

BUSINESS PAPERS

PART 2 – SECTION H

VOTES & PROCEEDINGS FOR WEDNESDAY, 17th MAY 2000

The session commenced at 2pm

Questions to Jane Hutt, Secretary for Health

The first 3 questions were reached

2.14pm

Questions to Tom Middlehurst, Secretary for Education & Training for over 16's

The first 4 questions were reached

2.29pm

Censure Motion tabled by Nick Bourne (Mid and West Wales); David Davies (Monmouth); Jonathan Morgan (South Wales Central); Peter Rogers (North Wales); Alun Cairns (South Wales West); William Graham (South Wales East); David Melding (South Wales Central); Glyn Davies (Mid and West Wales);

This Assembly censures the Assembly Secretary for Agriculture and Rural Development for her failure to address the concerns of the National Assembly for Wales, by failing to secure a GM free environment

A vote was taken:

For 8

Abstain 21

Against 26

Total 55

The Censure motion fell

2.51pm

Point of Order:

1. **Richard Edwards** raised a point of order under SO 7.2 about offensive language used by Nick Bourne during the Censure debate. **The Presiding Officer** advised that he had listened very carefully to the speech and did not feel that any offensive language was used, he said he would check the record & make a further statement if required.
2. **Jocelyn Davies** raised a point of order stating that Nick Bourne referred to her party as "Nationalists" and not Plaid Cymru - The Party of Wales. **The Presiding Officer** reminded all members that registered names must be used.
3. **The Business Secretary** advised that his planned statement on subordinate legislation has been withdrawn due to a heavy order paper and would be rescheduled.

2.52pm

Appointment of the Auditor of the Accounts of the Auditor General for Wales

To propose that the Assembly, in accordance with section 94(1) of the Government of Wales Act 1998 appoint Owen, Thomas and Co as the auditors of the accounts of the Auditor General for Wales. A copy of the letter inviting tenders and the Specification and Conditions of Contract for Services was laid in the Table Office on 10 May 2000

A vote was taken:

For 50

Abstain 0

Against 0

Total 50

The motion was carried and Owen, Thomas & Co were duly appointed as the auditors of the accounts of the Auditor General for Wales

2.59pm

Delegation of Functions of the European Communities Wales Order

To propose that the Assembly, acting under Section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate to the Assembly First Secretary all of its functions in or under The Structural Funds (National Assembly for Wales) Regulations 2000 SI 2000/906 (laid in the Table Office on 10 May 2000) and under Instruments of Designation (laid in the Table Office on 10 May 2000) made by respectively the Secretary of State for Trade and Industry and by the Minister of Agriculture Fisheries and Food

The following amendments were considered:

Amendment 1 - Ieuan Wyn Jones (Ynys Mon);
In lines 1 replace 'Assembly' with 'National Assembly'

Amendment 2 - Alun Cairns (South Wales West);
After "Minister for Agriculture Fisheries and Food" insert:

and agrees to fully consult the respective subject committees in exercising the functions above.

Amendment 3 - Ieuan Wyn Jones (Ynys Mon);
At end of motion remove full stop and add :

', and that the First Secretary reports annually to the National Assembly how he/she has exercised these delegated powers.'

Amendment 4 - Mike German (South Wales East);
Add at the end of the motion: "Nothing in this 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 Committee's in the exercise of the above functions.

A vote was taken:

Amendment 1

For 44

Abstain 0

Against 1

Total 45

Amendment 1 was carried

Amendment 2

For 27

Abstain 0

Against 18

Total 45

Amendment 2 was carried

Amendment 3

For 27

Abstain 0

Against 20

Total 47

Amendment 3 was carried

Amendment 4

For 28

Abstain 0

Against 20

Total 48

Amendment 4 was carried

The motion, as amended

For 47

Abstain 0

Against 0

Total 47

The motion, as amended, was carried

3.22pm

Debate on Part 7 Order under Section 59 of the Town & Country Planning Act 1990 (to allow the economic diversification of existing agricultural buildings to allow their conversion to light industrial or business use without the need to make a planning application, by amending the Town

& Country Planning Act 1990 (General permitted Development) Order 1995

The Assembly resolves to instruct the Assembly Secretary for Environment, Transport and Planning to bring forward a draft Order under section 59 of the Town and Country Planning Act 1990. The objectives to be achieved by this Order are:

- To enable economic diversification of agricultural buildings which have been in agricultural use for 5 years or more by amending the Town and Country Planning (General Permitted Development) Order 1995
- To confer permitted development rights on agricultural land comprising an agricultural unit of at least 5 hectares so that existing agricultural buildings on the land can be redeployed by i) applying the uses which fall within Class B1 of the Town and Country Planning (Use Classes) Order 1987 and ii) allowing modifications and limited extensions to those buildings as necessary for such redeployment

The Order to apply to the whole of Wales

The following amendment was considered:

Amendment 1 - Glyn Davies (Mid and West Wales);

After 'Planning Act 1990' Insert:

"and because of the current crisis in rural Wales, that this order is brought forward with the utmost urgency"

A vote was taken:

Amendment

For 18

Abstain 1

Against 35

Total 54

The Amendment was fell.

