

Votes and Proceedings for Wednesday, 1st December 2004

The meeting commenced at 2.00pm

2.00pm

Motion to elect a Planning Decision Committee

NDM2202 Karen Sinclair (Clwyd South)

To propose:

1. That a Committee, to be known as the Planning Decision Committee (2) 2004-5 be established, in accordance with Standing Order 17 of the Assembly, to discharge the functions, in respect of the matters identified in the schedule to this motion under sections 78 and 79(1), and 77(1) and 77(4) of the Town and Country Planning Act 1990.

2. That the members of that Committee be:

Carwyn Jones AM (Chair)

Tamsin Dunwoody -Kneafsey AM

Alun Ffred Jones AM

Brynle Williams AM

3. That the Committee shall cease to exist when the Chair of the Committee signs the decision letter in accordance with Standing Order 17.16 or on the 10 December 2004 whichever is the earlier.

4. That if the Committee shall cease to exist without the Chair having signed a decision letter in respect of the matter identified in the Schedule to this motion then in that event the functions identified in paragraph 1 above are, in relation to such matter, delegated to the First Minister.

Schedule

PLANNING APPEAL BY WINDJEN POWER LTD FOR THE CONSTRUCTION AND OPERATION OF 6 WIND TURBINE GENERATORS AND ASSOCIATED ACCESS TRACKS, CONSTRUCTION OF 1 CONTROL BUILDING; MONITORING MAST; TEMPORARY STORAGE COMPOUND AND BORROW PITS AT LLETHERCYNON FARM, GARTHBRENGY, BRECON,

POWYS.

CALLED IN PLANNING APPLICATION BY CELTIC ENERGY LTD FOR THE PROPOSED EXTENSION OF AN EXISTING OPENCAST COAL SITE, WITH AN ON-SITE WASHERY, FOLLOWED BY RESTORATION AND AFTERCARE MANAGEMENT AT EAST PIT EAST, GWAUN-CAE-GURWEN, NR AMMANFORD.

A vote was taken on the motion

For 36; Abstain 0; Against 0; Total 36

The motion was carried

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2.01pm

Finance Questions to Sue Essex, Minister for Finance, Local Government & Public Services

The first 11 questions were answered.

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2.32pm

Questions to Carwyn Jones, Minister for Environment, Planning and Countryside

The 15 questions were answered. Question 6 and 10 were grouped. Question 9 was transferred for written answer.

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3.00pm

Statement by the Right Hon. Peter Hain , Secretary of State for Wales

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3.46pm

David Davies raised a Point of Order under Standing Order 7.7 relating to discourteous conduct in the Chamber.

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3.48pm

Debate on the Queen`s Speech

NDM2203 Karen Sinclair (Clwyd South)

To propose that the National Assembly:

1. Notes the content of the UK Government`s Legislative Programme for 2004-05;
2. Welcomes the inclusion in the Programme of two Wales-only Bills;
3. Notes that the following proposed Bills are of particular relevance to the Assembly`s responsibilities:
 - a) National Lottery Bill (Culture Committee)
 - b) Equality Bill (Social Justice and Regeneration Committee)
 - c) Education Bill (Education and Lifelong Learning Committee)
 - d) Public Services Ombudsman (Wales) Bill (Local Government and Public Services Committee)
 - e) Clean Neighbourhoods and Environment Bill (Environment, Planning and Countryside Committee)
 - f) Animal Welfare Bill (Environment, Planning and Countryside Committee)
 - g) Transport (Wales) Bill (Economic Development and Transport Committee)
 - h) Railways Bill (Economic Development and Transport Committee)
4. Remits the above Bills to the subject committees indicated, for further consideration, and requests each committee to report to the Assembly as soon as may be.

4.01pm

The Deputy Presiding Officer took the Chair

The following amendments were tabled:

Amendment 1 - Jocelyn Davies (South Wales East)

Insert as new point 1 and renumber subsequent points;

Calls on the Labour Assembly Government to negotiate within the UK Government to prioritise a new Government of Wales Act that would implement all the recommendations of the Richard Commission within the time scale set out in the Commission's report.

Amendment 2 - Jocelyn Davies (South Wales East)

Delete point 2 and replace with:

Notes the inclusion in the Programme of two Wales-only Bills and regrets that the legislative logjam at Westminster prevents the introduction of more Wales-only bills;

If Amendment 2 was carried Amendment 3 would fall

Amendment 3 - David Melding (South Wales Central)

Delete point 2 and replace with:

Regrets the failure of the Welsh Assembly Government to secure more than two Wales-only Bills.

