

Second Assembly Plenary Meeting

Votes and Proceedings (249)

Date: Tuesday, 6th February 2007

[Detailed voting results are available here](#)

2.00pm

Item 1 - Questions to the First Minister

The first 10 questions were answered.

.....

3.03pm

Urgent Question - Glyn Davies (Mid and West Wales): Will the Minister make a statement on the impact of the Avian Influenza outbreak in the UK on Wales.

.....

3.23pm

Item 2 - Business Statement

A vote was taken on the Business Statement:

For	Abstain	Against	Total
26	0	30	56

The business statement was not adopted.

.....

3.32pm

Item 3 - Motion to approve under Standing Order 24.25

NDM3434 Jane Hutt (Vale of Glamorgan)

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

1. Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 30 January 2007 on the draft The Children’s Commissioner for Wales (Amendment) Regulations 2007;and

2. Approves that The Children’s Commissioner for Wales (Amendment) Regulations 2007 are made in accordance with:

- a) the draft Order laid in the Table Office on 16 January 2007; and
- b) the Regulatory Appraisal laid in the Table Office on 16 January 2007.

A vote was taken on the motion:

For	Abstain	Against	Total
55	0	0	55

The motion was agreed

.....

3.33pm

Item 4 - Motion to approve The Highways Act 1980 (Gating Orders) (Wales) Regulations 2007

NDM3435 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Highways Act 1980 (Gating Orders) (Wales) Regulations 2007 a copy of which was laid in Table Office on 16 January 2007.

A vote was taken on the principle of the Regulations:

For	Abstain	Against	Total
53	0	0	53

The principle of the Regulations was agreed.

NDM3436 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 and e-mailed to Assembly Members on 30 January 2007 in relation to the draft The Highways Act 1980 (Gating Orders) (Wales) Regulations 2007 ; and

2. Approves that the draft The Highways Act 1980 (Gating Orders) (Wales) Regulations 2007 is made in accordance with:

- a) the draft laid in the Table Office on 16 January 2007;
- b) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 30 January 2007; and
- c) the Regulatory Appraisal laid in the Table Office on 16 January 2007.

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

For	Abstain	Against	Total
53	0	0	53

The Regulations were approved.

.....

3.54pm

The following 3 items were debated together but voted on separately
Item 5 - Motion to approve The Housing Act 2004 (Commencement No. 4) (Wales) Order 2007

NDM3437 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Housing Act 2004 (Commencement No.4) (Wales) Order 2007 a copy of which was laid in Table Office on 23 January 2007.

A vote was taken on the principle of the Order:

For	Abstain	Against	Total
53	0	0	53

The principle of the Order was agreed.

NDM3438 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 and e-mailed to Assembly Members on 30 January 2007 in relation to the draft The Housing Act 2004 (Commencement No.4) (Wales) Order 2007 ; and
2. Approves that the draft The Housing Act 2004 (Commencement No.4) (Wales) Order 2007 is made in accordance with the draft laid in the Table Office on 23 January 2007.

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

For	Abstain	Against	Total
53	0	0	53

The Order was approved.

.....

Item 6 - Motion to approve The Housing (Tenancy Deposits) (Prescribed Information) Order 2007 under Standing Order 25 section 3

NDM3439 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 25.13:

Approves the draft The Housing (Tenancy Deposits) (Prescribed Information) Order 2007 a copy of which was laid in Table Office on 23 January 2007, and notes the Explanatory Memorandum for this Order laid in Table Office on 23 January 2007.

A vote was taken on the order:

For	Abstain	Against	Total
53	0	0	53

The order was agreed.

.....

Item 7 - Motion to approve The Housing (Tenancy Deposits) (Specified Interest Rate) Order 2007 under Standing Order 25 section 3

NDM3440 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 25.13:

Approves the draft The Housing (Tenancy Deposits) (Specified Interest Rate) Order 2007 a copy of which was laid in Table Office on 23 January 2007, and notes the Explanatory Memorandum for this Order laid in Table Office on 23 January 2007.

A vote was taken on the order:

For	Abstain	Against	Total
53	0	0	53

The order was agreed.

.....

3.58pm

The following 4 items were debated together but voted on separately
Item 8 - Motion to approve The Placement of Children (Wales) Regulations 2007

NDM3441 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Placement of Children (Wales) Regulations 2007 a copy of which was laid in Table Office on 23 January 2007.

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.

NDM3442 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 and e-mailed to Assembly Members on 30 January 2007 in relation to the draft The Placement of Children (Wales) Regulations 2007 ; and

2. Approves that the draft The Placement of Children (Wales) Regulations 2007 is made in accordance with:

- a) the draft laid in the Table Office on 23 January 2007;
- b) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 30 January 2007; and
- c) the Regulatory Appraisal laid in the Table Office on 23 January 2007.

