

Second Assembly Plenary Meeting

Votes and Proceedings (230)

Date: Wednesday, 25th October 2006

[Detailed voting results are available here](#)

2.00pm

Item 1: Local Government Questions to Sue Essex, Minister for Finance, Local Government and Public Services

The first 8 questions were answered. Questions 4 & 9 were grouped for answer and question 8, was transferred for written answer by the Minister for Culture, Welsh Language and Sport.

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2.46pm

Item 2: Questions to Jane Davidson, Minister for Education, Lifelong Learning and Skills

The first 9 questions were answered.

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3.34pm

Item 3: Statement by the Minister for Health and Social Services : Clostridium Difficile superbug

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4.06pm

Item 4: Motion to approve The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Amendment Regulations 2006

NDM3264 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Amendment Regulations 2006 a copy of which was laid in Table Office on 26 September 2006.

A vote was taken on the principle of the Regulations:

For	Abstain	Against	Total
49	0	0	49

The principle of the Regulations was agreed.

NDM3265 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 10 October 2006 in relation to the draft The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Amendment Regulations 2006; and

2. Approves that the draft The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Amendment Regulations 2006 is made in accordance with:

a) the draft laid in the Table Office on 26 September 2006; and

b) the Regulatory Appraisal laid in the Table Office on 26 September 2006.

A vote was taken on the motion to approve the Regulations:

For	Abstain	Against	Total
49	0	0	49

The Regulations were approved.

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The following 2 items were debated together but voted on separately.

4.16pm

Item 5: Motion to approve The Housing (Empty Dwelling Management

Orders) (Prescribed Exceptions and Requirements) (Wales) Order 2006

NDM3266 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (Wales) Order 2006 a copy of which was laid in Table Office on 10 October 2006.

The following amendments were tabled:

Amendment 1 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

"Regrets that an Empty Dwelling Management Order (EDMO) cannot be made if the relevant proprietor is a public sector body."

A vote was taken on Amendment 1:

For	Abstain	Against	Total
9	0	41	50

Amendment 1 was not agreed.

Amendment 2 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

"Expresses concern that Local Authorities are not required to charge a market rent on properties subject to EDMOs."

A vote was taken on Amendment 2:

For	Abstain	Against	Total
10	0	40	50

Amendment 2 was not agreed.

A vote was taken on the principle of the Order:

For	Abstain	Against	Total
41	9	0	50

The principle of the Order was agreed.

NDM3267 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 17 October 2006 in relation to the draft The Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (Wales) Order 2006; and

2. Approves that the draft The Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (Wales) Order 2006 is made in accordance with:

a) the draft laid in the Table Office on 10 October 2006; and

b) the Regulatory Appraisal laid in the Table Office on 10 October 2006.

A vote was taken on the motion to approve the Order:

For	Abstain	Against	Total
41	9	0	50

The Order was approved.

Item 6: Motion to approve the Housing (Management Orders and Empty Dwelling Management Orders) (Supplemental Provisions) (Wales) Regulations 2006

NDM3268 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of Housing (Management Orders and Empty Dwelling Management Orders) (Supplemental Provisions) (Wales) Regulations 2006 a copy of which was laid in Table Office on 10 October 2006.

A vote was taken on the principle of the Regulations:

For	Abstain	Against	Total
42	9	0	51

The principle of the Regulations was agreed.

NDM3269 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 17 October 2006 in relation to the draft Housing (Management Orders and Empty Dwelling Management Orders) (Supplemental Provisions) (Wales) Regulations 2006; and

2. Approves that the draft Housing (Management Orders and Empty Dwelling Management Orders) (Supplemental Provisions) (Wales) Regulations 2006 is made in accordance with:

a) the draft laid in the Table Office on 10 October 2006; and

b) the Regulatory Appraisal laid in the Table Office on 10 October 2006.

A vote was taken on the motion to approve the Regulations:

For	Abstain	Against	Total
41	8	0	49

The Regulations were approved.

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The following 2 items were debated together but voted on separately.

4.33pm

Item 7: Motion to approve The Selective Licensing of Houses (Additional Conditions) (Wales) Order 2006

NDM3270 Jane Hutt (Vale of Glamorgan)

Considers the principle of The Selective Licensing of Houses (Additional Conditions) (Wales) Order 2006 a copy of which was laid in Table Office on 10 October 2006.

The following amendment was tabled:

Amendment 1 - Lisa Francis (Mid and West Wales)

Add new point at end of motion:

"Calls on the Welsh Assembly Government to work in partnership with representative landlord organisations to agree and overcome the barriers to improving property condition in the private rented sector."

A vote was taken on the Amendment:

For	Abstain	Against	Total
48	1	0	49

The Amendment was agreed.

A vote was taken on the principle of the Order, as amended:

NDM3270 Jane Hutt (Vale of Glamorgan)

1. Considers the principle of The Selective Licensing of Houses (Additional Conditions) (Wales) Order 2006 a copy of which was laid in Table Office on 10 October 2006.