Amendment 4 - David Melding (South Wales Central)

Add new point 3 and renumber accordingly:

Believes that the following list of Wales-only Bills would have better reflected Welsh needs and concerns:

- a) Culture (Wales) Bill - to establish a National Gallery and National Archive for Wales.
- b) NHS (Wales) Bill - to introduce a "patients' passport" scheme to reduce waiting lists.
- c) Education (Wales) Bill - to encourage the development of specialist schools in Wales, starting with Welsh and modern foreign language schools.
- d) Housing (Wales) Bill - to allow groups to set up loan funds and establish neighbourhood associations with a view to providing more affordable housing.
- e) Bank Holiday (Wales) Bill - to establish St David's Day as an official public holiday in Wales.
- f) Mental Health (Wales) Bill - to reform existing legislation and shift the emphasis to therapy rather than criminal law in relation to serious mental health issues.
- g) General Provisions (Wales) Bill - to allow miscellaneous matters recommended by the assembly for primary legislation to be consolidated into a single Bill.

Amendment 5 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion:

Regrets the lack of a Government of Wales Bill to implement the recommendations of the Richard Commission to give the Assembly primary law-making powers and calls on the Assembly Government to press the UK Government to bring one forward as soon as possible.

Amendment 6 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion:

Notes the inclusion in the Queen's Speech of the Transport (Wales) Bill which has been lobbied for by the Assembly Government for 3 years in succession.

Amendment 7 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion:

Welcomes the commitment of the Scottish Executive not to require ID Cards to access devolved public services in Scotland and calls on the Assembly Government to make the same commitment for Wales.

4.43pm

The Presiding Officer took the Chair

A vote was taken:

Amendment 1

For 17; Abstain 0; Against 41; Total 58

Amendment 1 was defeated

Amendment 2

For 28; Abstain 0; Against 30; Total 58

Amendment 2 was defeated

Amendment 3

For 28; Abstain 0; Against 30; Total 58

Amendment 3 was defeated

Amendment 4

For 12; Abstain 0; Against 36; Total 58

Amendment 4 was defeated

Amendment 5

For 18; Abstain 0; Against 40; Total 58

Amendment 5 was defeated

Amendment 6

For 17; Abstain 11; Against 30; Total 58

Amendment 6 was defeated

Amendment 7

For 17; Abstain 11; Against 30; Total 58

Amendment 7 was defeated

A vote was taken on the motion

For 30; Abstain 0; Against 28; Total 58

The motion was carried

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5.03pm

Point of Order

Leighton Andrews raised a point of order under Standing Order 7.7 about the use of discourteous language in the previous debate. The Presiding Officer asked Leanne Wood to withdraw her remark. As Leanne Wood refused to comply with the Presiding Officers' directions, she was required to withdraw from proceedings for the remainder of the day in accordance with Standing Order 7.8.

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5.05pm

Deputy Presiding Officer took the Chair

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5.05pm

Short Debate - NDM2201 Janice Gregory (Ogmore): Kick Out Racism in Sport - All Sport

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The meeting concluded at 5.24pm

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E P Silk

Clerk to the Assembly

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET

Documents Laid on 30 November 2004

- Audit Committee report: European Union Structural Funding: Progress on Securing the Benefits for Wales - LD3345
- The Suspension of Day Care Providers and Child Minders (Wales) Regulations 2004-Memorandum Of Corrections - LD3348
- The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 2004 - LD3349
- The Genetically Modified Food (Wales) Regulations 2004-Memorandum Of Corrections - LD3350
- The Genetically Modified Animal Feed (Wales) Regulations 2004-Memorandum Of Corrections - LD3351
- National Assembly for Wales' Budget 2005-2006 to 2007-2008 Final Budget Proposals - LD3352a
- National Assembly for Wales' Budget 2005-2006 to 2007-2008 Final Budget Proposals - Explanatory Notes - LD3352b

Documents Laid on 29 November 2004

- The Welsh Assembly Government's response to the report of the National Assembly Audit Committee's report on Finances of NHS Wales 2004 - LD3346
- Report by the Local Government and Public Services Committee: The Council Tax (Transitional Arrangements) Wales Regulations 2004 and The Council Tax (Demand Notices) (Transitional Arrangements) (Wales) Regulations 2004 - LD3347

Committee Reports Laid on 30 November 2004

- LC990 - The Genetically Modified Animal Feed (Wales) Regulations 2004 - LD3353
- LC991 - The Genetically Modified Food (Wales) Regulations 2004 - LD3354
- LC992 - The Food Labelling (Amendment) (No. 2) (Wales) Regulations 2004 - LD3355
- LC961 - The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 - LD3356