

Votes and Proceedings for Wednesday 10th March

The meeting commenced at 2.00pm

2.00pm

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

The first 6 questions were asked.

2.26pm

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

The first 9 questions were asked. Question 3 was withdrawn.

2.56pm

Motion to approve Special Grant Report: Road Safety

NDM1857 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Under Section 88B of the Local Government Finance Act, 1988, and in accordance with Standing Order 19.8, approves the Local Government Finance (Wales) Special Grant Report (No 2) (Wales) 2004 on Road Safety which was laid in the Table Office and e-mailed to Assembly Members on 3 March 2004.

A vote was taken on the motion:

For 53; Abstain 0; Against 0; Total 53

The motion was carried

3.18pm

Motion to approve The Water Industry (Prescribed Conditions)(Undertakers Wholly or Mainly in Wales) Regulations 2004 under Standing Order 23 (Section 1)

NDM1858 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Considers the principle of The Water Industry (Prescribed Conditions) (Undertakers Wholly or Mainly in Wales) Regulations 2004 a copy of which was laid in Table Office on 10 February 2004.

A vote was taken on the principle of the Regulations

For 54; Abstain 0; Against 0; Total 54

The principle of the order was approved

NDM1859 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office on 24 February 2004 in relation to the draft Order The Water Industry (Prescribed Conditions) (Undertakers Wholly or Mainly in Wales) Regulations 2004; and

2. Approves that The Water Industry (Prescribed Conditions) (Undertakers Wholly or Mainly in Wales) Regulations 2004 is made in accordance with:

- i) the draft Order laid in the Table Office on 10 February 2004; and
- ii) the Regulatory Appraisal laid in the Table Office on 10 February 2004.

A vote was taken on the Regulations

For 55; Abstain 0; Against 0; Total 55

The Regulations were approved

3.21pm

Motion to delegate functions of the Waste and Emissions Trading Act 2003

NDM1860 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Acting under section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate all the functions of the National Assembly contained in the Waste and Emissions Trading Act 2003 to the Assembly First Minister, save those which by law cannot be so delegated.

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 Committees in the exercise of the above functions.

This delegation will be made in the knowledge that those functions will, as appropriate, be further delegated to the appropriate Assembly Minister and to staff.

A vote was taken on the motion:

For 55; Abstain 0; Against 0; Total 55

The motion was carried

3.24pm

This item was not subject to debate and a vote proceeded immediately

Motion to approve under Standing Order 22.25

NDM1861 Karen Sinclair (Clwyd South)

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

1.

a) Considers the report of the Legislation Committee laid in the Table Office, on 2 March 2004 on the draft regulations **The Care Standards Act 2000 (Extension of Meaning of "Social Care Worker") (Wales) Regulations 2004**; and

b) Approves that The Care Standards Act 2000 (Extension of Meaning of "Social Care Worker") (Wales) Regulations 2004 is made in accordance with:

i) the draft Regulations laid in the Table Office on 10 February 2004; and

ii) the Regulatory Appraisal laid in the Table Office on 10 February 2004.

2.

a) Considers the report of the Legislation Committee laid in the Table Office on 2 March 2004 on the draft order **The Care Council for Wales (Specification of Student Social Workers) (Registration) Order 2004** and

b) Approves that The Care Council for Wales (Specification of Student Social Workers) (Registration) Order 2004 is made in accordance with:

i) the draft Order laid in the Table Office on 10 February 2004; and

ii) the Regulatory Appraisal laid in the Table Office on 10 February 2004.

A vote was taken on the motion:

For 55; Abstain 0; Against 0; Total 55

The motion was carried

3.25pm

Debate on Devolution of Fire Service

NDM1862 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

1. Welcomes proposals in the Fire and Rescue Services Bill to devolve responsibility for the fire and rescue service in Wales to the Assembly;

2. Notes the Welsh Assembly Government's plans for the devolution and post devolution as detailed in the Minister for Social Justice and Regeneration's statement to Committee on the issue during September 2003;
3. Supports the need for greater focus on fire prevention and effective intervention, creating a service to meet the new demands faced by it in the 21st century; and
4. Supports the emphasis on the promotion of community safety in line with the Welsh Assembly Government's approach to developing stronger and safer communities.

3.31pm - 3.42pm

Alun Ffred Jones took the Chair in accordance with Standing Order 1.10a

The following amendments were tabled:

Amendment 1

Jonathan Morgan (South Wales Central)

Insert as new Point 1 and re-number subsequent points accordingly:

'Acknowledges the change of title to the Fire and Rescue Service.'

Amendment 2

Jocelyn Davies (South Wales East)

Add at the end of point 2:

Calls on the Labour Assembly Government to oppose any attempt to reduce night cover for Welsh fire and rescue services that would arise as result of recommendations from the Bain Review

Amendment 3

Jonathan Morgan (South Wales Central)

Add as new point at the end of the motion:

'Recognises the need to retain an integrated UK structure to maintain the ability to respond to incidents of major accident or terrorism.'

Amendment 4

Jonathan Morgan (South Wales Central)

Add as new point at the end of the motion:

'Calls upon the Welsh Assembly Government to establish a Welsh Statutory Pay and Conditions Review Body.'

Amendment 5

Jonathan Morgan (South Wales Central)

Add as new point at the end of the motion:

'Instructs the Minister to negotiate with the Westminster Government to withdraw the 'right to strike' for this vital service.'

Amendment 6

Jocelyn Davies (South Wales East)

Add at the end of the motion:

Notes that the reduction to three Welsh fire brigades in 1996 limits the potential for future efficiency savings.

