

Minutes – Business Committee

Meeting Venue:

Conference Room 4B – Tŷ Hywel

Meeting date: 8 June 2016

Meeting time: 09.00 – 18.39

Private

Attendance

Category	Names
Committee Members:	Elin Jones AM Jane Hutt AM Simon Thomas AM Paul Davies AM Mark Reckless AM
Committee Staff:	Aled Elwyn Jones (Clerk)
Others in attendance	Ann Jones AM, Deputy Presiding Officer Christopher Warner, Head of Policy and Legislation Committee Service Siân Wilkins, Head of Chamber and Committee Service Adrian Crompton, Director of Assembly Business Peter Greening, Welsh Government

1 Introductions, apologies and substitutions

2 Minutes of the previous meeting

The minutes were revised and agreed by the Committee for publication.



3 Organisation of Business

This Week's Business

The First Minister would be making statements on the Wales Bill and Tata Steel.

The Cabinet Secretary for Economy and Infrastructure would be making a statement on European Football Championships.

Any voting would take place immediately after each motion on the agenda.

Three week timetable of Government Business

Business Committee noted the 3 Week Timetable of Government Business.

Three week timetable of Assembly Business

Before determining the three-week timetable of Assembly Business, Business Managers considered a legal briefing on the effect the timetabling of business may have on Members' contributions during the run-up to the EU referendum. Members had considered the legal briefing in advance and there was a thorough discussion of the issues raised in it and the possible options, with all members of the Committee contributing. Having considered the advice, including in particular the varying legal duties placed on the Assembly Commission, and the central role of the Assembly in Welsh public life, they agreed that the Assembly's ability to discuss European matters during the referendum period should not be restricted.

Business Committee determined the organisation of Assembly business and agreed to schedule the following items of business:

Tuesday 14 June 2016 –

- Motion to annul the Disabled Persons (Badges for Motor Vehicles) (Wales) (Amendment) Regulations 2016 (30 mins)

Wednesday 15 June 2016 –

- Motion under Standing Order 16.1 to establish an interim Committee on Constitutional and Legislative Affairs (5 mins)
- Debate by Individual Members under Standing Order 11.21(iv) (60 mins)
- Time allocated to Plaid Cymru (60 mins)
- Time allocated to the Welsh Conservatives (60 mins)
- Short Debate – Llyr Gruffydd (North Wales) (30 mins)

Wednesday 22 June 2016 –

- Time allocated to Plaid Cymru (60 mins)
- Time allocated to the Welsh Conservatives (60 mins)
- Time allocated to the United Kingdom Independence Party (60 mins)
- Short Debate – Julie Morgan (Cardiff North) (30 mins)

Wednesday 29 June 2016 –

- Questions to the Assembly Commission (30 mins)
- Debate by Individual Members under Standing Order 11.21(iv) (60 mins)
- Time allocated to Plaid Cymru (60 mins)
- Time allocated to the Welsh Conservatives (60 mins)
- Short Debate – Rhianon Passmore (Islwyn) (30 mins)

4 Paper to note

Legislative Consent Motions: UK Legislative Programme 2016/2017

The Business Committee noted the paper by the Leader of the House providing an update on the progression of UK Bills announced in the Queen's Speech that are likely to require LCMs.

Any Other Business

Papers for afternoon session

The Presiding Officer reminded Business Managers to discuss papers that will be considered at the afternoon session of the meeting with their Groups this morning.

In the context of the committee structure and membership, Jane Hutt informed the committee that Kirsty Williams, being a Minister, did not wish to take up the committee seat that she was in theory entitled to.

Committee on Statutory Instruments

Business Committee agreed to table a motion to establish an interim Committee on Constitutional and Legislative Affairs to undertake the scrutiny of statutory instruments and any other constitutional and legislative matters. Business Managers agreed the title and remit of the committee, and agree to consider the size and membership outside of Committee, before next week's meeting.

Photographer

The Presiding Officer informed Business Managers that a photographer would be present in the Chamber at that afternoon's Plenary meeting to take photos of Assembly Members for use in National Assembly for Wales marketing materials.

Reconvening

The Presiding Officer informed Business Managers that due to Plenary being longer than expected, Business Committee will reconvene at 5.15pm rather than 4pm.

