

# Second Assembly Plenary Meeting

## Votes and Proceedings (241)

Date: Tuesday, 12th December 2006

Time: 2.00pm

[Detailed voting results are available here](#)

### Item 1 - Questions to the First Minister

The first 10 questions were answered.

.....

2.57pm

### Item 2 - Business Statement

The business statement was adopted.

.....

3.07pm

### Item 3 - Statement by the First Minister: Convergence Programme

.....

*The following 4 items were debated together but voted on separately.*

pm

### Item 4 - Motion to approve The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 2006

**NDM3367 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Considers the principle of The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 2006 a copy of which was laid in Table Office on 28 November 2006.

A vote was taken on the principle of the Regulations:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
54	0	2	56

**The principle of the Regulations was agreed.**

**NDM3368 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 5 December 2006 in relation to the draft The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 2006; and

2. Approves that the draft The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 2006 is made in accordance with:

a) the draft laid in the Table Office on 28 November 2006; and

b) the Regulatory Appraisal laid in the Table Office on 29 November 2006.

A vote was taken on the Regulations:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
54	0	3	57

**The Regulations were approved.**

.....

**Item 5 - Motion to approve The Non-Domestic Rating (Small Business Relief) (Wales) Order 2006**

**NDM3369 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Considers the principle of The Non-Domestic Rating (Small Business Relief) (Wales) Order 2006 a copy of which was laid in Table Office on 28 November 2006.

The following amendments were tabled:

### **Amendment 1 - Lisa Francis (Mid and West Wales)**

Add as new point at end of motion:

*"Expresses concern and disappointment that this scheme has not taken into account the effect of revaluation on many businesses in Wales and believes that the Welsh Assembly Government should reconsider the rateable value entitlement levels."*

A vote was taken on amendment 1 to the principle of the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
21	6	30	57

**Amendment 1 to the principle of the Order was not agreed.**

### **Amendment 2 - Lisa Francis (Mid and West Wales)**

Add as new point at end of motion:

*"Believes that the Welsh Assembly Government should commit to a consultation and appraisal of the first year of operation of this scheme, inviting the views of the Business Community and Local Authorities, and an annual appraisal thereafter every year of operation. "*

A vote was taken on amendment 2 to the principle of the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
57	0	0	57

**Amendment 2 to the principle of the Order was agreed.**

### **NDM3369 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

1. Considers the principle of The Non-Domestic Rating (Small Business Relief) (Wales) Order 2006 a copy of which was laid in Table Office on 28 November 2006.
2. Believes that the Welsh Assembly Government should commit to a consultation and appraisal of the first year of operation of this scheme, inviting the views of the Business Community and Local Authorities, and an annual appraisal thereafter every year of operation.

A vote was taken on the principle of the Order, as amended:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
54	0	2	56

**The principle of the Order, as amended, was agreed.**

### **NDM3370 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 5 December 2006 in relation to the draft The Non-Domestic Rating (Small Business Relief) (Wales) Order 2006; and
2. Approves that the draft The Non-Domestic Rating (Small Business Relief) (Wales) Order 2006 is made in accordance with:
  - a) the draft laid in the Table Office on 28 November 2006; and
  - b) the Regulatory Appraisal laid in the Table Office on 29 November 2006.

A vote was taken on the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
52	0	2	54

**The Order was approved.**

.....

**Item 6 - Motion to approve The Non-Domestic Rating (Demand Notices And Discretionary Relief) (Wales) (Amendment) Regulations 2006**

**NDM3371 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Considers the principle of The Non-Domestic Rating (Demand Notices and Discretionary Relief) (Wales) (Amendment) Regulations 2006 a copy of which was laid in Table Office on 28 November 2006.

A vote was taken on the principle of the Regulations:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
53	0	2	55

**The principle of the Regulations was agreed.**

**NDM3372 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 5 December 2006 in relation to the draft The Non-Domestic Rating (Demand Notices and Discretionary Relief) (Wales) (Amendment) Regulations 2006; and

2. Approves that the draft The Non-Domestic Rating (Demand Notices and Discretionary Relief) (Wales) (Amendment) Regulations 2006 is made in accordance with:

a) the draft laid in the Table Office on 28 November 2006; and

b) the Regulatory Appraisal laid in the Table Office on 29 November 2006.

A vote was taken on the Regulations:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
54	0	2	56

**The Regulations were approved.**

.....

**Item 7 - Motion to approve The Local Government Act 2003  
(Commencement No. 1 And Savings) (Wales) Order 2006**

**NDM3373 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Considers the principle of The Local Government Act 2003 (Commencement No. 1 and Savings) (Wales) Order 2006 a copy of which was laid in Table Office on 28 November 2006.

A vote was taken on the principle of the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
53	0	3	56

**The principle of the Order was agreed.**

**NDM3374 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 5 December 2006 in relation to the draft The Local Government Act 2003 (Commencement No. 1 and Savings) (Wales) Order 2006; and

2. Approves that the draft The Local Government Act 2003 (Commencement No. 1 and Savings) (Wales) Order 2006 is made in accordance with:

- a) the draft laid in the Table Office on 28 November 2006; and
- b) the Regulatory Appraisal laid in the Table Office on 29 November 2006.

A vote was taken on the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
53	0	3	56

**The Order was approved.**

.....

**The following 2 items were debated together but voted on separately.**

**4.27pm**

**Item 8 - Motion to approve The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2006**

**NDM3363 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Considers the principle of The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2006 a copy of which was laid in Table Office on 28 November 2006.

A vote was taken on the principle of the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
52	0	0	52

**The principle of the Order was agreed.**

## **NDM3364 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 5 December 2006 in relation to the draft The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2006; and

2. Approves that the draft The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2006 is made in accordance with:

a) the draft laid in the Table Office on 28 November 2006; and

b) the Regulatory Appraisal laid in the Table Office on 4 December 2006.

