

Second Assembly Plenary Meeting (101)

Votes and Proceedings for Tuesday, 23th November 2004

The meeting commenced at 2.00pm

The Presiding Officer welcomed a delegation of Members of the Scottish Parliament's Environment and Rural Development Committee.

First Minister's Question Time

The first 10 questions were answered. Question 4 was withdrawn.

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2.49pm

Business Statement

More than 10 Members objected to the business statement.

A vote was taken on the business statement:

For 30; Abstain 0; Against 27; Total 57

The business statement was agreed

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2.59pm

Statement by the Minister for Environment, Planning and Countryside: The Welsh Assembly Government's Response to the Environment, Planning and Countryside Committee's report on Bovine TB

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3.26pm

Statement by the First Minister about the authorisation of a notifiable transaction falling within Standing Order

21. 19: London Olympic Bid

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4.00pm

The next item was not subject to debate and proceeded to a vote immediately

Motion to approve under Standing Order 24.25

NDM2176 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales, acting under Standing Order 24.25:

1. a) Considers the report of the Legislation Committee laid in the Table Office, and emailed to Assembly Members on 16 November 2004 on the draft Regulations The Education (Listed Bodies) (Wales) Order 2004, and

b) Approves The Education (Listed Bodies) (Wales) Order 2004 is made in accordance with:

i) the draft Regulations laid in the Table Office on 3 November 2004

ii) Regulatory Appraisal laid in the Table Office on 3 November 2004

iii) the Memorandum of Correction laid in the Table Office and e-mailed to Assembly Members on 16 November 2004.

2. a) Considers the report of the Legislation Committee laid in the Table Office, and emailed to Assembly Members on 16 November 2004 on the draft Regulations The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) (No. 2) Regulations 2004, and

b) Approves The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) (No. 2) Regulations 2004 is made in accordance with:

i) the draft Regulations laid in the Table Office on 3 November 2004

ii) Regulatory Appraisal laid in the Table Office on 3 November 2004

iii) the Memorandum of Correction laid in the Table Office and emailed to Assembly Members on 16 November 2004.

A vote was taken on the motion:

For 48; Abstain 0; Against 0; Total 48

The motion was carried

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Proposal to debate the following two items together but with separate votes

4.01pm

The Local Authorities Executive Arrangements (Functions & Responsibilities)(Amendment) (Wales) Regulations 2004

NDM2177 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Considers the principle of The Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2004 a copy of which was laid in Table Office on 5 November 2004.

The following amendment was tabled:

Amendment 1 - David Melding (South Wales Central)

Add as new point at end of motion:

Notes the greater freedom given to Local Authorities to decide on their own political management structures.

A vote was taken on Amendment 1 to the principle of the Regulations

For 24; Abstain 0; Against 29; Total 53

Amendment 1 to the principle of the regulations was defeated

A vote was taken on the principle of the Regulations

For 53; Abstain 0; Against 0; Total 53

The principle of the regulations was approved

NDM2178 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

a) Considers the report of the Legislation Committee laid in the Table Office and emailed to Assembly Members on 16 November 2004 in relation to the draft regulations The Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2004, and

b) Approves that, The Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2004 is made in accordance with:

i) The draft Regulations laid in the Table Office on 5 November 2004

ii) Regulatory Appraisal laid in the Table Office and emailed to Assembly Members on 16

November 2004

iii) the Memorandum of Correction laid in the Table Office and emailed to Assembly Members on 16 November 2004.

**A vote was taken on the Regulations
For 53; Abstain 0; Against 0; Total 53
The Regulations were approved**

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The Local Authorities (Alternative Arrangements)(Amendment)(Wales) Regulations 2004

NDM2179 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Considers the principle of The Local Authorities (Alternative Arrangements) (Amendment) (Wales) Regulations 2004 a copy of which was laid in Table Office and emailed to Assembly Members on 16 November 2004.

The following amendment was tabled:

Amendment 1 - David Melding (South Wales Central)

Add as new point at end of motion:

Notes that these regulations do not prevent Local Authority scrutiny committees from being established which are dominated by the governing party.

A vote was taken on Amendment 1 to the principle of the Regulations

For 24; Abstain 0; Against 29; Total 53

Amendment 1 to the principle of the regulations was defeated

A vote was taken on the principle of the Regulations

For 53; Abstain 0; Against 0; Total 53

The principle of the regulations was approved

NDM2180 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

a) Considers the report of the Legislation Committee laid in the Table Office and emailed to Assembly Members on 16 November 2004 in relation to the draft regulations The Local

Authorities (Alternative Arrangements) (Amendment) (Wales) Regulations 2004, and

b) Approves that, The Local Authorities (Alternative Arrangements) (Amendment) (Wales) Regulations 2004 is made in accordance with:

i) The draft Regulations laid in the Table Office and emailed to Assembly Members on 16 November 2004

ii) Regulatory Appraisal laid in the Table Office and emailed to Assembly Members on 16 November 2004

iii) the Memorandum of Correction laid in the Table Office and emailed to Assembly Members on 16 November 2004.