Adjournment

The Committee adjourned at 09.45.

5 Committees

The Committee reconvened at 17.18.

At the meeting of 25 May, Business Managers considered a paper setting out the role of Business Committee in establishing a committee system. At that meeting, the Committee requested a further detailed paper outlining options for possible committee structures including suggested models for committee remits and procedures for electing committee chairs and agreed to discuss options with their groups in the meantime.

Joint Policy and Legislation Committees

There was a general consensus in favour of establishing six joint policy and legislation committees and six specialist committees with a reserve committee to be established to absorb any short-term pressures in the overall committee system, particularly legislation.

Jane Hutt emphasised that should a reserve committee be established at the outset, it would require a broad remit if it is to undertake additional pressures from other committees.

Committee Size

Following discussion with party groups, Jane Hutt commented that the Labour group would prefer a structure of 8 Members on combined Policy and Legislation Committees and noted that application of D'hondt would give Labour 4 seats on such committees.

The Presiding Officer advised that should D'hondt be applied on small committees, it would not reflect the balance of the political groups to which Assembly members belong and could be interpreted as running counter to the Government of Wales Act 2006.

Simon Thomas remarked that as perfect proportionality could not be achieved, an element of compromise would be required to attain an overall balance across committees. Mark Reckless and Paul Davies agreed and requested options for committee structures based on a model of seven and eight Members and based on political balance that could be agreed by consensus rather than by the strict application of D'hondt.

Business Managers agreed to return to the matter at a future meeting to decide on committee size following discussions with party groups.

Committee Remits

There was general agreement by Business Managers to establish six joint policy and legislation committees and that it would not be necessary to mirror ministerial portfolios, given that ministerial portfolios are subject to change.

Business Managers considered that having an additional committee, compared with the Fourth Assembly, would ensure more balanced remits and would reduce the likelihood of over-burdening any one committee.

Business Managers agreed that six specialist committees should be established, as was the case in the Fourth assembly, including, Scrutiny of the First Minister; Constitutional and Legislative Affairs; Finance; Public Account; Petitions and a Standards of Conduct Committee.

Business Managers considered that membership of the Scrutiny of the First Minister Committee could be composed of other committee chairs, with either the Presiding or Deputy Presiding Officer chairing, and asked the Secretariat to look at options for this. Business Managers also asked for different options to be considered for the remit of the Standards Committee, including whether it could be expanded to include privilege, procedures, and public appointments.

The Committee requested the Secretariat bring forward further options for committee remits based on Business Managers' suggestions.

Procedures for Electing Committee Chairs

Business Managers agreed that the possibility of electing committee chairs should be looked at further, with some groups wholly in favour and none strongly opposed.

Jane Hutt suggested that the procedure for the removal of committee chairs should require more than a simple majority vote in the committee. Simon Thomas suggested that to have effect, a vote of no confidence by a committee should also then be endorsed by the Assembly as a whole.

Paul Davies requested further advice on whether members of the Government should be able to vote in Plenary to elect and remove a committee chair given its function is to scrutinise the Government.

Jane Hutt expressed that she would like to return to this matter as part of forthcoming discussions.

Jane Hutt indicated that she would need to give further consideration to the proposal that candidates for committee chairs should be nominated by one other Member from within the Party group and requested that the Secretariat explore how other parliaments outside the UK elect committee chairs.

Business Managers were in agreement that election of chairs should be done by means of a secret ballot.

Business Managers agreed for the Secretariat to bring forward a paper outlining a possible procedure for electing committee chairs, and to provide various options within that procedure, for Business Managers to consider.

6 The Assembly Timetable

Recess Dates

Paul Davies was in favour of continuing with a four week Christmas recess and suggested reducing the summer recess by a week as an alternative. Simon Thomas and Mark Reckless were content to shorten the Christmas recess by one week.

Jane Hutt stated that there was some support in the Labour Group for reducing the Christmas recess to three weeks, by returning earlier in January. In any case, there was support within the group for having another week of Assembly business in the year, in line with other UK legislatures.

The Committee agreed to return to the matter at a future meeting.

Assembly Timetable

Business Managers agreed to return to the matter of the Assembly Timetable at a later date so that any decision on committee structure could inform those discussions.

7 Papers to Note

Business Managers noted the papers.