A vote was taken:

Amendment 1

For 11; Abstain 0; Against 45; Total 56

Amendment 1 was defeated

Amendment 2

For 26; Abstain 0; Against 30; Total 56

Amendment 2 was defeated

Amendment 3

For 16; Abstain 0; Against 39; Total 55

Amendment 3 was defeated

Amendment 4

For 11; Abstain 9; Against 36; Total 56

Amendment 4 was defeated

Amendment 5

For 11; Abstain 0; Against 45; Total 56

Amendment 5 was defeated

Amendment 6

For 14; Abstain 0; Against 41; Total 55

Amendment 6 was defeated

A vote was taken on the motion:

For 56; Abstain 0; Against 0; Total 56

The motion was carried

4.28pm

Debate on Local Government Partnership Scheme Report and Revisions to the Scheme

NDM1863 Karen Sinclair (Clwyd South)

To propose that the National Assembly:

1. Considers the Local Government Partnership Scheme annual report for 2002-2003 in accordance with Part II of Schedule 11 of the Government of Wales Act 1998 (the Act) and Standing Order 6.5 (ix).

2. Approves the proposals for a revised Scheme in accordance with Part II of Schedule 11 of the Act.

The annual report and revised Scheme were laid in the Table Office and e-mailed to Assembly Members on 3 March 2004.

4.29pm - 4.45pm

Peter Black took the Chair in accordance with Standing Order 1.10a

The following amendments were tabled:

Amendment 1

Jonathan Morgan (South Wales Central) - *WITHDRAWN*

Add as new point at end of motion:

'Notes the damage done to partnership working between the National Assembly and Local Authorities by the Government's increased use of hypothecation of financial support to Local Government.'

Amendment 2

Jonathan Morgan (South Wales Central)

Add as new point at end of motion:

'Notes the damage done to partnership working between the National Assembly and Local Authorities by the Government's scheme to introduce The Local Authorities (Allowances for Members of County and County Borough Councils) (Past Service Awards) (Wales) Regulations 2003.'

Amendment 3

Jonathan Morgan (South Wales Central)

Add as new point at end of motion:

'Notes the damage done to partnership working between the National Assembly and Local Authorities by the Assembly Government's failure to allow fully for the financial consequences arising out of its initiatives and the impact this has on Council Tax bills.'

Amendment 4

Jocelyn Davies (South Wales East)

Add as new point at end of motion:

'Expresses concern that despite a Local Government Partnership Scheme, the Welsh Assembly Government fails to provide full funding to Local Government for implementing national agreements and initiatives.'

A vote was taken:

Amendment 1 was withdrawn.

Amendment 2

For 23; Abstain 0; Against 30; Total 53

Amendment 2 was defeated

Amendment 3

For 23; Abstain 0; Against 30; Total 53

Amendment 3 was defeated

Amendment 4

For 23; Abstain 0; Against 30; Total 53

Amendment 4 was defeated

A vote was taken on the motion:

For 52; Abstain 0; Against 0; Total 52

The motion was carried

5.02pm

Short debate - Huw Lewis (Merthyr Tydfil and Rhymney); Enterprise, Empowerment & Accountability: The Co-operative Manifesto for Wales.

The meeting concluded at 5.30pm

E P Silk

Clerk to the Assembly

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET

Documents Laid on 09 March 2004

- The Anti-Social Behaviour Act 2003 (Commencement No.1) (Wales) Order 2004 - LD2767
- The National Assistance (Assessment of Resources) (Amendment)(Wales) Regulations 2004 - LD2768
- The National Assistance (Sums for Personal Requirements)(Wales) Regulations 2004 - LD2769
- The Pigs (Records, Identification and Movement) (Wales) Order 2004 - LD2770
- The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2004 - LD2771

Documents Laid on 08 March 2004

- Report of the Environment, Planning and Countryside Committee on the Landfill Allowance Scheme (Wales) Regulations 2004 - LD2759
- NHS Wales Summarised Accounts 2002-03 - LD2758

Committee Reports Laid on 09 March 2004

- LC853 The Education (Induction Arrangements for School Teachers) (Amendment) (Wales) Regulations 2004 - LD2760
- LC852 The Library Advisory Council for Wales Abolition and Consequential

Amendments Order 2004 - LD2761

- LC854 Community Health Councils Regulations 2004 - LD2762
- LC855 The Welsh Development Agency (Derelict Land) Order 2004 - LD2763
- LC841 The Vehicular Access Across Common and Other Land (Wales) Regulations 2004 - LD2764
- LC849 The Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Amendment) (Wales) Regulations 2004 - LD2765
- LC856 The Council Tax (Demand Notices) (Wales) (Amendment) Regulations 2004 - LD2766

Committee Reports Laid on 02 March 2004

- LC843 - The Education (School Inspection) (Amendment) (Wales) Regulations 2004 - LD2724
- LC844 - The Inspection of Education and Training (Amendment) (Wales) Regulations 2004 - LD2725
- LC845 - The Common Agricultural Policy Non-IACS Support Schemes (Appeals) (Wales) Regulations 2004 - LD2726
- LC846 - The Inspection of Youth Support Services in Wales Regulations 2004 - LD2727
- LC847 - The Care Standards Act 2000 (Extension of Meaning of "Social Care Worker") (Wales) Regulations 2004 - LD2728
- LC848 - The Care Council for Wales (Specification of Student Social Workers) (Registration) Order 2004 - LD2729