The motion

For 19

Abstain 0

Against 36

Total 55

The motion fell

4.06pm

Debate on the future of the Water Utilities in Wales

To propose that the Assembly recognises the importance of the Hyder Group and the regulated water and electricity utilities to the economy, environment and infrastructure of Wales; it welcomes and endorses the actions of the First Secretary and the Environment Secretary in meeting and seeking reassurances from any potential purchasers of Hyder with respect to the safeguarding of the integrity of the Group, its employees and the environment in Wales, and the protection of the interests of Welsh consumers; and it notes the proposed actions of the water and electricity industry regulators in seeking commitments and licence amendments to protect the interests of customers and the continued delivery of the investment programmes of the regulated utilities

The following amendments were considered:

Amendment 1 - Dafydd Wigley (Caernarfon);

In line 1 replace 'Assembly' with 'National Assembly'

Amendment 2 - Alun Cairns (South Wales West);

After "To propose that the Assembly" insert

"condemns the role of the Government in destroying the financial base of Hyder through the windfall tax;"

Amendment 3 - Dafydd Wigley (Caernarfon);

In line three replace 'welcomes and endorses' with 'notes'

Amendment 4 - Alun Cairns (South Wales West);

After "investment programmes of the regulated utilities" insert

"and calls on the First Secretary to seek to gain a commitment from any potential purchaser of the group to retain the headquarters in Wales, to realise the need for growth, to maintain the unity of the company and to meet the existing environmental commitments"

Amendment 5 - Dafydd Wigley (Caernarfon);

Add at end of motion:

'The National Assembly regrets the fact that there is no 'golden share' in operation for the

privatised water utility, and calls on the Environment Secretary to bring forward proposals to protect the interests of both of this valuable natural resource and those of water consumers in Wales.'

Amendment 6 - Mike German (South Wales East);

Add at the end of the motion: "This Assembly notes with regret the small number of Wales-based companies quoted on the Stock Exchange, and recognises the importance of any new owner of Hyder maintaining Hyder's base of management expertise within Wales."

A vote was taken:

Amendment 1

For 53

Abstain 0

Against 0

Total 53

Amendment 1 was carried.

Amendment 2

For 14

Abstain 0

Against 40

Total 54

Amendment 2 fell

Amendment 3 was withdrawn.

Amendment 4

For 53

Abstain 0

Against 1

Total 54

Amendment 4 was carried

Amendment 5

For 46

Abstain 0

Against 8

Total 54

Amendment 5 was carried

Amendment 6

For 53

Abstain 0

Against 1

Total 54

Amendment 6 was carried

The motion, as amended

For 53

Abstain 0

Against 0

Total 53

The motion, as amended, was carried.

5.06pm

Short Debate:

Peter Black (South Wales West); Sleaze in Local Government

5.09pm

Point of Order

The Business Secretary raised a point of order under Standing Order 7.2. He considered that Peter Black was inappropriately using privilege to make allegations against a named individual.

The Presiding Officer drew Mr Black's attention to the Standing Order and to paragraph 8 of the Code of Conduct in the Chamber which had only recently been amended and agreed by all parties in the Assembly. He said that any further reference to allegations against an individual would be ruled out of order.

5.33pm

Point of Order

John Griffiths also raised a point of order under 7.2 in connection with remarks made by David Davies.

The Presiding Officer noted that Mr Davies had not referred to a named individual and if he had then he would have been out of order.

The Presiding Officer reminded Members of the need to familiarise themselves with the new Code of Conduct and the Standing Order.

The session concluded at 5.34pm

The Assembly will sit again in Plenary at

2.00 pm on Tuesday, 23rd May 2000

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET

DOCUMENTS LAID ON 16 MAY 2000

East Wales Objective 2 and Transitional Programme - Draft Single Programming Document
Objective 3 Operational Programme for East Wales for the period 2000-2006
Business Committee Report to the Assembly on proposals for changes to the Assembly's
Standing Orders in accordance with Standing Order 26.1