2. Calls on the Welsh Assembly Government to work in partnership with representative landlord organisations to agree and overcome the barriers to improving property condition in the private rented sector.

For	Abstain	Against	Total
45	5	0	50

The principle of the Order, as amended was agreed.

NDM3271 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 17 October 2006 in relation to the draft The Selective Licensing of Houses (Additional Conditions) (Wales) Order 2006; and

2. Approves that the draft The Selective Licensing of Houses (Additional Conditions) (Wales) Order 2006 is made in accordance with:

a) the draft laid in the Table Office on 10 October 2006; and

b) the Regulatory Appraisal laid in the Table Office and e-mailed to Assembly Members on 18 October 2006.

A vote was taken on the motion to approve the Order:

For	Abstain	Against	Total
42	8	0	50

The Order was approved.

Item 8: Motion to approve The Selective Licensing of Houses (Specified Exemptions) (Wales) Order 2006

NDM3272 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Selective Licensing of Houses (Specified Exemptions) (Wales) Order 2006 a copy of which was laid in Table Office on 10 October 2006.

A vote was taken on the principle of the Order:

For	Abstain	Against	Total
42	8	0	50

The principle of the Order was agreed.

NDM3273 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 17 October 2006 in relation to the draft The Selective Licensing of Houses (Specified Exemptions) (Wales) Order 2006; and
2. Approves that the draft The Selective Licensing of Houses (Specified Exemptions) (Wales) Order 2006 is made in accordance with:
 - a) the draft laid in the Table Office on 10 October 2006; and
 - b) the Regulatory Appraisal laid in the Table Office and e-mailed to Assembly Members on 18 October 2006.

A vote was taken on the motion to approve the Order:

For	Abstain	Against	Total
42	8	0	50

The Order was approved.

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4.44pm

Item 9: Motion to approve The Amendment to the Code of Practice for Using Plant Protection Products: draft paragraph 3.7.4 under Standing Order 25 section 3

NDM3279 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales in accordance with Standing Order 25.13:

1. Approves the draft Amendment to the Code of Practice for Using Plant Protection Products: draft paragraph 3.7.4 a copy of which was laid in Table Office on 17 October 2006, and
2. Notes the Explanatory Memorandum for this Order laid in Table Office on 17 October 2006.

A vote was taken on the motion:

For	Abstain	Against	Total
49	0	0	49

The motion was agreed.

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4.46pm

Item 10: Motion to delegate functions under The Traffic Management Act 2004 to the First Minister

NDM3277 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under section 62(1) (b) of the Government of Wales Act 1998, resolves to delegate all those functions of the National Assembly under those provisions of the Traffic Management Act 2004 which are brought into force by the Traffic Management Act 2004 (Commencement No 1) (Wales) Order 2006, (being sections 5(4), 5(5) 10, 16-31, 72-93, 94, 95, 96, 98) to the Assembly First Minister, save those which by law cannot be so delegated:

Nothing in the motion will have the effect of reducing the pre-eminence of the authority of the full Assembly or of reducing the role of the Assembly Committees in the exercise of the above functions.

This delegation will be made in the knowledge that those functions will, as appropriate, be further delegated to the appropriate Assembly Minister and to staff.

A vote was taken on the motion:

For	Abstain	Against	Total
50	0	0	50

The motion was agreed.

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4.47pm

**Item 11: Motion to approve The Traffic Management Act 2004
(Commencement No.1) (Wales) Order 2006**

NDM3274 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Traffic Management Act 2004 (Commencement No. 1) (Wales) Order 2006 a copy of which was laid in Table Office on 3 October 2006.

A vote was taken on the principle of the Order:

For	Abstain	Against	Total
49	0	0	49

The principle of the Order was agreed.

NDM3275 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 17 October 2006 in relation to the draft The Traffic Management Act 2004 (Commencement No. 1) (Wales) Order 2006; and

2. Approves that the draft The Traffic Management Act 2004 (Commencement No. 1) (Wales) Order 2006 is made in accordance with the draft laid in the Table Office on 3 October 2006.

A vote was taken on the motion to approve the Order:

For	Abstain	Against	Total
49	0	0	49

The Order was approved.

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4.48pm

Item 12: Debate on the Public Services Ombudsman for Wales 2005-2006 Annual Report

NDM3278 Jane Hutt (Vale of Glamorgan)

The National Assembly for Wales:

Notes the Public Services Ombudsman for Wales' Annual Report for his functions as Welsh Administration Ombudsman for 2005-2006, laid before the National Assembly on 14 June 2006 with personal copies provided to all Assembly Members.

A vote was taken on the motion:

For	Abstain	Against	Total
32	0	0	32

The motion was agreed.

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4.58pm

Item 13: Short debate

NDM3276 Ieuan Wyn Jones (Ynys Môn):

The Kyffin Williams Gallery in Anglesey.

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The meeting concluded at 5.20pm.

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The Assembly will sit again in Plenary at 2.00pm on Tuesday, 7th November 2006.

E P Silk
Clerk to the Assembly