A vote was taken on the Regulations

For 53; Abstain 0; Against 0; Total 53

The Regulations were approved

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4.12pm

Motion to approve The Local Authorities (Calculation of Council Tax Base) and Council Tax (Prescribed Classes of Dwellings)(Wales) (Amendment) Regulations 2004

NDM2181 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Considers the principle of The Local Authorities (Calculation of Council Tax Base) and Council Tax (Prescribed Classes of Dwellings) (Wales) (Amendment) Regulations 2004 a copy of which was laid in Table Office on 3 November 2004.

The following amendment was tabled:

David Melding (South Wales Central)

Add as new point at end of motion:

Notes the greater freedom given to Local Authorities to decide on Council Tax discount levels.

A vote was taken on Amendment 1 to the principle of the Regulations

For 24; Abstain 0; Against 29; Total 54

Amendment 1 to the principle of the regulations were defeated

A vote was taken on the principle of the Regulations

For 53; Abstain 0; Against 0; Total 53

The principle of the regulations was approved

NDM2182 Karen Sinclair (Clwyd South) (Clwyd South)

To propose that the National Assembly for Wales:

a) Considers the report of the Legislation Committee laid in the Table Office and emailed to Assembly Members on 16 November 2004 in relation to the draft regulations The Local Authorities (Calculation of Council Tax Base) and Council Tax (Prescribed Classes of Dwellings) (Wales) (Amendment) Regulations 2004, and

b) Approves that, The Local Authorities (Calculation of Council Tax Base) and Council Tax (Prescribed Classes of Dwellings) (Wales) (Amendment) Regulations 2004 is made in accordance with:

- i) The draft Regulations laid in the Table Office on 3 November 2004**
- ii) Regulatory Appraisal laid in the Table Office on 15 November 2004**

**A vote was taken on the Regulations
For 54; Abstain 0; Against 0; Total 54
The Regulations were approved**

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Motion to approve under Standing Order 24.27 (iv) The Food (Pistachios from Iran) (Emergency Control) (Wales) (No2) (Amendment) Regulations 2004 - *No motion tabled*

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4.21pm

Plaid Cymru nominated debate

NDM2175 Jocelyn Davies (South Wales East)

The National Assembly for Wales: Has no confidence in the Government's policies on health.

The following amendment was tabled:

**Amendment 1 - Dai Lloyd (South Wales West)
After 'The National Assembly for Wales' insert
'believes that paediatric neurosurgery should remain in Swansea and'**

A vote was taken:

Amendment 1

For 12; Abstain 8; Against 34; Total 54

Amendment 1 was defeated

The motion

For 25; Abstain 0; Against 29; Total 54

The motion was defeated

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The meeting concluded at 5.27pm

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The Assembly will sit again in Plenary at

2.00pm on Wednesday, 24th November 2004

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E P Silk

Clerk to the Assembly

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET

Documents Laid on 18 November 2004

Report of the Business committee - LD3318

Documents Laid on 17 November 2004

Education and Lifelong Learning Committee Policy Review of Special Educational Needs Part 1: Early Identification and Intervention - LD3319

The High Hedges (Appeals) (Wales) Regulations 2004 - LD3295

The High Hedges (Appeals) (Wales) Regulations 2004 - Regulatory Appraisal - LD3310

The High Hedges (Fees) (Wales) Regulations 2004 - LD3296

The High Hedges (Fees) (Wales) Regulations 2004 - Regulatory Appraisal - LD3297

The Anti-social Behaviour Act 2003 (Commencement No. 3) (Wales) Order 2004 - LD3298
The Genetically Modified Animal Feed (Wales) Regulations 2004 - LD3299
The Genetically Modified Animal Feed (Wales) Regulations 2004 - Regulatory Appraisal - LD3300
The Suspension of Day Care Providers and Child Minders (Wales) Regulations 2004 - LD3301
The Suspension of Day Care Providers and Child Minders (Wales) Regulations 2004 - Regulatory Appraisal - LD3302
The Genetically Modified Food (Wales) Regulations 2004 - LD3311
The Genetically Modified Food (Wales) Regulations 2004 - Regulatory Appraisal - LD3312

Documents Laid on 16 November 2004

The National Assembly for Wales Members' Pension Scheme Annual Report And Accounts 1 April 2003 - 31 March 2004 - LD3294
The Feeding Stuffs, the Feeding Stuffs, (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) (No. 2) Regulations 2004 - Memorandum of Corrections - LD3303
The Education (Listed Bodies) (Wales) Order 2004 - Memorandum of Corrections - LD3304
Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2004 - Memorandum of Corrections - LD3305
The Local Authorities (Alternative Arrangements) (Amendment) (Wales) Regulations 2004 - Memorandum of Corrections - LD3306
Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2004 - Regulatory Appraisal - LD3307
The Local Authorities (Alternative Arrangements) (Amendment) (Wales) Regulations 2004 - LD3308
The Local Authorities (Alternative Arrangements) (Amendment) (Wales) Regulations 2004 - Regulatory Appraisal - LD3309

Committee Reports Laid on 16 November 2004

LC977 - The Local Authorities (Alternative Arrangements) (Amendment) (Wales) Regulations 2004 - LD3313
LC978 - The Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2004 - LD3314
LC979 - The Local Authorities (Calculation of Council Tax Base) and Council Tax (Prescribed Classes of Dwellings) (Wales) (Amendment) Regulations 2004 - LD3315
LC980 - The Education (Listed Bodies) (Wales) Order 2004 - LD3316

LC981 - The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) (No. 2) Regulations 2004 - LD3317