people in receipt of community care services.
- Legislation to ensure consistent duties are placed on local authority social services care providers to have their own quality assurance mechanisms in place for inspection by the CSlW and to introduce a requirement to safeguard and promote the welfare of the service user by introducing a new framework on the handling of complaints and time scales for the resolution of complaints.
- Legislation to implement independent prescribing for qualified Nurse Prescribers and Independent Pharmacist Prescribers to provide efficient cost effective accessible services across NHS Wales to enable patients to get quicker and more efficient access to medicines which reduce pressure on GPs. It will provide for qualified specialist nurses/pharmacists to run clinics such as diabetes and coronary heart disease.
- Legislation, which will extend the qualifying determinations for prospective adopting parents and provide set regulatory standards for Local Authority adoption services.
- Legislation to further safeguard incapacitated vulnerable people under the Mental Capacity Act 2005.

For Social Justice and Regeneration

- Legislation, which will allow Local Authorities to introduce Orders to help prevent crime and anti-social behaviour through installing gates across lanes and alley ways.
- Legislation to upgrade the Home Energy Efficiency Scheme to ensure all eligible households are able to receive energy efficiency support.
- A package of legislation to strengthen the regulation of vacant properties within the private sector.

Local Government and Public Services

- Legislation to improve the quality of our highways by introducing measures to introduce specifications for the materials to be used, the standards of workmanship to be observed to ensure streetworks are carried out to a high standard.