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

For	Abstain	Against	Total
49	0	0	49

The Regulations were approved.

.....

Item 9 - Motion to approve The Review of Children's Cases (Wales) Regulations 2007

NDM3443 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Review of Children's Cases (Wales) Regulations 2007 a copy of which was laid in Table Office on 23 January 2007.

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.

NDM3444 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 and e-mailed to Assembly Members on 30 January 2007 in relation to the draft The Review of Children's Cases (Wales) Regulations 2007; and

2. Approves that the draft The Review of Children's Cases (Wales) Regulations 2007 is made in accordance with:

- a) the draft laid in the Table Office on 23 January 2007;
- b) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 30 January 2007; and
- c) the Regulatory Appraisal laid in the Table Office on 23 January 2007.

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

For	Abstain	Against	Total
48	0	0	48

The Regulations were approved.

.....

Item 10 - Motion to approve The Children's Homes (Wales) (Miscellaneous Amendments) Regulations 2007

NDM3445 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Children's Homes (Wales) (Miscellaneous Amendments) Regulations 2007 a copy of which was laid in Table Office on 23 January 2007.

A vote was taken on the principle of the Regulations:

For	Abstain	Against	Total
52	0	0	52

The principle of the Regulations was agreed.

NDM3446 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 and e-mailed to Assembly Members on 30 January 2007 in relation to the draft The Children's Homes (Wales) (Miscellaneous Amendments) Regulations 2007; and
2. Approves that the draft The Children's Homes (Wales) (Miscellaneous Amendments) Regulations 2007 is made in accordance with:
 - a) the draft laid in the Table Office on 23 January 2007;
 - b) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 30 January 2007; and
 - c) the Regulatory Appraisal laid in the Table Office on 23 January 2007.

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

For	Abstain	Against	Total
52	0	0	52

The Regulations were approved.

.....

Item 11- Motion to approve The Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007

NDM3447 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of the Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007 a copy of which was laid in Table Office on 23 January 2007.

A vote was taken on the principle of the Regulations:

For	Abstain	Against	Total
52	0	0	52

The principle of the Regulations was agreed.

NDM3448 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 and e-mailed to Assembly Members on 30 January 2007 in relation to the draft the Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007; and

2. Approves that the draft the Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007 is made in accordance with:

- a) the draft laid in the Table Office on 23 January 2007; and
- b) the Regulatory Appraisal laid in the Table Office on 23 January 2007.

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

For	Abstain	Against	Total
52	0	0	52

The Regulations were approved.

.....

4.16pm

Item 12 - Motion to approve the UK Government's General Guidance to the Office of Rail Regulation

NDM3449 Jenny Randerson (Cardiff Central)

To propose that the National Assembly for Wales:

Notes the Secretary of State for Transport Guidance to the Office of Rail Regulation, a copy of which was e-mailed to Members on 29 January 2007.

The following amendment was tabled:

Amendment 1 - Jocelyn Davies (South Wales East)

Add as new point at end of motion:

"Calls on the Secretary of State for Transport, when considering the remit of the Office of Rail Regulation, to take account of:

- a) the grave concern expressed over the recent, well over inflation rise in some train fares, along with the gross overcrowding on many commuter services;*
- b) the recognition that the public, as well as government, expect value for money from rail services; and*
- c) the need to encourage the public and freight users to reduce the adverse impact of travel on climate change."*

A vote was taken on Amendment 1:

For	Abstain	Against	Total
29	0	27	56

Amendment 1 was agreed.

NDM3449 Jenny Randerson (Cardiff Central)

To propose that the National Assembly for Wales:

1. Notes the Secretary of State for Transport Guidance to the Office of Rail Regulation, a copy of

which was e-mailed to Members on 29 January 2007.

2. Calls on the Secretary of State for Transport, when considering the remit of the Office of Rail Regulation, to take account of:

- a) the grave concern expressed over the recent, well over inflation rise in some train fares, along with the gross overcrowding on many commuter services;
- b) the recognition that the public, as well as government, expect value for money from rail services; and
- c) the need to encourage the public and freight users to reduce the adverse impact of travel on climate change.

A vote was taken on the motion as amended:

For	Abstain	Against	Total
49	0	8	57

The motion as amended was agreed.

.....

4.40pm

Item 13 - Plaid Cymru nominated debate

NDM3450 Jocelyn Davies (South Wales East)

To propose that the National Assembly for Wales:

- 1. Recognises that public confidence has been shaken by the handling of the consultations into the reconfiguration of the acute sector in the health service, and;
- 2. Calls on the Welsh Assembly Government to conduct a review of the current consultation procedures with the aim of introducing a robust and transparent system before further reconfiguration takes place.

