

Notices of Motions and Amendments for Future Debate on 21st March 2002

Motions tabled on 14th March 2002

Short Debate

NDM998 William Graham (South Wales East); M4 Motorway Relief Road - When?

NDM1012 Carwyn Jones (Bridgend);

The National Assembly:

Receives and notes the contents of the Welsh Assembly Government's Second Annual Report on Social Inclusion which was laid in Table Office on 13 March 2002.

NDM1013 Carwyn Jones (Bridgend);

To propose that the National Assembly, in accordance with Standing Order 19.4, adopts the supplementary budget for the financial years 2002-2003, 2003-2004 and 2004-2005, laid in the Table Office on Wednesday 13 March by the Minister for Finance, Edwina Hart.

NDM1016 Carwyn Jones (Bridgend);

To propose that the National Assembly:

Considers the principle of The National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 4 March 2002.

NDM1014 Carwyn Jones (Bridgend);

To propose that the National Assembly:

1. Considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order 11.5, in relation to the draft order, The National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 12 March 2002; and

2. Approves that the Order is made in accordance with the draft laid in the Table Office on 4 March 2002.

NDM1017 Carwyn Jones (Bridgend);

To propose that the National Assembly:

Considers the principle of The National Assistance (Sums for Personal Requirements) (Wales) Regulations 2002, laid in the Table Office on 4 March 2002.

NDM1015 Carwyn Jones (Bridgend);

To propose that the National Assembly:

1. Considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order 11.5, in relation to the draft order, The National Assistance (Sums for Personal Requirements) (Wales) Regulations 2002, laid in the Table Office on 12 March 2002.

2. Approves that the Order is made in accordance with the draft laid in the Table Office on 4 March 2002.

NDM1018 Carwyn Jones (Bridgend);

To propose that the National Assembly, acting under Standing Order 22.25:

1. Approves:

The Advisory Committee for Wales (Environment Agency) Abolition Order 2002 laid in the Table Office on 12 February 2002; and

2. Considers:

a) the report of the Legislation Committee which has not identified any matters for concern in the draft order The Advisory Committee for Wales (Environment Agency) Abolition Order 2002, laid in the Table Office on 27 February 2002;

b) The Regulatory Appraisal laid in Table Office on 12 February 2002; and

c) The Memorandum of Correction laid in Table Office on 12 March 2002.

3. Approves:

The Local Authorities (Executive Arrangements) Functions & Responsibilities (Amendment) (Wales) Regulations 2002 laid in the Table Office on 26 February 2002; and

4. Considers:

The report of the Legislation Committee which has not identified any matters for concern in the draft order The Local Authorities (Executive Arrangements) Functions & Responsibilities (Amendment)(Wales) Regulations 2002, laid in the Table Office on 12 March 2002;

5. Approves:

The Local Authorities (Capital Finance) (Rate of Discount for 2002/03)(Wales) Regulations

2002 laid in the Table Office on 26 February 2002; and

6. Considers:

The report of the Legislation Committee which has not identified any matters for concern in the draft order The Local Authorities (Capital Finance) (Rate of Discount for 2002/03) (Wales) Regulations 2002, laid in the Table Office on 12 March 2002;

7. Approves:

The Local Authorities (Executive Arrangements) (Discharge of Functions)(Wales) Regulations 2002 laid in the Table Office on 26 February 2002; and

8. Considers:

The report of the Legislation Committee which has not identified any matters for concern in the draft order The Local Authorities (Executive Arrangements) (Discharge of Functions) (Wales) Regulations 2002, laid in the Table Office on 12 March 2002;

9. Approves:

The Local Authorities (Executive Arrangements) (Modification of Enactments & Further Provisions)(Wales) Order 2002 laid in the Table Office on 26 February 2002; and

10. Considers:

The report of the Legislation Committee which has not identified any matters for concern in the draft order The Local Authorities (Executive Arrangements) (Modification of Enactments & Further Provisions)(Wales) Order 2002, laid in the Table Office on 12 March 2002;

11. Approves:

The Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments & Other Provisions)(Wales) Order 2002 laid in the Table Office on 26 February 2002; and

12. Considers:

The report of the Legislation Committee which has not identified any matters for concern in the draft order The Local Authorities (Executive Arrangements) (Modification of Enactments & Other Provisions)(Wales) Order 2002, laid in the Table Office on 12 March 2002;

13. Approves:

The Local Authorities (Alternative Arrangements) (Amendment) (Wales) Regulations 2002 laid in the Table Office on 26 February 2002; and

14. Considers:

a) The report of the Legislation Committee which has not identified any matters for concern in the draft order The Local Authorities (Alternative Arrangements) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 12 March 2002; and

b) The Memorandum of Corrections laid in Table Office on 13 March 2002.

NDM1019 Carwyn Jones (Bridgend);

To propose that the National Assembly:

Acting under Standing Order 23.10 approves the draft The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) (Wales) Order 2002, a copy of which was laid in Table Office on 13 March 2002.

Amendments Tabled on 18 March 2002

To propose that the Assembly resolve to adopt the following amendments to motions:

NDM1012

1. Jonathan Morgan (South Wales Central)

Add at the end of motion:

And recognises the important contribution of the voluntary sector in meeting the objectives and priorities of social inclusion.

2. Jocelyn Davies (South Wales East)

Add new paragraph:

Notes the concern expressed by the Child Poverty Action Group that 36% of children in Wales live in poverty despite the UK being the fourth richest economy in the world.

