

## Business Committee BC(2)19-05 (Final minutes)

### MINUTES OF MEETING

**Date:** 21<sup>st</sup> June 2005

**Time:** 9 a.m.

**Venue:** Conference Room E

**Present:** Jenny Randerson (Chair)  
Jane Hutt, Business Minister

Jocelyn Davies, Plaid Cymru Business  
Manager

Kirsty Williams, Welsh Liberal  
Democrats Business Manager

David Melding, Welsh Conservatives  
Business Manager

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 Services 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

### Apologies & announcements

### 2. Minutes of the previous meetings

### **(i) BC(2)17-05 (Final minutes) - Tuesday 7<sup>th</sup> June 2005**

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)18-05 (draft minutes) - Tuesday 14<sup>th</sup> June 2005**

2.2 The minutes were presented to the Committee in draft. An amendment was suggested which would be incorporated before the minutes were translated in readiness for publication

**Action: Chamber Secretariat**

## **3. Matters Arising**

### **4. Subordinate Legislation**

#### **Orders for consideration**

The Hazardous Waste (Wales) Regulations 2005 - **BC(2)19-05 (p1)**

& Report of the Environment, Planning and Countryside Committee - **BC(2)19-05 (p27)**

The List of Waste (Wales) Regulations 2005 - **BC(2)19-05 (p3)**

The Independent Review of Determinations (Adoption) (Wales) Regulations 2005 - **BC(2)19-05 (p2)**

& Report of the Health and Social Services Committee - **BC(2)19-05 (p21)**

The Public Audit (Wales) Act 2004 (Commencement No. 3) Order 2005 (*Recommended Procedure : Standard*) - **BC(2)19-05 (p4)**

& Report of the Public Audit (Wales) Act (Commencement Order No.3) 2005 Committee - **BC(2)19-05 (p22)**

The Housing Act 2004 (Commencement No.1) (Wales) Order 2005 - **BC(2)19-05 (p5)**

Social Housing Ombudsman (Wales) Regulations 2005 - **BC(2)19-05 (p6)**

& Report of the Social Justice and Regeneration Committee - **BC(2)19-05 (p23)**

The Street Works (Records) (Wales) Regulations 2005 - **BC(2)19-05 (p7)**

The Education (Nursery Education and Early Years Development and Childcare Plans) (Amendment) (Wales) Regulations 2005 - **BC(2)19-05 (p8)**

NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) (Establishment and Constitution) Order 2005 *Standing Order 25, Section 3* - **BC(2)19-05 (p9)**

NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) Regulations 2005 *Standing Order 25, Section 3* - **BC(2)19-05 (p10)**

The NHS Business Services Authority (Awrddurdod Gwasanaethau Busnes I GIG) (Establishment and Constitution) Order 2005 *Standing Order 25, Section 3* - **BC(2)19-05 (p11)**

The NHS Business Services Authority (Awrddurdod Gwasanaethau Busnes I GIG) Regulations 2005 - **BC(2)19-05 (p12)**

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) (Amendment) (No. 2) Regulations 2005 - **BC(2)19-05 (p13)**

The Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 - **BC(2)19-05 (p14)**

& Report of the Local Government and Public Services Committee - **BC(2)19-05 (p24)**

**The Business Committee recommended the Standard procedure for BC(2)19-05(p1) - BC(2)19-05(p6). The Committee recommended the Accelerated procedure for BC(2)19-05(p7) and BC(2)19-05(p8). The Deputy Presiding Officer subsequently determined that none of these Orders need be referred to Subject Committee.**

4.1 Members of the Committee suggested a number of amendments to clarify the papers accompanying these items of legislation. It was agreed that the papers would be amended accordingly.

#### **BC(2)19-05(p2)**

4.2 The Chair said that there was a discrepancy in the references to "*panels*" in paragraph 43 of the Regulatory Appraisal and in regulation 15 of the Order. Alun Jenkins said that this would be corrected.

#### **BC(2)19-05(p9)**

4.3 The Deputy Presiding Officer said that if a Regulatory Impact Assessment was being laid in Parliament alongside the Regulations, it would be useful for it to be provided to Assembly Members. Marion Stapleton said she would report back on this issue.

**Action: Marion Stapleton**

#### **BC(2)19-05(p10) - (BC(2)19-05(p13))**

4.4 Business Managers said that they were content for these draft Orders to be considered in Plenary without debate.

## **BC(2)19-05(p14)**

4.5 The Committee noted the report of the Local Government and Public Services Committee about this draft Order, which would be made in accordance with Standing Order 26. The Chair said that the Committee had raised concerns about the Guidance and the Concordat accompanying the legislation. Business Managers said they wished to debate this draft Order. The Deputy Presiding Officer said that if a Regulatory Impact Assessment was being laid in Parliament alongside the Regulations, it would be useful for it to be provided to Assembly Members. Marion Stapleton said she would report back on this issue.

