

# Votes and Proceedings – Plenary

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Meeting Venue:

Y Siambr – Y Senedd

Meeting date:

Tuesday, 4 April 2017

Meeting time: 13.30

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/4260>

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### Record of Proceedings

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### Tributes to Claire Clancy on her retirement

The Llywydd paid tribute to Claire Clancy, the Chief Executive and Clerk of the Assembly, on her retirement. Tributes were then paid by Party Leaders and by former Llywydd, Dafydd Elis-Thomas.

### 1 Questions to the First Minister

The item started at 13.40

The first 8 questions were asked. The Presiding Officer invited party leaders to ask questions to the First Minister after question 2.

### 2 Business Statement and Announcement

The item started at 14.29



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

## **Motion to suspend Standing Orders to allow the next item of business to be considered**

The item started at 14.40

**NNDM6290** [Jane Hutt \(Vale of Glamorgan\)](#)

To propose that the National Assembly for Wales, in accordance with Standing Orders 33.6 and 33.8:

Suspends Standing Order 12.20(i), 12.22(i) and that part of Standing Order 11.16 that requires the weekly announcement under Standing Order 11.11 to constitute the timetable for business in Plenary for the following week, to allow NDM6289 to be considered in Plenary on Tuesday, 4 April 2017.

The motion was agreed in accordance with Standing Order 12.36.

## **3 Debate: The Implications for Wales of leaving the European Union**

The item started at 14.40

**Voting on the motion and amendments under this item was deferred until Voting Time.**

**NNDM6289** [Jane Hutt \(Vale of Glamorgan\)](#)

To propose that the National Assembly for Wales:

1. Reiterates its strong support for the Welsh Government – Plaid Cymru White Paper, "*Securing Wales Future*" as a credible and comprehensive approach to protecting and promoting Wales' interests as the UK leaves the European Union.

2. Takes note of the letter sent by the Prime Minister on 29 March 2017 in accordance with Article 50 of the Treaty of European Union, and the draft negotiating mandate published by the President of the European Council in response.

3. Further notes the UK Government's White Paper "*Legislating for the United Kingdom's withdrawal from the European Union*", published on 30 March 2017, setting out its proposals for legislation to give effect to the United Kingdom's withdrawal from the European Union but believes the analysis of the inter-relationship between the current powers of the EU and the devolution settlement is deeply flawed.

4. Reiterates that constitutional and governmental structures following the United Kingdom's exit from the European Union must be based on full respect for the devolution settlement, and improved arrangements for the conduct of inter-governmental relations based on mutual respect and parity of esteem between the four governments in the UK.

5. Further reiterates in the strongest terms that any frameworks relating to policy areas that are devolved that may be needed to ensure the smooth functioning of the UK market must be agreed by consensus between the UK Government and all three Devolved Administrations and be subject to independent dispute resolution mechanisms. The starting point for such common approaches and frameworks must be through agreement and consensus.

6. Supports the Welsh Government in continuing to press the UK Government for direct participation in the negotiations on the UK's withdrawal from, and future trading and other relations with, the European Union, to ensure protection of distinctive Welsh interests.

7. Reaffirms its view that there should be no financial disadvantage to Wales arising from the UK's exit from the European Union, and calls on the UK Government to make a full and public commitment to that effect.

8. Notes the Welsh Government's commitment to report regularly to the Assembly on progress in relation to these matters.

**The following amendments were tabled:**

**Amendment 1 – [David J Rowlands \(South Wales East\)](#)**

Delete point 1 and replace with:

Believes that the Welsh Government – Plaid Cymru White Paper, "Securing Wales Future" lacks credibility on account of its unrealistically pessimistic assumptions of the alleged costs of Brexit.

A vote was taken on amendment 1:

For	Abstain	Against	Total
6	10	38	54

**Amendment 1 was not agreed.**

**Amendment 2 – [David J Rowlands \(South Wales East\)](#)**

In point 3, delete 'but believes the analysis of the inter-relationship between the current powers of the EU and the devolution settlement is deeply flawed'.

A vote was taken on amendment 2:

For	Abstain	Against	Total
16	0	38	54

**Amendment 2 was not agreed.**

**Amendment 3 – [David J Rowlands \(South Wales East\)](#)**

In point 5, delete 'must be agreed' and replace with 'should be agreed'.

A vote was taken on amendment 3:

For	Abstain	Against	Total
16	0	38	54

**Amendment 3 was not agreed.**

**Amendment 4 – [David J Rowlands \(South Wales East\)](#)**

In point 5, delete 'The starting point for such common approaches and frameworks must be through agreement and consensus' and replace with:

'Recognises that the conduct of the Scottish and Welsh Governments in continuing to fight the referendum campaign after the result on June 23 2016 renders such an outcome unrealistic'.

A vote was taken on amendment 4:

For	Abstain	Against	Total
6	10	37	53

**Amendment 4 was not agreed.**

**Amendment 5 – [David J Rowlands \(South Wales East\)](#)**

Delete point 6.

A vote was taken on amendment 5:

For	Abstain	Against	Total
16	0	38	54

Amendment 5 was not agreed.