A vote was taken on the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
52	0	0	52

**The Order was approved.**

## **Item 9 - Motion to approve The Planning (Listed Buildings and Conservation Areas) (Amendment) (Wales) Regulations 2006**

### **NDM3365 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Considers the principle of The Planning (Listed Buildings and Conservation Areas) (Amendment) (Wales) Regulations 2006 a copy of which was laid in Table Office on 28 November 2006.

A vote was taken on the principle of the Regulations:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
53	0	0	53



**The principle of the Regulations was agreed.**

**NDM3366 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 5 December 2006 in relation to the draft The Planning (Listed Buildings and Conservation Areas) (Amendment) (Wales) Regulations 2006; and

2. Approves that the draft The Planning (Listed Buildings and Conservation Areas) (Amendment) (Wales) Regulations 2006 is made in accordance with:

a) the draft laid in the Table Office on 28 November 2006; and

b) the Regulatory Appraisal laid in the Table Office on 4 December 2006.

A vote was taken on the Regulations:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
53	0	0	53

**The Regulations were approved.**

.....

**4.36pm**

**Item 10 - Motion to approve The Waste Electrical and Electronic Equipment (Waste Management Licensing) (England and Wales) Regulations 2006 under Standing Order 25 section 3**

**NDM3375 Jane Hutt (Vale of Glamorgan)**

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

Approves the draft The Waste Electrical and Electronic Equipment (Waste Management Licensing) (England and Wales) Regulations 2006 a copy of which was laid in Table Office and e-mailed to Assembly Members on 5 December 2006, and notes the Explanatory Memorandum for this Order laid in Table Office and e-mailed to Assembly Members on 5 December 2006.

A vote was taken on the Regulations:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
51	0	0	51

**The Regulations were approved.**

.....

**The following 2 items were debated together but voted on separately.**

**4.47pm**

**Item 11 - Motion to approve The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006 under Standing Order 24.27(iv)**

**NDM3377 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Considers the principle of The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006 a copy of which was laid in Table Office and e-mailed to Assembly Members on 5 December 2006.

A vote was taken on the principle of the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
51	0	0	51

**The principle of the Order was agreed.**

**NDM3378 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Approves that The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006 is made in accordance with the draft laid in the Table Office and e-mailed to Assembly Members on 5 December 2006.

*To note: No Legislation Committee Report is laid in respect of these Regulations, procedural requirements having been disapplied by the Assembly Cabinet under Standing Order 24.27 (i), (ii) and (iii).*

A vote was taken on the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
51	0	0	51

**The Order was approved.**

## **Item 12 - Motion to approve The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006 under Standing Order 24.27 (iv)**

### **NDM3379 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Considers the principle of The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006 a copy of which was laid in Table Office and e-mailed to Assembly Members on 5 December 2006.

A vote was taken on the principle of the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
51	0	0	51

**The principle of the Order was agreed.**

### **NDM3380 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Approves that The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006 is made in accordance with the draft laid in the Table Office and e-mailed to Assembly Members on 5 December 2006.

*To note: No Legislation Committee Report is laid in respect of these Regulations, procedural requirements having been disapplied by the Assembly Cabinet under Standing Order 24.27 (i), (ii) and (iii).*

A vote was taken on the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
51	0	0	51

**The Order was approved.**

.....

**4.49pm**

**Item 13 - Welsh Liberal Democrat Party nominated debate**

**NDM3376 Kirsty Williams (Brecon and Radnorshire)**

To propose that the National Assembly for Wales:

Calls for an All-Wales review of the commissioning by LHBs of hospice and palliative care services, examining levels of funding, provision and any other related issues. This review should take into account the findings of the Health and Social Services Committee's review of cancer services for people in Wales. The terms of reference for the review are to be agreed by the Health and Social Services Committee.

The following amendments were tabled:

**Amendment 1 - Jane Hutt (Vale of Glamorgan)**

Delete all and replace with :

*"To propose that the National Assembly for Wales:*

*Notes that an All-Wales review of the commissioning by LHBs of hospice and palliative care services, examining levels of funding, provision and any other related issues is underway. This review will take into account the findings of the Health and Social Services Committee's review of cancer services for people in Wales. The outcome of the review will inform the allocation of the additional funding for hospices announced by the Finance Minister on 5 December."*

A vote was taken on Amendment 1:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
29	0	30	59

**Amendment 1 was not agreed**

### **Amendment 2 - Jocelyn Davies (South Wales East)**

Insert after care services “*for all conditions*”.

A vote was taken on Amendment 2:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
57	0	1	58

**Amendment 2 was agreed.**

### **NDM3376 Kirsty Williams (Brecon and Radnorshire)**

To propose that the National Assembly for Wales:

Calls for an All-Wales review of the commissioning by LHBs of hospice and palliative care services for all conditions, examining levels of funding, provision and any other related issues. This review should take into account the findings of the Health and Social Services Committee’s review of cancer services for people in Wales. The terms of reference for the review are to be agreed by the Health and Social Services Committee.

A vote was taken on the motion as amended:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
30	0	29	59

**The motion as amended was agreed.**

.....

**The meeting concluded at 5.39pm**

**The Assembly will sit again in Plenary at 2.00pm on Wednesday, 13th December 2006.**

**E P Silk  
Clerk to the Assembly**

### **Determinations**

**Following the meeting of the Business Committee held on 12 December 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 Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Wales) (Amendment) Regulations 2007
- The Statutory Nuisances (Miscellaneous Provisions) (Wales) Order 2007
- The Statutory Nuisances (Miscellaneous Provisions) (Wales) Regulations 2007
- National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007