3. Jocelyn Davies (South Wales East)

Add new paragraph:

Notes the effect new legislation has had on social inclusion in Wales and calls on the Government to bring forward proposals to monitor and ensure that the legislation is adhered to consistently throughout Wales.

Amendments to Orders Tabled on 19 March 2002

Motion Reference NDM1014

Dai Lloyd (South Wales West)
Jocelyn Davies (South Wales East)
Geraint Davies (Rhondda)

To propose that the Assembly resolves to make the following amendments to the National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2002, a draft of which was laid in the table office on 4 March 2002

Amendment

In regulation 2(3) delete £19,000 and replace with £25,000

Cost Benefit Analysis for amendment to National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2002

1. Objective

These Regulations concern the assessment of the ability of a person to pay for accommodation arranged by local authorities. The purpose of this amendment is to increase the capital limit, above which local authorities may not contribute towards the care costs of residents from £18,000 to £25,000.

2. Cost Implications

See Annex A (below).

3. Justification

Under the National Assistance (Assessment of Resources) Regulations 1992, local authorities may not financially contribute towards the care costs of people who have assets, including the value of their home, above the upper capital limit of £18,500. We agree with the Royal Commission on Long Term Care that the arrangements for the means test are too punitive, and support Option 2 outlined in Annex A.

"People feel strongly that to impose means tests on them when they are old, when many of them have sought to avoid it during their working lives, is particularly insidious and unfair. [These views] require a positive response of some kind."

(Royal Commission on Long Term Care 6.13)

Evidence presented to the Commission showed that the current system demands that people of modest means make themselves poor before they are entitled to assistance from local authorities.

Increasing public subsidy under Option 2 will aid a greater number of people through what is demonstrably a very complex and inconsistent system. Research conducted by the Joseph Rowntree Foundation has shown that in many cases authorities do not monitor an individual's assets, so that many people may have continued to be charged the full amount

when they were in fact entitled to some state help.

The National Assembly can demonstrate its commitment to people in residential care by adopting our recommendation.

Annex A

COST CATEGORY	OPTION 1	OPTION 2
(annual costs except where stated)	Raise capital limits from £11,500 (lower) and £18,500 (higher) to £11,750 (lower) and £19,000 (higher).	Raise capital limits from £11,500 (lower) and £18,500 (higher) to £11,750 (lower) and £25,000 (higher).
<p>Direct costs</p> <p>(Costs falling on the Assembly which are directly attributable to the option)</p>	<p>Funding costs of approximately £300,000. Based on costing given in Health and Social Service Committee Draft Regulation.</p> <p>See HSS-06-02 on intranet page: http://assembly/committees/Health%20&%20Social%20Services/Meetings%20-%202002/HSS-06-02%20(27%20Feb)/HSS-06-02(p.5)_e.html</p> <p>Future costs may increase at a greater rate than inflation if demographic factors result in more elderly people entering residential homes.</p>	<p>Funding costs of approximately £4.1million. Based on Social Care Policy Unit data.</p> <p>Future costs may increase at a greater rate than inflation if demographic factors result in more elderly people entering residential homes.</p>
<p>Indirect costs</p> <p>(Costs falling on the Assembly which cannot be directly attributed)</p>		

Opportunity costs		<p>The Assembly and Local Authorities may face extra administrative costs if introduction of the regulation is delayed by the amendment.</p> <p>The Assembly and Local Authorities may face extra administrative costs associated with administering additional funds outside the baseline inflation allowance in the revenue settlement.</p>
Other costs (including costs falling on other bodies and unquantified costs)	<p>Residents and prospective residents alter spending behaviour to reduce savings to favoured capital limit.</p> <p>Growth In wealth of residents may not keep pace with average earnings. Hence residents may become relatively poorer.</p> <p>Extra administrative costs of dealing with more residents falling within capital limits.</p>	<p>Residents and prospective residents alter spending behaviour to reduce savings to favoured capital limit but not to same extent as option 1.</p> <p>Extra administrative costs of dealing with more residents falling within capital limits. Higher capital limits than Option 1 suggest that greater administrative costs will be faced than in Option 1.</p>
Total costs (including unquantified costs)	Approximately £300,000 direct costs. Unquantified Indirect, Opportunity and Other costs.	Approximately £4.1million direct costs. Unquantified Indirect, Opportunity and Other costs.

Motion Reference NDM1015

Jonathan Morgan (South Wales Central)
David Melding (South Wales Central)
William Graham (South Wales East)

To propose that the Assembly resolves to adopt the following amendments to the National Assistance (Sums for Personal Requirements) (Wales) Regulations 2002 a draft of which was laid in the Table Office on 4th March 2002.

Amendment

In Regulation 2 delete "£16.80" and insert "£20.00".

Cost Benefit Analysis for Amendment to National Assistance (Sums for Personal Requirements) (Wales) Regulations 2002

i) Cost

The additional cost on top of the £0.7 million to implement the proposed change from £16.05 to £16.80 is as follows:

Increase to £20 per week: Cost £2.7 million.

The proposed increase in the draft regulation has been built into the figures for the local government general revenue settlement. If the amendment is carried, the National Assembly would need to fund local authorities by way of a special grant and at the expense of other budgets to meet the additional costs.

ii) Benefit

People in residential care will gain by having a guaranteed sum of £20 to meet their personal requirements.