The following amendments were tabled:

Amendment 1 - Jane Hutt (Vale of Glamorgan)

In point 1, after "shaken" insert ", in some instances,"

A vote was taken on Amendment 1:

As there was an equality of votes, the Deputy Presiding Officer cast his vote in the negative.

For	Abstain	Against	Total
28	0	29	57

Amendment 1 was not agreed.

Amendment 2 - Kirsty Williams (Brecon and Radnorshire):

Add as new point at end of motion:

Calls on the Assembly Government to improve co-ordination and joint working between the Ambulance Service, Accident and Emergency Departments and GP out-of-hours services, as part of creating a modern, fit for purpose healthcare service in Wales.

A vote was taken on Amendment 2:

For	Abstain	Against	Total
54	0	0	54

Amendment 2 was agreed.

Amendment 3 - Helen Mary Jones (Mid and West Wales)

Add as new point at end of motion:

Regrets the failure of the Assembly Government to establish, at an earlier date, an inquiry into the

flawed consultation process concerning the provision of emergency surgery services at Price Philip Hospital in Llanelli, which has meant that those services have already been suspended.

A vote was taken on Amendment 3:

For	Abstain	Against	Total
29	0	26	55

Amendment 3 was agreed.

Amendment 4 - Helen Mary Jones (Mid and West Wales)

Add as new point at end of motion:

Welcomes the Minister's statement on 1 February 2007 that he has now agreed to an independent inquiry into the provision of emergency surgical services at Prince Philip hospital in Llanelli, and calls on the Minister to:

- a) publish the Terms of Reference for this inquiry as a matter of urgency;*
- b) include in the Terms of Reference an examination of any contribution his department made in the decision to close emergency surgery services at Price Philip Hospital; and*
- c) ensure that the inquiry is completed by the March 15th so that his response can be considered in an Assembly Plenary meeting during this current Assembly term.*

A vote was taken on Amendment 4:

For	Abstain	Against	Total
28	0	27	55

Amendment 4 was agreed.

NDM3450 Jocelyn Davies (South Wales East)

To propose that the National Assembly for Wales:

- 1. Recognises that public confidence has been shaken by the handling of the consultations into the reconfiguration of the acute sector in the health service, and;
- 2. Calls on the Welsh Assembly Government to conduct a review of the current consultation procedures with the aim of introducing a robust and transparent system before further reconfiguration takes place.
- 3. Calls on the Assembly Government to improve co-ordination and joint working between the Ambulance Service, Accident and Emergency Departments and GP out-of-hours services, as part of creating a modern, fit for purpose healthcare service in Wales.
- 4. Regrets the failure of the Assembly Government to establish, at an earlier date, an inquiry into the flawed consultation process concerning the provision of emergency surgery services at Price Philip Hospital in Llanelli, which has meant that those services have already been suspended.
- 5. Welcomes the Minister’s statement on 1 February 2007 that he has now agreed to an independent inquiry into the provision of emergency surgical services at Prince Philip hospital in Llanelli, and calls on the Minister to:
 - a) publish the Terms of Reference for this inquiry as a matter of urgency;
 - b) include in the Terms of Reference an examination of any contribution his department made in the decision to close emergency surgery services at Price Philip Hospital; and
 - c) ensure that the inquiry is completed by the March 15th so that his response can be considered in an Assembly Plenary meeting during this current Assembly term.

A vote was taken on the motion as amended:

For	Abstain	Against	Total
28	0	27	55

The motion as amended was agreed.

.....

Procedural Motion

The Business Minister moved a Procedural Motion under Standing Order 6.21 to extend the meeting for 45 minutes.

A vote was taken on the motion:

For	Abstain	Against	Total
43	0	7	50

5.32pm

Item 14 - Debate on the Culture, Welsh Language and Sport Committee's Report : Review of Football

NDM3433 Rosemary Butler (Newport West)

To propose that the National Assembly for Wales, acting under Standing Orders 6.6 and 9.9:

Notes the report of the Culture, Welsh Language and Sport Committee "Football in Wales: A Review", which was laid in the Table Office on 29 January 2007.

A vote was taken on the motion:

For	Abstain	Against	Total
34	0	0	34

The motion was agreed.

The meeting concluded at 6.15pm

.....

**The Assembly will sit again in Plenary at 2.00pm on
Wednesday, 7th February 2007**

Determinations

Following the meeting of the Business Committee held on 6 February the Deputy Presiding Officer determined, in accordance with Standing Order 24.6 that the following items of legislation need not be referred to a subject committee for extended consideration:

- ? The Further Education Corporations (Publication of Draft Orders) (Wales) Regulations 2007**

- ? The Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 2007**

- ? The Local Inquiries, Qualifying Inquiries and Qualifying Procedures (Standard Daily Amount) (Wales) Regulations 2007**

- ? The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Gwynedd) Order 2007**

- ? The Children (Performances)(Amendment) (Wales) Regulations 2007**