Amendment 6 – [David J Rowlands \(South Wales East\)](#)

Add as new point at end of motion:

Believes that, should EU intransigence preclude a free trade agreement with the UK, the transitional costs of Brexit based on WTO rules would be significantly alleviated by the saving of Britain's £8 billion a year net contribution to the EU Budget, and a likely net revenue on tariffs on trade between the EU and UK of £8 billion a year.

A vote was taken on amendment 6:

For	Abstain	Against	Total
6	10	38	54

Amendment 6 was not agreed.

Amendment 7 – [Rhun ap Iorwerth \(Ynys Môn\)](#)

Add as new point at end of motion:

Calls on the Welsh Government to bring forward a continuation (Wales) bill in order to uphold Wales's constitution and convert into Welsh law all European legislation related to devolved policy areas.

A vote was taken on amendment 7:

For	Abstain	Against	Total
9	39	6	54

Amendment 7 was agreed.

A vote was taken on the motion as amended:

To propose that the National Assembly for Wales:

1. Reiterates its strong support for the Welsh Government – Plaid Cymru White Paper, "*Securing Wales Future*" as a credible and comprehensive approach to protecting and promoting Wales' interests as the UK leaves the European Union.
2. Takes note of the letter sent by the Prime Minister on 29 March 2017 in accordance with Article 50 of the Treaty of European Union, and the draft negotiating mandate published by the President of the European Council in response.
3. Further notes the UK Government's White Paper "*Legislating for the United Kingdom's withdrawal from the European Union*", published on 30 March 2017, setting out its proposals for legislation to give effect to the United Kingdom's withdrawal from the European Union but believes the analysis of the inter-relationship between the current powers of the EU and the devolution settlement is deeply flawed.
4. Reiterates that constitutional and governmental structures following the United Kingdom's exit from the European Union must be based on full respect for the devolution settlement, and improved arrangements for the conduct of inter-governmental relations based on mutual respect and parity of esteem between the four governments in the UK.
5. Further reiterates in the strongest terms that any frameworks relating to policy areas that are devolved that may be needed to ensure the smooth functioning of the UK market must be agreed by consensus between the UK Government and all three Devolved Administrations and be subject to independent dispute resolution mechanisms. The starting point for such common approaches and frameworks must be through agreement and consensus.
6. Supports the Welsh Government in continuing to press the UK Government for direct participation in the negotiations on the UK's withdrawal from, and future trading and other relations with, the European Union, to ensure protection of distinctive Welsh interests.

7. Reaffirms its view that there should be no financial disadvantage to Wales arising from the UK's exit from the European Union, and calls on the UK Government to make a full and public commitment to that effect.

8. Notes the Welsh Government's commitment to report regularly to the Assembly on progress in relation to these matters.

9. Calls on the Welsh Government to bring forward a continuation (Wales) bill in order to uphold Wales's constitution and convert into Welsh law all European legislation related to devolved policy areas.

For	Abstain	Against	Total
37	1	16	54

The motion as amended was agreed.

#### **4 Statement by the Minister for Social Services and Public Health: The Social Services and Well-being (Wales) Act – one year on**

The item started at 16.07

#### **5 Statement by the Cabinet Secretary for Economy and Infrastructure: The Future of Heritage Services in Wales – a new strategic partnership and the future of Cadw**

The item started at 16.51

#### **6 Statement by the Minister for Lifelong Learning and the Welsh Language: The Future of Youth Work Delivery in Wales**

The item started at 17.47

**Proposal under Standing Order 12.24 to debate the following two items together but with separate votes (15 mins):**

## **7 The Planning (Hazardous Substances) (Determination of Procedure) (Wales) Order 2017**

The item started at 18.34

**NDM6280** [Jane Hutt \(Vale of Glamorgan\)](#)

To propose that the National Assembly for Wales; in accordance with Standing Order 27.5:

Approves that the draft The Planning (Hazardous Substances) (Determination of Procedure) (Wales) Order 2017 is made in accordance with the draft [laid](#) in the Table Office on 10 March 2017.

The motion was agreed in accordance with Standing Order 12.36.

## **8 The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) (Amendment) Regulations 2017**

The item started at 18.34

**NDM6281** [Jane Hutt \(Vale of Glamorgan\)](#)

To propose that the National Assembly for Wales; in accordance with Standing Order 27.5:

Approves that the draft The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) (Amendment) Regulations 2017 is made in accordance with the draft [laid](#) in the Table Office on 10 March 2017.

The motion was agreed in accordance with Standing Order 12.36.

## **9 Debate: Stage 4 of the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Bill**

The item started at 18.37

**NDM6291 [Mark Drakeford \(Cardiff West\)](#)**

To propose that the National Assembly for Wales in accordance with Standing Order 26.47:

Approves the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Bill.

The motion was agreed in accordance with Standing Order 12.36.

## **10 WITHDRAWN: Debate: Tackling Fuel Poverty through the Warm Homes Programme**

## **11 Voting Time**

The item started at 18.48

The meeting concluded at 18.52

The Assembly will sit again in Plenary at 13.30, Wednesday, 5 April 2017