**Action: Marion Stapleton**

## **(b) Standing Order 29 Subordinate Legislation**

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

## **(d) Papers for Information**

## **5. Committees**

### **BC(2)19-05(p15)**

5.1 Karin Phillips introduced a paper containing revised versions of the draft Committee timetable for the Autumn term 2005. She said that the latest version took account of comments from the Business Committee and Committee Chairs and shared the allocation of Thursday morning meetings across various committees. Business Managers said they were content with the proposals. The Business Minister said that these arrangements would be included in the Periodic Timetable Statement, which would be laid later that day in advance of the debate on 28 June.

### **BC(2)19-05(p26)**

5.2 The Business Minister introduced a paper containing the terms of reference for a review of arrangements for subject committees. She said that Business Managers had been consulted on this issue. Karin Phillips said that she had concerns that not all of the data which would be needed to underpin the review would be available or sufficiently robust. The Chair said that it was likely that the review would only be relevant to the remainder of the current Assembly, as fundamental changes would be required for the next Assembly, as indicated in the White Paper. Members of the Committee suggested that the scope of the retrospective data analysis could be narrower. David Melding asked if the review could look at the possible implications of the proposals in the White Paper for future arrangements. The Chair said it might also be useful to look at the potential workload for Committees in relation to the scrutiny of legislation.

## **6. Forthcoming Business**

## **BC(2)19-05(p16)**

6.1 The Business Minister responded to various requests from Business Managers and said that:

There was no intention of making a Statement on the lack of availability of Welsh language application forms for landlords to apply for new licences as this was not a devolved matter.

A statement on the potential for road charging in Wales would be made before the Summer recess.

There was no intention to schedule a statement on the Government's small school policy.

There was no intention to schedule a statement on extended school day proposals for England. The Assembly Government was currently developing its own childcare strategy which would be published in September.

The First Minister had made a statement on the White Paper: Better Governance for Wales on 22 June.

## **This Week's Business**

### **BC(2)19-05(p17)**

6.2 The Committee considered this paper, which detailed the Assembly's agreed business for the week.

6.3 The Business Minister said that it was proposed to suspend Standing Orders to bring forward a debate on the NHS Capital programme on Wednesday.

6.4 Jocelyn Davies referred to the motion to establish a Committee to advise the Assembly on school funding, which had been agreed on 14 June, and asked when the elections to that Committee would take place. Members of the Committee said it was desirable for the Committee to be elected as soon as possible to enable preparatory work to commence. The Business Minister said she would seek to schedule the elections as soon as possible before the recess.

## **Business Managers' Requests**

6.5 Kirsty Williams asked if a debate could be scheduled on the future of European Structural Funds and asked if a statement could be made on the long term suspension of medical staff in the NHS. Jocelyn Davies said David Melding supported these requests. David Melding said he would also like a statement on the wider issue of suspension of staff

in the NHS.

6.6 Jocelyn Davies reiterated her request for a debate on the Assembly's small schools policy.

### Draft Business Statement

6.7 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 27 June, 5 July and 12 July.

6.8 The Chair said that the Committee had considered various amendments to Standing Orders in recent meetings and asked if a Plenary slot to approve those changes could be scheduled before the recess. The Business Minister said she would arrange a date as soon as possible.

6.9 The Deputy Presiding Officer referred to the debate on the Audit Committee's Annual Report, which was scheduled for 13 July and had been allocated 30 minutes. He asked if the debate could be allocated 45 minutes instead.

## **7. Advice to Assembly on procedures**

### **BC(2)19-05(p19)**

7.1 The Committee considered a letter and Advisory Memorandum from the Presiding Officer relating to the Permanent Secretary's responsibilities as the Assembly's Principal Accounting Officer in respect of proceedings in Plenary. Business Managers agreed to return to the issue in the Committee's next meeting.

### **BC(2)19-05(p20)**

7.2 The Business Committee considered and agreed a Code of Practice relating to Members' Access to Information. It was noted that the Assembly's existing code would need to be rescinded by the Assembly in Plenary. The Clerk said that it would be preferable for the motion to approve the Code of Practice to be tabled alongside the motion to amend Standing Order 19.

## **8. Matters referred from plenary**

## **9. Revisions to Standing Orders**

## **10. Presiding Officer rulings**

## **11. Any other business.**

**CHAMBER SECRETARIAT**